SENATE—*Thursday, July 24, 1986*

(Legislative day of Monday, July 21, 1986)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Honorable PAUL LAXALT, a Senator from the State of Nevada.

PRAYER

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

Let us pray.

God of all grace and comfort, in busy, stress-filled days, we are especially grateful for loyal, hard-working men and women who provide the Senate indispensable support without which it could not do business. Thank You for all who work in the offices of the Secretary of the Senate, the Sergeant at Arms, the Cloakrooms and the CONGRESSIONAL RECORD. Thank You for clerks and secretaries, for receptionists, security, pages, and all who follow Senate proceedings. Thank You for those in food service, maintenance, elevators and subways. Bless all these committed friends; grant them daily encouragement at their tasks.

In this large family, Heavenly Father, every day there are those who have special needs, and we pray for them. We are grateful for the good news that Senator GOLDWATER is well. Thank You for the success of David Joy's surgery. With profound concern we remember prayerfully Stan Kimmit, his family, and especially his son Tom. Give to them the peace that passes understanding and sustain their hope in hours of discouragement. Be with all who need You, Father.

Then, Lord, we identify with the deep concern of Governors of States suffering from terrible drought and join them in asking You, God of Mercy, for rain and help for the farmers, in Jesus' name. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. THURMOND].

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 24, 1986.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable PAUL LAXALT, a Senator from the State of Nevada, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

Mr. LAXALT thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. Under the previous order the majority leader is now recognized.

Mr. DOLE. Mr. President, I thank the distinguished Presiding Officer, Senator LAXALT.

SCHEDULE

Mr. DOLE. Mr. President, I indicate that under the standing order the leaders have 10 minutes each. Then we have five special orders for Senators KASTEN, PROXMIRE, WARNER, HAWKINS, and BAUCUS, for not to exceed 5 minutes each. Then we have routine morning business not to extend beyond the hour of 11 a.m. with Senators permitted to speak therein for not more than 5 minutes each.

Following morning business, the Senate will resume consideration of House Joint Resolution 668, the debt limit extension.

I indicate that we can expect rollcall votes throughout the day and tomorrow, and we can also expect to be in session late this evening. So I advise my colleagues who have plans for tomorrow to plan accordingly. It seems we are starting to load up the debt limit extension. If we delay this bill indefinitely we may get to the August 15 recess date with a lot of work that must still be completed.

So I urge my colleagues to take note of the fact that there could be votes, I would say, up until at least 3 or 4 o'clock tomorrow afternoon. There will be no Saturday session.

Mr. BYRD. Mr. President, will the distinguished majority leader yield at that point?

Mr. DOLE. Yes.

Mr. BYRD. Can we say to our colleagues that there definitely will be rollcall votes tomorrow?

Mr. DOLE. With the exception, of course, where someone stands up and says, "There are not going to be any votes today; I am going to talk on this amendment," yes, I would hope so.

As I understand there are a number of amendments. We hope to dispose of the Gramm-Rudman-Hollings amendment. If that can be done, I think Senator HART then has an amendment to repeal Gramm-Rudman-Hollings. I think what he wants to do is have a vote.

So I would say unless someone just says, "I am going to talk today and no votes," there will be votes and we will try to come in fairly early tomorrow so Senators can still make some of their engagements. I know there are a lot of people on both sides who have engagements tomorrow evening out of town. So we will try to accommodate them as much as we can.

Mr. BYRD. As the distinguished majority leader knows, there are Senators on both sides who will be here if there are definitely going to be rollcall votes. If there are not, they have engagements back in their respective States.

I wonder if at some point today we could say definitely yes or no, there are going to be rollcall votes or there will not be rollcall votes, so that they can be adequately informed.

Mr. DOLE. If that is possible. Again, as the minority leader knows sometimes when you think there may be votes someone decides you are not going to have any votes. Maybe we can make certain, find out what amendments are floating around and set a couple of those for tomorrow. We will try to do that.

Mr. BYRD. I thank the majority leader.

Mr. DOLE. Mr. President, as I understand, based on an announcement yesterday, there is a new South Africa bill floating around. It is sort of a grab bag approach. It takes everything that has been floating around and puts it in a bill and calls it legislation.

It is like a cannon going off. You do not know who it is going to hit. But if everybody's ideas are in it, you surely will hit someone.

That is what I understand the Cranston-Kennedy-Weicker bill to be. There is no explanation yet of why it makes any particular sense. But maybe parts of it will end up in legislation.

But I would hope the final product would be better tailored. We should know what each part of the package intended to accomplish and the whole package will send a coherent message.

I also indicated even while those Senators were talking about putting it on the debt limit, negotiations have been going on at the staff level. As I indicated previously, the minority leader and I discussed trying to work out some agreement about three

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

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major items: South Africa, Contra aid, and a SALT resolution.

At least I received sort of a framework, not an agreement—it had not been brought to us yet—but at least some ideas that Mr. D'AMATO, Mr. Lehn, and Mr. Bannerman from the Foreign Relations Committee had gotten together and talked about yesterday.

We are trying to work that out. They are all serious questions. They deserve to be considered.

I have been advised that we have Angola amendments now coming up on the debt ceiling from this side. So far they have been bipartisan, nonpartisan. Everybody's getting into this turkey shoot on the debt ceiling.

But I do not think anybody will argue that any of these measures belong on the debt ceiling.

I am not certain what the reaction of the House of Representatives would be if we send them a debt ceiling which has Angola, South Africa, freedom fighters, SALT. Maybe we could figure out a package just to put everything we have remaining on the calendar on the debt ceiling and have an early adjournment.

□ 1010

That might be something that would be an incentive for a lot of us. But I hope my colleagues on each side will understand that the debt ceiling is used by both sides—I do not point fingers at anyone—but I hope, based on my conversation with the Treasury Secretary, that we would complete action on the debt ceiling because we will not have enough money—and I am always a little bit suspicious when I am told that by Treasury—but they say September 2 is the drop dead date.

There is the disinvestment of the Social Security trust fund. That is also an amendment pending on the debt ceiling which affects funds to pay Social Security benefits.

So I would urge my colleagues, if we insist on putting nongermane amendments on the debt ceiling, that at least we vote on them. I think I am joined by the minority leader in that I think we would like to complete action on these matters, would like to do it by August 15.

I still would urge the administration, with reference to South Africa, to come forth with some new credible initiative. I think there is a certain amount of frustration on the part of Senators, including the Senator from California and others, because they did not see what they had hoped to see or hear from the President. I still believe it would be in the interest of orderly procedure and objective legislation if the President did send his representative, or representatives, if more than one, as a special envoy to South Africa for a period of 10 days or so to meet with the various elements there and come back and report to Congress, much as was done when we had the problem in the Philippines. I felt that was very constructive.

In that area, I might suggest that the Presiding Officer, Senator LAXALT, play a leading role, as did Senator LUGAR, and other Republicans and Democrats.

I have again urged the White House to at least pursue the special envoy approach with credible members of that delegation or, if it is one person, someone who would have credibility on each side of the aisle so that we could really craft the right legislation at the right time.

Mr. CRANSTON. Will the Senator yield briefly?

Mr. DOLE. Yes.

Mr. CRANSTON. In regard to the apartheid matter that the leader referred to, an issue I am deeply involved in, first, the Foreign Relations Committee has a pending measure. We are seeking early hearings. The chairman indicated probably a week from Tuesday would be the earliest time there would be hearings. A number of Senators feel that would just not allow enough time to deal with the issue on the floor once we got the measure out. If we face a prospective veto, it might be that we would not have time to deal with that veto under the Senate's schedule.

I understand discussions are under way with the chairman of the Foreign Relations Committee and it may be possible to start hearings next Tuesday. In that case, I think the pressures to act on the debt ceiling might be relieved. So if the majority leader would help in bringing that about, it might get rid of it on the debt ceiling.

On the matter of the so-called Cranston-Kennedy-Weicker bill, let me say that is not really a blunderbuss. It is a bill that has passed the House.

Mr. DOLE. That was a blunderbuss.

Mr. CRANSTON. It passed the House of Representatives. There was no major battle over it. It is now before us. It is a very strong bill. What it does is ban all trade with South Africa and it calls for disinvestment. That is the strongest measure, and I think the strongest measure is the best measure, given all the circumstances that we see developing in South Africa.

Mr. DOLE. I do not totally agree with that, because the House bill was so bad they did not even have a vote on it. They had a voice vote, then everybody could say, "Well, I wasn't for it, but it passed on a voice vote."

I hope we would have a package that we would be proud of and we would vote for it. As the Senator knows, 6 or 8 months ago we helped to work out the last approach on this floor, a bipartisan approach, and the President followed that up with an Executive order. That Executive order expires on September 9. Whether or not it will be extended, I do not know. I know in your legislation the Executive order would be codified, and there are some other additions to it.

I know Senator LUGAR intends to contact you, Senator KENNEDY, and Senator WEICKER, to see if we can work out an agreement so this would not be on the debt ceiling.

Mr. CRANSTON. I hope we could do so. That would be great.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. Under the previous order, the minority leader is now recognized.

UNITED STATES POLICY TOWARD LATIN AMERICA

Mr. BYRD. Mr. President, 2 days ago I and a number of my colleagues met with Ambassador Phillip Habib, our Special Envoy to Central America, to discuss the prospects for a negotiated settlement among the five Central American countries of Guatemala, Honduras, El Salvador, Costa Rica, and Nicaragua. Specifically, I am concerned about the future of the so-called Contadora process, which has just produced a fourth draft treaty for the consideration of those Central American countries. That draft is apparently unacceptable in various respects to most, if not all, of those five nations.

Mr. Habib indicated to me that he believed the negotiating process, pursuant to the Contadora framework, was not dead, but that the Central American countries themselves would be taking a more active role in revising and building upon the provisions of the drafts which have already been produced by the Contadora countries. As many of my colleagues are aware, Mexico has been the key factor in producing drafts for the consideration of the Central Americans.

I also questioned Mr. Habib about why he, as Special Envoy to Central America, felt he could do his job adequately, and studiously avoid, at the same time, even talking to the Nicaraguan Government. After all, that Government, despite its repressive character, is part of the Contadora negotiating process. It seems elementary to me that we ought to have a thorough understanding of what the Sandinistas say they will agree to in a negotiation and are willing to commit themselves to.

Third, Mr. President, I wanted to get an understanding of what effect Mr. Habib felt the passage of a $100 million aid program by the House of Representatives had had on the negotiating process.

Quite frankly, I am uncertain about the policy of the United States at this time. Mr. Habib indicated that we have a two-track strategy in operation—first, a negotiating track, which consists of the Contadora process, but not a United States-Nicaraguan dialog; second, a Contra aid policy of, supposedly, $100 million in support for the Nicaraguan rebels currently staging out of southern Honduras into Nicaragua. According to Mr. Habib, and also according to new reports of the position of the administration, the purpose of the military aid policy is to pressure the Sandinistas into serious negotiations. According to Mr. Elliott Abrams, the State Department official in charge of the Contra Program, which appeared in the Washington Post of July 21, 1986—

When it's recognized that the Contra pressure is going to be there . . . , we think that perhaps we might start to see a chance for negotiations that are meaningful.

The basic questions, are these: Is the United States wholeheartedly supporting the successful conclusion of the negotiating tract in Central America? Is the United States serious about exploring and exhausting diplomacy, and is military action truly a last resort? On what track is the American policy train really riding?

Is the United States supporting diplomatic efforts in that region, or are we merely sitting on the sidelines as passive observers, or are we, as some in the region are charging, actively attempting to throw obstacles in the way of diplomacy? Is the United States attempting to scuttle diplomacy, in order to free up the military track, to pull out all the stops, on the theory that there will be a Nicaraguan uprising from within as the Contras push from without? If that is the case, to what degree is the administration prepared to commit this Nation? What contingency plans will have to be exercised regarding support?

There are disturbing signs of a serious imbalance in American policy at this time in Central America. Just recently the American Ambassador to Honduras was publicly, and peremptorily fired from his post. His successor has not been nominated as yet.

□ 1020

Indications from knowledgeable individuals in Honduras are that the action upset the Honduran Government. The fear in Honduras, which is uneasy about the presence of a growing Contra army inside its southern border, and of a growing United States military advisory presence associated with that army, is that a new American Ambassador will not be sent to Honduras to be Ambassador to Honduras in the traditional diplomatic sense—but, instead, that we will be sending an American commandante, a field marshal whose job it is to direct a war from Honduran territory against Nicaragua. So far, Honduras' official position is that the Contra army simply does not exist in Honduras. That fiction will soon have to disappear if the American military aid program goes into effect, as the administration hopes, in September of this year.

The concerns of leading Honduran civilian and military officials about the role Honduras may be pushed into playing in the near future have been highlighted by public statements made 2 days ago by Mr. John Ferch, our Ambassador who has just been fired from his post in Honduras. As reported by the Baltimore Sun of July 22, 1986, Mr. Ferch indicated that the Reagan administration is seeking a military solution in Nicaragua. Despite public assertions that it wants a negotiated settlement. Mr. Ferch said that "I always thought we meant what we said: We wanted pressures so we could negotiate. I'm beginning to think I accepted something that wasn't true." He went on to say that he believed that the time was ripe for diplomacy, but that the circumstances surrounding his dismissal were such that America's "goal is something different. It's a military goal."

Mr. President, these are disturbing statements from a 27-year Foreign Service veteran who was on the front lines of United States policy in Central America until just a few days ago.

What is the depth of America's commitment to diplomacy in Central America? Indeed, I am also somewhat uncertain of the extent of military involvement being planned by the administration at this time. We have been told that the President wants $100 million, most of it in lethal military aid. But, the July 7, 1986, issue of Newsweek carried a story indicating a level of potential American involvement that the American people are not aware of, I have certainly not been apprised of, nor my colleagues, the story was as follows: "Newsweek learned the agency [CIA] is preparing to provide the rebel force with covert logistical support, training, communications and intelligence worth the equivalent of $400 million."

This information was verified by a responsible American Embassy official in Honduras on July 7, 1986. This official indicated that it was correct that the CIA intended to provide unappropriated aid that could reach that amount. This is in addition to the requested $100 million in appropriated aid. Asked how the CIA would actually provide this additional assistance, he said primarily by purchasing materials that would be turned over to the Contras but to which the CIA would retain legal title. This would appear to be a kind of capital investment program.

There are many, many unanswered questions that this information raises. The Senate owes it to the American people to completely investigate, thoroughly debate, and completely inform itself and the American people about this program. I fully expect such an effort in the days ahead before the Senate finally speaks its mind on Central America this year.

The American people desperately need to know the real strategy and the real goals of this administration in Central America.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the article from the Baltimore Sun to which I alluded, and also the article from U.S. Newsweek to which I referred.

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

[From the Baltimore Sun, July 22, 1986]

U.S. SHUNS TALKS, SAYS FIRED ENVOY

(By Roy Gutman)

WASHINGTON.—John Ferch, fired last month as U.S. ambassador to Honduras, says the Reagan administration is seeking a military solution in Nicaragua, despite public assertions that it wants a negotiated settlement.

The 27-year Foreign Service veteran, who was abruptly dismissed after less than a year in Honduras, said that the time was ripe for diplomacy, but that he gathered from the manner of his dismissal that "our goal is something different. It's a military goal."

Ferch said that his view, "until the time they canned me, was that you've got them [Nicaragua's Sandinista regime to the point where they've panicked so much they would negotiate some meaningful concessions."

Days before Ferch's dismissal, the House approved President Reagan's package of $100 million in support for the contra rebels who are fighting the Sandinistas from bases in Honduras.

Ferch said that if the administration failed to seize the psychological moment to push for negotiations, the $100 million "is going to go so fast, it's really just the first step. The logic of it all means that the next stage is an expanded military operation."

"I always thought we meant what we said: We wanted pressures so we could negotiate. I'm beginning to think I accepted something that wasn't true," Ferch said in a recent interview from Canada, where he is vacationing with his family.

Administration officials said that Ferch had demonstrated excellent political skills in Honduras, but that "significant" morale problems had arisen in the embassy due to his management.

He also was faulted for strained relations with the Honduran military and with the CIA station in Tegucigalpa, the Honduran capital. The State Department has insisted that policy differences had nothing to do with his firing.

"That's not true. It really isn't, because what they are saying is hogwash," said Ferch, who previously had served as head of the U.S. mission in Havana, Cuba, and as deputy chief of mission in Mexico City.

"They're going for something else. If it is not negotiations, it is really a push on the military side."

In the interview, Ferch also said:

Cuba and the Soviet Union are unlikely to interfere if the Sandinistas come under heavy military pressure. "I don't think they're going to fight down to the wire. The Cubans and Russians are not going to throw in troops like that. They are so concerned about a clash with us that they'll be very cautious."

Honduras has a much more comprehensive approach to Nicaragua than does the U.S. government. "They have been far better at negotiations than we have. . . . They really were ahead of us always."

The manner of his dismissal undercut the newly elected civilian leadership in Honduras. U.S. officials, he said, "have let out the word that my relations with the military down in Honduras were not good. That is not true." He said he always went first to Jose Azcona, the elected president, instead of the military.

"I did that very consciously. And the military were understanding, but not happy. They knew they were accepting a new role in life."

But U.S. officials, in saying he did not get along with the military, "set alight a sleeping fire," he said. "It doesn't help Honduran democracy. There's no question about that. It's not me personally. The combination of getting rid of me and saying, 'He didn't get along with the military' really does undercut" Azcona.

Ferch said he believed that he was fired because the administration wanted someone who would "go in and say, 'Baby, this is the way it's going to be.' " If that is the intention, Ferch said, "nothing is going to happen" because the Hondurans will not take orders.

[From Newsweek, July 7, 1986]

REKINDLING THE MAGIC

The cause was a matter of deep conviction, his own credibility was on the line—and Ronald Reagan, defying the widespread belief that he must sooner or later succumb to lame-duckery, pulled out all the stops. In a lobbying blitz targeted on 50 wavering congressmen, the president worked his septuagenarian magic to build a decisive victory on what may be the single most controversial foreign-policy issue of his administration: by 12 votes, the House of Representatives approved U.S. military aid to the contra rebels for the first time. "His optimism and his commitment are simply contagious, " a senior White House staffer marveled. "Not a bad week's work for an old lame duck," another aide chortled: "Maybe one of these days he'll fall apart, but I wouldn't start laying any bets just yet."

The real significance of the event was almost lost in the euphoria—for the House vote almost surely means more fighting in the Nicaraguan outback and a long-term wholly public U.S. commitment to oust the Marxist government in Managua. "A virtual declaration of war" was the way Sandinista leader Daniel Ortega put it. Reagan's men convinced the tide is now running their way in Central America, seemed not to care. Though they really conceded that the $100 million in U.S. aid approved by the House is not enough to defeat the well-equipped Sandinista army, they predicted that the vote will have far-reaching impact. For one thing, it will once again unleash the CIA, which has been barred from military involvement with the contras since 1984: Newsweek learned the agency is preparing to provide the rebel forces with covert logistical support, training, communications and intelligence worth the equivalent of $400 million. More broadly, administration officials argued that last week's demonstration of congressional support will trigger dissent within Nicaragua and rally other nations in the region to back the contras. "The most profound effects of the vote will be political, not military," one senior U.S. official said. "A lot of people have been sitting on the fence waiting to see which way the wind is blowing. Now that they know, they'll jump."

No one expected the Sandinistas to sue for peace. News of the House's action prompted Ortega to new heights of rhetorical defiance—he called Reagan "a new Hitler"—and set off an intensified crackdown against critics of the regime. The first target: La Prensa, the respected Managua newspaper that opposed the Somoza dictatorship before the revolution and, more recently, has criticized Sandinista repression as well. Within hours of the House vote, the government ordered La Prensa to shut down indefinitely—a decision that the paper's editors called "a black chapter" in Nicaraguan history. The government also warned the remnants of Nicaragua's moderate opposition, including the Roman Catholic church, to toe the line. "Some political groups and religious leaders have become instruments of the terrorist policy of the U.S. government," Ortega declared. "Let them go to Reagan. And if they are courageous enough, may they go to the mountains and to the contra camps. Here the people will await them in that terrain."

Ortega got new ammunition for his war of words when the World Court upheld the Sandinistas' claim that the United States is violating Nicaraguan sovereignty by supporting the contra insurgency. Ortega called it a "political and moral victory" and said it made the United States "an outlaw government." The Reagan administration, which rejected the court's jurisdiction in 1985, shrugged off the decision. State Department spokesman Charles Redman said the World Court "is simply not equipped to deal with a case of this nature, involving complex facts and intelligence information." Nicaragua, he said, "is engaged in a substantial, unprovoked and unlawful use of force against its neighbors."

MORE WEAPONS

The immediate question was how the U.S. aid would be spent. Administration sources said the contras need more weapons of all types, but particularly portable surface-to-air missiles to attack the Sandinistas' Soviet-made Mi-24 Hind helicopter gunships. Under the terms of the House bill, $30 million of the $100 million aid package will be spent on "humanitarian" assistance, including tents, clothing and medical supplies for the contra camps in Honduras. The remaining $70 million will buy assault rifles, machine guns, mortars, missiles and improved air transport to contra supply points. U.S. sources said the CIA has recruited more Spanish-speaking agents and rebuilt its intelligence network in Central America; it will also funnel money and supplies to the contras from supporters all over the world. Although they conceded the U.S. escalation is likely to lead to expanded Soviet and Cuban military aid to the Sandinistas, administration sources predicted the Soviets will not send fighter jets or other high-tech weapons into Nicaragua. "Gorbachev won't set himself up for a fall by increasing the Soviet profile," one official said.

The contras themselves are an even bigger gamble—and administration sources said the House vote had substantially raised the stakes for the rebel army. Congressional critics have repeatedly charged that the contra leadership is corrupt and that U.S. aid has been misspent or stolen; Nicaraguan exiles complain that the contras' political objectives are vaguely defined and that moderates have been excluded from the movement's leadership. "We've got to tighten up, there's no question about that," one State Department official said last week; other sources argued that it will now be easier for U.S. officials to monitor the contras' finances.

Most of all, administration officials said, the contra army must now achieve at least some measure of success in the field—a few "spectacular" guerrilla raids to attract world attention and shake the Sandinista government's resolve. "As they develop more effective logistics, the freedom fighters will be able to operate deeper inside Nicaragua and closer to the population centers," said one source. "That in turn will have a political impact." Another U.S. official took a more skeptical view. "Now the administration has to figure out some way to get these guys off their butts and doing something," he said. "You might say [the House] has given Reagan and the contras $100 million to hang themselves with." The bottom line on Reagan's legislative victory, in short, is the clear commitment of U.S. power and prestige to the contra cause—and no one, including the president himself, can be sure where that commitment will lead.

Mr. BYRD. Mr. President, I yield the floor.

RECOGNITION OF SENATOR KASTEN

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Wisconsin [Mr. KASTEN] is recognized for not to exceed 5 minutes.

HASSAN/PERES TALKS

Mr. KASTEN. Mr. President, King Hassan II of Morocco and Prime Minister Shimon Peres of Israel, are to be commended for the talks they held over the last few days in Morocco.

Not since Anwar Sadat's historic visit to Jerusalem in 1977 have the heads of state of Israel and an Arab country met openly to discuss Middle East peace initiatives.

Mr. President, I wish to especially commend King Hassan for his courageous willingness to meet with Prime Minister Peres, for he has been roundly condemned by many in the Arab world for his action.

While there has been a great deal of attention in this country on Morocco's relationship with Libya in fact, Morocco has consistently been open and friendly to United States and Western interests going back to the beginning for our Nation when Morocco became the first country to recognize the United States.

As is well known, King Hassan facilitated the preliminary meetings which led to the Camp David meetings and

on many occasions, whether it be VOA transmitting facilities base transit rights or a willingness to be utilized as a contingent landing site for our space shuttle program, Hassan has always demonstrated his friendliness toward America.

I know that all of us hoped that something concrete would result from these meetings but I think it is important to point out that the mere fact that the meeting has occurred is itself a concrete and significant occasion.

Mr. President, obviously there are many obstacles which need to be overcome in order to secure lasting peace in the Middle East. But in order to begin that process people must be at least willing to talk. Prime Minister Peres and King Hassan, therefore, deserve as much support as we can provide, both through the many offices of our Government, as well as continuing expressions of encouragement from all quarters who are interested in securing lasting peace in the region.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF SENATOR PROXMIRE

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Wisconsin [Mr. PROXMIRE] is recognized for not to exceed 5 minutes.

WHY ARMS CONTROL WITHOUT STAR WARS IS THE BEST MILITARY ANSWER

Mr. PROXMIRE. Mr. President, can a missile defense advance arms control? Can it stabilize the nuclear deterrents of the superpowers? Above all can it slow down the arms race? Many of us have attacked star wars because—as proposed—it would almost certainly aggravate the arms race. After all, will the Soviets not do everything they possibly can to build the offensive arms to overcome an American star wars defense? Of course, they would. Can any realist possibly doubt it?

Think what would be at stake for the Soviets. A successful United States missile defense would absolutely and certainly destroy the credibility of the Soviet deterrent. Without their nuclear deterrent, could the U.S.S.R. continue as a superpower? No way. It would mean that the United States behind its impregnable star wars shield, with its own offensive nuclear capability unchallenged and unchallengeable would bestride the world like a nuclear colossus, able to destroy without retaliation.

For some Americans such a world would be a Soviet nightmare and an American happy dream. So what is wrong with that? What is wrong is that the Soviets would do everything in their power to keep it from happening. So what? So why would the greatly superior American economy and the clearly superior American technology not make it happen?

Independent scientists and military experts have been emphatic in expressing their conviction that it could not happen. Oh, yes, conceivably such a defense researched over the next 5 or 10 years, developed by the year 2000 and deployed by the year 2010 could conceivably stop the present Soviet offensive nuclear arsenal. I repeat, the present, that is the 1986 Soviet nuclear arsenal. Not assuredly, but conceivably. But could it stop a Soviet offense arsenal designed precisely to penetrate and destroy it 25 years from now in 2011? When it would be finally deployed, almost certainly it could not. And if somehow we achieved that defense perfection in 2011, could it provide any assurance that in years to come the star wars system could continue to defend this country against offensive nuclear innovations that the Soviets would certainly pursue and desperately pursue to restore the credibility of their deterrent? Of course, not. So what is wrong with this dream of decisive American nuclear superiority?

Mr. President, everything is wrong with that dream. First, the surest way we Americans can survive this nuclear confrontation with the Soviet Union is to negotiate a mutual comprehensive arms control treaty that will stabilize the arms race. I mean end it. I mean finish it. I mean stop it. I mean that henceforth any nuclear weapons research, development, or deployment of nuclear weapons must be in accordance with an agreement with the Soviet Union; that the change in nuclear weapons on both sides will contribute to greater assurance that neither side will initiate a nuclear attack. Neither side should strive for a nuclear advantage that would, if achieved, destroy the credibility of the other side's deterrent. And is not this precisely what star wars is designed to do? Of course, it is.

But there is a second more compelling reason why this American antimissile defense or star wars is so tragically mistaken. This is because the one and only sure way this Government can guarantee that the United States will lose its immense military advantage over the Soviet Union is to pour its resources—a trillion dollars or more of its resources—into this fiasco of a nuclear shield over our country. Why is this such a sure loser? Because the Soviet Union with a far lesser technological and economic effort can overwhelm it, spoof it, evade it, deceive it, underfly it. According to this country's National Academy of Science, if a bare 1 percent of the present Soviet nuclear arsenal should strike American cities, this country would be finished. While we Americans pour a trillion dollars or more in this defensive Edsel of star wars, the Soviets can build a devastating counteroffensive at a small fraction of the cost.

Just think of it. Here is the United States of America with every military advantage. Our economy is twice as productive as the Soviet economy. Our military technology is superior in virtually every respect. Our allies in the North Atlantic Treaty Organization have an even greater degree of superiority over the Warsaw Pact allies of the Soviet Union. The Soviets are confronted on their western border by first-class military powers including two nations, the United Kingdom and France that are each building arsenals of 2,000 nuclear warheads. By the mid-1990's either France or the United Kingdom will have the capacity to utterly destroy the U.S.S.R. and how about the Soviet's eastern front? On their eastern border they face a hostile China that is also a growing nuclear power. The United States is shielded by the Atlantic Ocean on the east, the gigantic Pacific on the west. Both are patrolled by the strongest navy on Earth—the American Navy. We have a friendly Mexico as an ally on the south and a friendly Canada as an ally on the north.

On every reasonable basis of comparison, the United States enjoys a massive military advantage over the Soviets. Both superpowers now know that the United States-Soviet nuclear war would be an absolutely sure and certain act of mutual suicide. How do we build on this situation? Should we rush into a trillion dollar effort to destroy the Soviet Union's nuclear deterrent with a star wars defense? Or should we negotiate from our position of enormous economic, technological, geographic, and alliance strength to establish a stable arms control agreement based on vigorous verification? This Senator cannot think of an easier question to answer.

□ 1030

MYTH OF THE DAY—NONBANK BANKS ARE GOOD FOR THE ECONOMY

Mr. PROXMIRE. Mr. President, the myth of the day is that nonbank banks are good for consumers and the economy. In fact, Mr. President, nonbank banks are the greatest threat to safe banking since Willie Sutton.

A nonbank bank is essentially a loophole discovered by clever attorneys. It allows any company to own and operate a bank in spite of a 200-year-old policy of keeping banking separate from commerce and industry.

How is this possible? It is possible because of a loophole in the Bank Holding Company Act. Under that act, a bank is defined as an institution that accepts demand deposits and makes commercial loans. If a bank does not do both, it is not a bank in the eyes of the Bank Holding Company Act. Hence the name, nonbank bank.

The practical significance of this loophole is that it allows any company to own a nonbank bank without being regulated as a bank holding company. In order to preserve the separation between banking and commerce, the Bank Holding Company Act requires that any company that owns a conventional bank can only engage in businesses that are closely related to banking. However, a large, diversified company can acquire a bank without being regulated as a bank holding company by simply stopping the bank from making commercial loans or accepting demand deposits.

There are those who think this loophole is just fine. In fact, they want to dress it up and make it legitimate by calling it a consumer bank or family bank. Who can be against consumers or families?

Others want to continue the nonbank bank as nonthrift thrifts. They would let any company into the banking business as long as the bank was run as a savings and loan association.

Mr. President, all of these proposals spell serious trouble for our financial system. I would like to discuss just two of these problems today.

First, nonbank banks by whatever name impose an intolerable burden on our system of bank regulation. Because the activities of the parent are unregulated, we will have more bank failures at great cost to our deposit insurance funds.

Second, nonbank banks expand and intensify competitive inequities in our financial system. The nonbank bank allows large conglomerate companies to offer a variety of packaged financial services under one roof while real banks are confined to a much narrower market sphere. If we wanted to deliberately weaken the strength of our banking system, I could not think of a better method.

I would now like to elaborate on these two points.

BANK SAFETY UNDERMINED

Because of the nonbank bank loophole, any company is now able to set up banking subsidiaries called nonbank banks. These subsidiaries are like regular banks in that they enjoy access to the Federal Reserve payment system and discount window. They also have their deposits federally insured. However, unlike their bank holding company counterparts, the owners of nonbank banks are not regulated by the Federal Reserve and are free to engage in any activity they choose, however risky.

Advocates on nonbank banks claim that these unregulated holding companies are not a threat to the Federal Reserve System. They say that the legal corporate walls that separate affiliates within a holding company can effectively insulate the bank from the misfortunes of the parent or its other subsidiaries.

Unfortunately, Mr. President, this theory does not hold water. Studies indicate that the financial health of any unit within a holding company structure directly affects the financial health of the other units. Consumers, encouraged by the joint marketing and sales techniques that make diversified business dealings so attractive in the first place, are unlikely to appreciate the legal separateness of the affiliated units. A scandal in Sears' securities division, for example, could easily rock consumer confidence in the banking unit and set off a run on deposits.

Investors, faced with poor earning reports of holding company affiliates, many react as if it is the bank that is ailing. Indeed, investors would be wise to look beyond the financial condition of the bank to the entire holding company, since management within holding companies tends to overlap. If one unit in the company is mismanaged, it may be reasonable to expect poor decisionmaking in the bank affiliate as well. Even if the bank is properly run, investors may not want to do business with an organization whose reputation has been tarnished.

Finally, holding company managers may use bank assets to aid the troubled affiliate and thereby cause the failure of the bank. Although current laws are designed to protect banks from such abuse, managers may feel inclined, and history is full of examples, where managers have violated these statutes in time of financial crisis. And the oft-cited reasons for violating these laws is the fear that the failure of one subsidiary could jeopardize the entire conglomerate.

Mr. President, now that we have debunked the myth that legal corporate walls protect banking subsidiaries, it becomes obvious that we have a potentially disastrous situation on our hands. The Federal Reserve Board is charged with providing for a safe and sound banking system. A likely catalyst of instability, the commercial owners of nonbank banks, are outside the reach of the Board's regulatory control. Thus, the nonbank banks loophole has rendered the Federal Reserve incapable of fulfilling its important mandate.

COMPETITIVE INEQUITIES

Another problem caused by commercial ownership of banks is that traditional bank holding companies are unable to compete with their unregulated, commercial counterparts. Companies like Sears want to own nonbank banks because checking accounts are the perfect bait with which to lure consumers into buying a wide variety of products and services as one neat package. Since traditional bank holding companies are restricted by Federal Reserve regulations, they cannot offer the same diversity of services. The obvious consequence is that banks will lose their customer base to the Sears-type supermarkets. Mr. President, by not closing the nonbank bank loophole, Congress has created an uneven playing field on which banks, and therefore, the public at large, are the inevitable losers.

To conclude, Mr. President, Congress must not abdicate its responsibility to shape the financial services marketplace. All holding companies that own banking subsidiaries of any type must be regulated by the Federal Reserve and subject to restrictions now imposed upon traditional bank holding companies. We must not allow an unintended loophole in the law to create a haphazard and eventually unsafe banking system.

Mr. President, I yield the floor.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF SENATOR HARKIN

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Iowa [Mr. HARKIN] is recognized for not to exceed 5 minutes.

THE LETELIER-MOFFITT KILLINGS

Mr. HARKIN. Mr. President, by now, we are all familiar with the tragedy of Rodrigo Rojas, the 19-year-old resident of the United States who was brutally slain in Santiago, Chile. Unquestionably, this incident has brought to the attention of the American public the horror which Chileans have been forced to suffer under the repressive rule of Gen. Augusto Pinochet.

Rodrigo's untimely death reminds us of the assassination which occurred

nearly 10 years ago, not on the backroads of Santiago, but on the streets of Washington, DC.

I am referring to the car bomb which took the lives of former Chilean Ambassador to the United States, Orlando Letelier, and his American colleague, Ronnie Karpen Moffitt, on September 21, 1976.

Those responsible for this act of international terrorism—I might add, an act of state terrorism coordinated and directed by the Government of Chile—have yet to be brought to justice.

Well, it is about time that we remembered.

On September 21, 1976, Orlando Letelier's bomb-rigged car exploded on Massachusetts Avenue near Sheridan Circle. Letelier, a Chilean exile and U.S. resident, died on his way to the hospital, and Ronnie Moffitt, a young woman of only 25 years of age and a U.S. resident, died several hours later.

In the following months, our Government accumulated overwhelming evidence directly linking three members of the Chilean secret police—Gen. Manuel Contreras, Col. Pedro Espinoza, and Capt. Armando Fernandez—to the Letelier-Moffitt murders.

In September 1978, a U.S. Federal grand jury filed requests with the Government of Chile for the extradition of these assassins for their involvement in what has been called "one of the most monstrous international crimes in recent history."

Yet, on October 1, 1979, the Chilean Supreme Court issued its final refusal to extradite General Contreras and his DINA, Chilean secret police, coconspirators, terminated their criminal prosecution, and ordered them freed.

Just months after the 1976 assassination, President Carter sent an unmistakable message of U.S. disapproval to the Chilean Government for its participation in this act. The administration reduced the number of diplomatic military personnel and cut off guaranteed loans and credits. "Pipeline" military aid was halted, and the Chilean Navy was excluded from hemispheric naval exercises.

One month after assuming office, President Reagan, who has spoken so forcefully against terrorism and who has made the war against international terrorism a top priority for his administration, lifted those sanctions. Today, the United States still votes for loans to Chile and it continues to provide guaranteed loans and credits to the Chilean Government.

Yet, the Pinochet regime still refuses to extradite those three officials responsible for killing a U.S. citizen and Orlando Letelier with a car bomb on September 21, 1976.

The Letelier-Moffitt murders is an unequivocal case of international terrorism. Chilean secret police carefully orchestrated a hideous crime with the cooperation and complicity of shadowy elements of the international criminal underworld. The boldness and savagery of the terrorists who planned and ordered the bombing is only matched by the savagery and boldness of the Pinochet government which harbors and protects them. Yet the Reagan administration has chosen to overlook this act of terrorism, for which a U.S. court of law has held the Pinochet government legally responsible.

The Reagan administration has acquiesed to the Chilean Government's sponsorship, support, and protection for these international terrorists. The Government of Chile has steadfastly refused to punish or extradite those responsible. By abandoning efforts to secure justice in this case, our government has, in effect, rewarded the Chilean military junta.

Ten years later, Chilean officers on the outskirts of Santiago beat and burned to death another resident of the United States, Rodrigo Rojas, a young man of 19 years of age. The recent decision of a Chilean judge to try just a single officer, and to bring him before a military court, falls far short of any concept of justice, and is an affront to Rodrigo's mother Veronica, and to the U.S. Government.

We must not permit the memory of Rodrigo Rojas to fade into the past, as it seems we have let the memory of Letelier and Moffitt and their horrendous murders here on the streets of Washington fade into the past. Nor can we allow the killers of Ronnie Moffitt, Orlando Letelier, and Rodrigo Rojas to walk freely on the streets of Santiago. Harsh words are not enough. The Letelier-Moffitt case has proven that. Strong sanctions are now required against the repressive and terrorist Pinochet regime.

We must not remain silent again. We must take forceful and unequivocal action against the Pinochet government.

Mr. President, I make the point of order that a quorum is not present.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

□ 1040

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF SENATOR BAUCUS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Montana is recognized.

Mr. BAUCUS. I thank the chair.

S. 2682—A BILL TO IMPROVE THE QUALITY OF EXPORTED GRAIN

Mr. BAUCUS. Mr. President, we have heard a lot this year about the crisis in American agriculture. The horror stories are all true.

The last one was told just a few weeks ago, when the Census Bureau announced that we recorded a $2.2 billion deficit in agricultural trade in May—the first such deficit since 1959.

Even if our agricultural exports pick up in the last half of the year, total exports will reach only about $26 billion, down sharply from their peak of $43 billion in 1981.

There are many reasons, why our agricultural crisis is so great, our agricultural surplus is declining, and our agricultural communities are facing acute problems. One is the great increase in foreign competition. Other countries are producing many more agricultural products than they were a few years ago. The high valve of the U.S. dollar has been a large part of the problem. There are a lot of reasons.

Mr. President, some of those reasons are not entirely within our control, but there is one factor which affects our adverse agricultural trade with other countries. That is the poor quality of American grain that we ship overseas. This is something we can control.

That being the case, today, along with Senators DURENBERGER and DIXON, I am introducing a bill to improve the quality of the grain we ship abroad.

Why is this so important? Consider this: Three months ago, a North Dakota grain grower told this alarming story to the Agriculture Subcommittee on Rural Development, Oversight and Investigations, chaired by Senator ANDREWS.

He said that during a sales mission to Japan two summers ago, he was shown samples of U.S. barley which were so dirty and infested with weed seed and oats that he wouldn't want to admit it was raised on his farm.

He said:

> It is a very humbling experience to have a customer tell you to your face that they don't want our grain; it is especially humbling when you are there to encourage him to buy more.

Another farmer at that same hearing put it point blank:

> We have lost our competitive edge to countries such as Canada, Australia, and Argentina who are intensely concerned with marketing a quality product.

These statements are especially disturbing at a time when U.S. agricultural exports continue to decline. Complaints from foreign buyers are on the rise. They come over here, see the grain, and they like it. It is good quality but when it is offloaded from ships in their own countries, it is very poor quality.

Mr. President, competition from other grain suppliers is intensifying. And the fact is that we are perfectly capable of producing high quality grain.

Our bill will improve our competitiveness in grain exports in three ways.

First, it will give foreign buyers a more accurate description of the quality of the grain they're buying.

It requires that the official shipment certificates provide more precise information on the dockage and protein content of wheat and on the foreign material content of corn shipments.

Second, the bill also proposes several changes in Federal Grain Inspection Service regulations to improve the overall quality of exported grain.

For example, it instructs FGIS to come up with a cargo loading scheme that will ensure that sublots of grain meet the quality standards of the entire lot.

It also includes incentives to reduce the amount of dockage and foreign material that we tolerate in our grain shipments.

Third, the bill calls on the U.S. Trade Representative and the Department of Agriculture to begin negotiations toward an international agreement which would establish common standards for measuring the quality of exported grain.

These are measures within our control. By themselves, they will not alone restore the competitiveness of American agriculture. But failure to take them will guarantee that we shall lose the battle in competition with foreign agricultural products.

Mr. President, the U.S. industry has begun to address this problem.

Over the past year, the North American Exporters Grain Association has set up workshops to grapple with the problem of grain quality.

Several of their recommendations are included in this bill.

The association is to be commended for taking the initiative in starting to find some solutions.

They have made some progress.

I am eager to work with the groups to find the solution that will best accommodate the interests of our farmers and our shippers and our grain elevator operators.

But our cushion of time disappeared right along with our trade surplus.

Let's start to get our house back in order by cleaning up our grain.

Mr. President, it is my hope that we will act very quickly on this bill, because I do think it will help restore our competitive position in American agriculture.

Mr. President, I yield the floor.

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. 2682

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RECIPROCAL TRADE AGREEMENT.

Section 102 of the Trade Act of 1974 (19 U.S.C. 2112) is amended by adding at the end thereof the following new subsection:

"(h) As soon as practicable, the United States Trade Representative and the Secretary of Agriculture shall take action to initiate the negotiation of a reciprocal agreement on international trade, under the General Agreement on Tariffs and Trade (GATT) or through other appropriate means, in order to establish uniform standards for the measurement of the quality of exported grain.".

SEC. 2. STANDARDS AND PROCEDURES FOR SUBLOTS.

Section 4 of the United States Grain Standards Act is amended by adding at the end thereof the following new subsection:

"(d) In establishing standards and procedures under subsection (a), the Administrator shall require a sublot of grain to meet the standards and procedures established for a lot of grain.".

SEC. 3. MEASUREMENT AND DEDUCTION OF DOCKAGE AND FOREIGN MATERIAL.

Section 4 of the United States Grain Standards Act (as amended by section 2) is further amended by adding at the end thereof the following new subsection:

"(e) In establishing standards and procedures for weighing under subsection (a)(2), the Administrator shall require the separate measurement of the quantity of dockage and foreign material in grain shipped in interstate or foreign commerce and the deduction of the sum of the two quantities from the gross weight of the grain.".

SEC. 4. PROHIBITION ON EXPORT OF GRAIN RECOMBINED OR COMBINED WITH DOCKAGE OR FOREIGN MATERIAL.

Section 5(a) of the United States Grain Standards Act is amended—

(1) by striking out "and" at the end of clause (2);

(2) by striking out the period at the end of clause (3) and inserting in lieu thereof "; and"; and

(3) by adding at the end thereof the following new clause:

"(4) no person shall ship from the United States to any place outside thereof any grain that has been recombined or combined with any dockage or foreign material.".

SEC. 5. CONTENTS OF OFFICIAL CERTIFICATES ISSUED FOR GRAIN.

(a) IN GENERAL.—Section 5 of the United States Grain Standards Act is amended by adding at the end thereof the following new subsection:

"(c) An official certificate issued for a lot of grain under subsection (a) shall include a statement of—

"(1) in the case of a lot of grain, the separate quantities of broken corn and foreign material in the lot; and

"(2) in the case of a lot of wheat—

"(A) the quantity of dockage in the lot, rounded to the nearest 0.1 percent; and

"(B) the protein content of the wheat, based on a constant moisture content of 12 percent.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall become effective 90 days after the date of enactment of this Act.

ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. There will now be a period for the transaction of routine morning business.

ANIMAL RESEARCH

Mr. HATCH. Mr. President, as chairman of the Labor and Human Resources Committee, I have had the opportunity to learn a great deal about the accomplishments of biomedical research. Each of us owe a great deal to the basic scientists and physician-researchers who devote their lives to discovering new information which can be translated into more productive, longer and healthier lives for people everywhere.

This pursuit of knowledge has recently been hampered by those concerned about inappropriate use of animals in biomedical research experiments. I wholeheartedly support efforts, even requirements, to ensure that research animals are treated with respect, care, and compassion, that is humanely possible. However, I do not and cannot support efforts to obstruct all animal research based on the false premise that it is not necessary to use laboratory animals for research purposes.

To help bring balance into the ongoing debate of appropriate use of animals in research, I would like to insert into the RECORD, an excellent article written by my friend Charlton Heston, which was published in the Washington Post on July 9, 1986. Mr. Heston's words bring into sharper focus the key elements of the debate, and emphasize why we cannot abandon our committment to biomedical research, including certain experiments which require sacrificing laboratory animals.

I urge my colleagues, and the public to look beyond the emotional demonstrations and rhetoric which obscure the facts related to animal research. I am convinced that the use of animals in biomedical research is absolutely essential and must continue for the time being. The proper care and use of these animals is no less essential both for the well-being of the animal and for the best outcome of the research.

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

PROMISE OF ANIMAL RESEARCH IS TOO GREAT TO ABANDON

(By Charlton Heston)

My family and I are among the millions of Americans who enjoy the blessing of usual good health. We appreciate the benefits of modern scientific medical and surgical care when we need it.

We are grateful for the continuing presence of the lives of loved ones and friends who, without such care, would have been lost to us. Among these we include the many dogs and cats who have always shared our home, and for whom immunology, anti-

biotics and expert surgery have proved to be just as important as they are for the two-legged members of our family.

And we know that all these blessings and benefits have been made possible only through the use of animals in scientific research for the past 100 years. For these reasons, we give thanks to all the animals, from mice to monkeys, without which these blessings would have been impossible.

We'll add our voices to the many who insist that these animals must be properly housed and responsibly handled at the great universities and research centers where most biomedical and behavioral research is carried out.

At the same time we'll thank the dedicated men and women whose work, necessarily including animal studies, continues to bring forth new knowledge for the benefit of mankind.

Unfortunately, there are those who would curtail those studies. Some even say that no animal research should be done. From my contacts with knowledgeable members of the medical research community, it has become clear to me that this is unrealistic if we are to continue to make advances against the diseases still to be conquered.

Growing up in the Michigan woods, I learned as a boy to love and respect our fellow creatures of other species, both domesticated and wild. That's why I am trying to learn as much as I can about the use of laboratory animals by scientists. What I have found is very reassuring.

Everyone knows that infections that were devastating plagues in the past have been brought under control by laboratory research. Who would of thought that a disease like smallpox, which killed millions and scarred many millions more, would, in our lifetime, be completely eradicated from this planet? It is gone! Smallpox vaccine, made possible only by the use of experimental animals, has rid the world of this historical scourge; now smallpox vaccination is no longer needed.

Many other diseases that killed and maimed children of my generation—diphtheria, typhoid, measles, scarlet fever, whooping cough and polio—are now under control. My own children were protected from them. Other dread diseases like tuberculosis, leprosy, yellow fever and bubonic plague, once incurable, have through the marvels of research become greatly reduced as health problems.

None of this could have happened without animal research. And when new, baffling infections like Legionnaires' disease appear, medical science springs into action to protect us with astonishing speed. The best hope for defense against AIDS lies in this well-established scientific tradition, which has depended on the use of experiental animals since the time of Louis Pasteur. From his day to ours, life expectancy has virtually doubled in lands where the benefits of biomedical research are reaching the people.

Dramatic as this historical record may be, the present is even more startling. Information explosions in virology, molecular biology and genetics have brought laboratory scientists to the point where the worst of today's killing and crippling diseases are now under active attack. Cancer, stroke and various ailments of the heart, lungs and digestive organs are already beginning to yield.

There's also a sharp focus of research on degenerative disorders of the nervous system such as Alzheimer's disease and multiple sclerosis. Even mysterious mental illnesses like schizophrenia and manic-depressive disease are freshly illuminated by new laboratory techniques. Mental retardation and other developmental disabilities of many kinds, until recently considered hopeless, are now seen as potentially treatable and even preventable, if current research pays off.

All this would come to a halt without the use of animals. We can't let that happen. The simple fact of the matter is that we need the responsible and humane use of animals in biomedical research.

It turns out that most of the animals used for research are bred for that purpose. Animals obtained from pounds represent only a tiny fraction of those routinely exterminated in every major city every day. Instead of joining the thousands put to death without meaning or purpose at the pounds, these valued few become partners in the war against disease, giving their lives so that our children and grandchildren can live longer, healthier and happier lives.

Let's not forget those thousands of patients who lie seriously ill today. From newborn infants to octogenarians, they and their families desperately await the scientific breakthrough that may come in time to save them.

There has been a chorus of protests and emotional demonstrations against animal research. But I join a much larger constituency: those who quietly offer prayers of thanksgiving for the men and women and animals whose labor and sacrifice are contributing so much to the fact and quality of our lives.

A TRIBUTE TO A SMALL BAND OF PIONEERS

Mr. HATCH. Mr. President, 139 years ago today—on July 24, 1847—a small band of pioneers settled in an arid and barren desert location, parched with the Sun, swept by the winds.

Faces marred with sweat and dust, they had climbed angry mountains, plodded across hot plains, walked over unending hills, and crossed wild rivers—searching, searching—for a place in which to worship God in their own way.

Ten thousand dusty steps.

Ten thousand turns of the wagon wheel.

A weaker people would have turned back. But not this band of men and women and children.

They had an appointment with destiny. A new beginning lay just over the horizon. A better tomorrow lay just around the bend—if not, just over the next hill—if not, across the next mountain range.

In the end, fate led them to a valley that even the tarantulas and rattlesnakes didn't want. But in less than 30 years, they accomplished the almost impossible. With courage and foresight, energy and ability, they turned the desert into a great and livable paradise.

Today the community they built is considered one of the most beautiful in the world.

It is called Salt Lake City.

MORMON PIONEERS COMMEMORATED

Mr. SYMMS. Mr. President, on this, the 24th of July, we commemorate and celebrate the immigration of a small group of Mormon pioneers into Utah's Salt Lake Valley; 139 years ago, these pioneers traveled on foot, by cart and by horse from Illinois to Utah over a period of 3 months. Today we cover the same distance in less than 3 hours by airplane.

Fleeing persecution and carrying all their possessions in covered wagons or handcarts, these people sought refuge to live peacefully and worship God according to their own beliefs. They found such a haven in areas that later became Utah and Idaho.

Theirs was a philosophy of self-reliance—they had no one else on which to rely. The nearest railroad or major city was a thousand miles away. They had no Government support. Their tools were simple. They had little machinery to assist them. Patiently, they learned skills resulting in workmanship that is not excelled in our time. In many respects it is not even equaled.

With little more than bare hands, they planned and built, dug and cultivated until they had created a legacy. It is good for us to reflect upon the lives of those who worked so hard and materially had so little. It is from their early efforts that we benefit today.

In these times of abundance, we should refocus on the struggles of our ancestors to remind us of the necessity for labor if the Earth is to yield its fruits. We should also see from past experience that traditional values are worthy of present day application.

The people of the State of Idaho have continued in the manner of those early pioneers. Idahoans exemplify the qualities of industry, thrift, charity, and citizenship.

On the anniversary of this event, I salute those brave pioneer families and commend their dedication, devotion, and integrity to all.

THE DEATH OF SENATOR JOHN P. EAST

Mr. BAUCUS. Mr. President, all of us in the Senate are deeply saddened by the death of our colleague, John East. I, perhaps, had a special perspective on him and his work here in the Senate. I served for 2 years as the ranking member of John's Subcommittee on Separation of Powers when he first came to the Senate in 1981. It is from that perspective that I got to know him as a fine person.

John East was a very determined individual. That determination give him the ability to overcome great personal adversity in his own life. But it also gave him a special sensitivity to the

problems and the great potential of the handicapped.

Most importantly, John East had a very personable side. Those who worked in and around the Judiciary Committee, regardless of party or philosophy, found him to always have an amiable warm welcome. He always said hello and he always had time to chat.

John East had an extremely quick mind and a very quick wit. He was a skillful debator and relished political and philosophical analysis. While I never saw him in the classroom, he was reputed to have been one of the most popular professors on his college campus, and if one ever saw him thoroughly engrossed and engaged in a committee hearing process, one could well understand why.

John East came to Washington, DC to pursue a political agenda he felt very deeply and strongly about. He was dogged in his determination to see that agenda through. He clearly succeeded in raising the visibility of the issues and the perspective that he cared so much about. He will be remembered by those of us that worked with him for a very long time.

Mr. President, I want to take this opportunity to send my deepest regrets to John East's family and the people of North Carolina that he represented. His death is a loss to all of us.

SALT LAKE CITY

Mr. McCLURE. Mr. President, today is the 24th of July. For many people, that fact probably wouldn't elicit much of a response.

But it should. Because it marks the 139th anniversary of a milestone in the settling of this country's western frontier. July 24 is a day that symbolizes the American spirit of independence, adventure, risk, and faith—in God and man.

On this day in 1847, 144 men, together known as the Pioneer Company, ended a 17-month, 1,100-mile trek by settling what is now Salt Lake City, UT.

Led by Brigham Young, the man who would become the second president of the Church of Jesus Christ of Latter-day Saints, the company had no destination in mind when it left Nauvoo, IL, and set out on the Oregon Trail.

The Mormons, as the Latter-day Saints are popularly known, had established Nauvoo only 7 years earlier. But it had become a hotbed of anti-Mormon sentiment, resulting in the deaths of many church members, including church founder Joseph Smith, and the destruction of homes and fields.

The Mormons wanted to build their church in a place devoid of the hostility they had known in Nauvoo, and in previous settlements in Missouri and New York.

On July 24, 1847, their search ended when Brigham Young looked out over the marshy swampland of the valley and proclaimed, "This is the place."

During the next 20 years, Mormons from throughout the country—the preponderance from Illinois—flocked to the Salt Lake region. Many of these travelers came on foot, equipped only with handcarts.

Despite harsh winters, blazing hot summers and harassment from non-Mormons, they stayed. They sowed the land, built homes, schools and churches, and migrated to other parts of the region, including my home State of Idaho.

Their strength and fortitude tamed a foreboding wilderness that blossomed into a thriving metropolis. I think it is appropriate, on this day, to pay tribute to the fine people who blazed that trail.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

□ 1100

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

INCREASE IN STATUTORY LIMIT ON THE PUBLIC DEBT

Mr. DOLE. Mr. President, what is the pending business?

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 668) increasing the statutory limit on the public debt.

The Senate resumed consideration of the joint resolution.

Pending:

(1) Gramm-Hollings Amendment No. 2223, to add a new title for balanced budget and emergency deficit control reaffirmation.

(2) Rudman Amendment No. 2224 (to Amendment No. 2223), to provide for revision of provisions of reporting responsibilities in the balanced budget and emergency deficit control process.

(3) Exon Amendment No. 2225, to express the sense of the Senate that the Congress utilize the existing "fallback" provisions of the Emergency Deficit Control Act, to require a congressional vote on specific measures to reduce the Federal budget deficit.

(4) Modified committee amendment, to provide a committee substitute on investment and restoration of Social Security funds during debt limit crisis.

(5) Rudman modified Amendment No. 2226, to modify procedures under the Balanced Budget and Emergency Deficit Control Act of 1985.

Mr. DOLE. Mr. President, I understand that the managers are on the way to the floor.

The pending amendment is the Gramm-Rudman-Hollings amendment. Is that correct?

The PRESIDING OFFICER. The majority leader is correct.

Mr. DOLE. Mr. President, let me indicate to my colleagues, as we did earlier in an exchange with the distinguished minority leader, Senator BYRD, that we will have a late evening this evening, and some concern has been expressed about Friday.

First, I indicate to my colleagues that if we want the 3-week recess which is scheduled to begin on August 15, we will have to put in some long, long nights and some long Fridays and Mondays. In any event, if we can complete action on this bill this evening, maybe late evening, we will not have any votes tomorrow. Otherwise, I assume that we will have votes.

We are going to be on the debt limit. There are a lot of amendments floating around. It is my hope that the so-called South Africa amendment will not be offered. As to other amendments dealing with foreign policy—I understand there may be an Angola amendment floating around—it is my hope that all those amendments can be tabled.

If there are amendments dealing with the debt ceiling—germane amendments or even some with respect to debt—then I would guess that the debt limit extension is fair game. It always has been. But I hope we will not launch into foreign policy amendments and other matters on extending the debt ceiling.

Again I indicate, based on the Treasury Secretary's comment to me last week, that the so-called drop dead day when we can no longer pay our bills would be on September 2. There is a provision in the bill, which is strongly supported by the Presiding Officer [Mr. NICKLES], which would indicate that there would be no disinvestment of Social Security trust funds for that purpose. That is an amendment to the debt ceiling.

So I hope we can complete action on the debt ceiling this evening. If that were the case, we would be in session tomorrow, dealing with nominations; and if any votes were required, they could be delayed until late Monday afternoon.

So I urge my colleagues who have amendments to be prepared. I know there are a number of Senators on each side who wish to speak on the pending amendment. If we could have a vote on this amendment by midafternoon, it could happen that we could wrap up this matter very quickly. That does not seem possible, but some-

times things that do not seem possible around here become possible in late evening.

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.

□ 1120

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

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

AMENDMENT NO. 2226

Mr. LEVIN. Mr. President, I would like to take a few minutes to comment on this amendment and on the criticisms that have been made during this debate on the entire Gramm-Rudman process.

I supported Gramm-Rudman-Hollings when it was enacted last year. I did so because I believe that reducing the Federal deficit simply must be our primary domestic goal. Clearly these $200 billion a year deficits constitute a clear and growing danger to our economic well being.

As I considered the Gramm-Rudman-Hollings response to those deficits, I decided that its value was to be found in the stark and inescapable choice it created. We would either develop budgetary and fiscal policies designed to achieve more rational deficit reduction or we would be forced to accept the inevitable imposition of across-the-board budget cuts.

Now, in the face of the Court's decision, the "inescapable choice" has been reduced to a pair of handcuffs—and we along with the President have been transformed into Houdini. The Court, by requiring congressional action to initiate the sequester order, created conditions which allow either the Congress or the President to escape the Gramm-Rudman-Hollings discipline with relative ease. The key resolution can be rejected—by either the President or the Congress—and that decision can be justified by suggesting that the consequences of the cuts in either domestic or defense areas are simply too great to accept. The point is that we are left with uncertainty.

Clearly we need to reestablish the certainty of the threat of across-the-board cuts for it to be credible. Hopefully, we will do more. Hopefully, we will concentrate some efforts on developing a budgetary plan which removes that threat through responsible action. The issue is not just how to guarantee that the Gramm-Rudman-Hollings magnum has bullets in it. The more important goal should be to prevent the trigger from being pulled by fashioning a budgetary and fiscal program which removes the need to impose a sequester order.

My point, then, is this: we need the discipline created by knowing that across-the-board cuts are automatic if we fail to meet our deficit targets. That is why I find the fallback position that remains following the Supreme Court decision so unsatisfactory. There are too many ways to escape it—and we will spend our time trying to find a way out of the requirements of the law rather than spending our time trying to fashion a program which meets the deficit targets and which will allow us to get out from under the crushing deficit burden we are now carrying.

The net result, Mr. President, is that, despite the removal of the best mechanism for determining the automatic cuts, we must look for a second-best mechanism, because we must make those cuts automatic if we are going to reduce the deficit. Only if we know that the trigger will be pulled—and only if we realize that the gun is aimed at our heads—will we work to fashion a viable and realistic deficit reduction program.

What we need is a legislative solution which restores the inevitability of the sequester order while reducing the ability of either the Congress or the executive branch to "cook the books" or alter the numbers in a way which meets their short-term political interests while ignoring the long-term economic needs of our Nation. I do not think that the Gramm-Rudman-Hollings II amendment in its current form meets that test. However, it provides the basis for a solution which can be improved through fine-tuning.

As for the broader questions which have been raised during this debate with respect to the value of the Gramm-Rudman-Hollings process, I note the consistent theme that "Congress ought to have the courage to make the hard choices itself and not rely on a jerry-rigged gimmick like Gramm-Rudman." The central flaw in that criticism is the word "ought." Sure, Congress "ought" to have the courage. But that misses the point that anyone interested in the practical governance of this Nation has to take into account. I wish I did not have to say it, but neither the President nor Congress has shown the necessary courage. We can say all that we want about "ought," but if there is no relationship between "ought" and "does," then there is no practical purpose in focusing on what we "ought" to do.

Some of us have worked over the past few years for balanced and significant deficit reduction which recognizes the need for spending restraint and increased revenues. We "ought" to have passed those plans, but year after year, we did not.

I have seen "ought" be "naught" for 6 years around here when it comes to significant deficit reduction. And it is to some degree understandable because, as long as the President boasts of how he will veto any bill which helps reduce the deficit based on revenues, even when those revenues come from loophole closing and from a minimum tax, and as long as the President stands ready to make political capital out of any such attempt by the Congress to add such revenues, then the natural, if not the admirable, reaction of the Congress is to defer doing what we have to do.

□ 1130

The Gramm-Rudman process recognizes that there are two players in the deficit reduction drama—the President and the Congress—and it seeks to exert much more pressure both to look for and reach productive conclusion.

We in the Congress have two choices. We could wring our hands in righteous indignation over the unvarnished pragmatism of the Gramm-Rudman process and ignore the legislative gridlock and the economic eruption that flows from inaction, or we can recognize reality and get on with solving the problem at hand. Wisdom lies not only in perceiving the proper goal, but also in recognizing our limitations and compensating for them as we set out to attain that goal.

I said before that Gramm-Rudman II is a basis for a solution but does not do the necessary job in its present form. Its error is in giving unnecessarily broad powers to the Office of Management and Budget. A number of us are looking for ways to restrict that power, consistent with the decision of the Supreme Court. I know that effort is going to continue in the hours ahead. And it is a critical effort. I hope and believe that it can succeed, that we can repair Gramm-Rudman so that it carries out its original intent which is so essential to the economic well-being of this country.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIXON. 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. DIXON. Mr. President, what is the order of business on which the Senate is engaged at this time?

The PRESIDING OFFICER. The question is on amendment No. 2226 to the debt limit bill.

Mr. DIXON. Mr. President, I ask unanimous consent that I may make some short remarks concerning an amendment I will offer at the appropriate time when we are finished with the pending amendment to the debt limit bill.

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

Mr. DIXON. Mr. President, at the appropriate time, after we have disposed of the pending business, I expect to offer an amendment which I am going to lay down in a moment at the desk that simply says as follows: With respect to Veterans' Administration determinations relating to a certain radiogenic disease, section 2.5 of the Veterans' Dioxin and Radiation Exposure Compensation Standards Act is amended by striking out the word "female." The amendment made by subsection (a) shall take effect with respect to claims submitted to the Veterans' Administration before—and I underline "before"—on, or after the date of the enactment of this joint resolution.

Mr. President, the reason for this amendment is an article—which I will shortly ask be incorporated into the RECORD—from the Chicago Sun-Times of Wednesday, July 23, 1986: It is entitled "VA Denies His Breast Cancer Claim." "Law Excludes Veteran Exposed to Radiation." I would like to briefly read from that article, Mr. President, to explain why I am submitting it at this time, and I will refer to it again later in the debate on the amendment.

The article says as follows:

When his cancerous breast was removed six years ago, Don Parchem, a Marine veteran from Cicero, was sure that he'd have no problems receiving compensation from the Veterans Administration.

But he's overlooked one thing—he wasn't a woman.

Parchem, 54, was involved in 1962 atmospheric test conducted by the U.S. Government on Johnston Island, 825 miles west of Honolulu. He claims that during the testing he was exposed to dangerous levels of radiation. He developed breast cancer 18 years after that exposure.

In September, Congress passed a law concerning dioxin and radiation exposure of veterans that listed 15 radiogenic diseases, that is diseases caused by radioactivity. "Female breast cancer" was third on the list. Parchem promptly filed a second claim with the Veterans Administration. His first was in 1980, immediately after his operation.

"I was fully aware of what the legislation said," said Parchem, who works as a custodian with the Berwyn school system. "But I thought 'female breast cancer' was just a general term to mark the specific area."

The VA disagreed, choosing to interpret the law exactly as written. Parchem's claim was denied. Although he was insured by his employer, he paid approximately $2,000 in medical costs.

Although the operation was considered successful, Parchem complains of constant cramping and nerve damage in his hand. "I've suffered all the symptoms and gone through the same trauma as women in the same situation," said Parchem.

The article goes on to say:

In purely biological terms, it's entirely possible. Radiation exposure increases breast cancer risks in females, and there's no reason why the same shouldn't be true for males.

The article concludes:

Although Parchem is entitled to an appeal, he is wearying of the battle.

"It wears on you mentally. I'm just a working stiff, and this is expensive and time-consuming.

"This time, they've taken the law too far. I know I'm entitled to those benefits. As far as I'm concerned, this is as low as they can get."

I want to say, Mr. President, that it seems to me that was probably an oversight by those who drew up that legislation. But quite clearly, breast cancer is breast cancer, whether in the case of a female or a male. I do not pretend to have any particular knowledge on the subject matter but I am informed that there are cases of male breast cancer. It seems clear to me that if the male breast cancer was induced by radiation exposure on an individual serving in the service for this great country of ours who then files a claim with the Veterans' Administration, clearly that claim ought to be allowed.

I think Mr. Parchem has been crudely treated by the Veterans' Administration. I regret what has occurred. He is a citizen of my State. And at the appropriate time, Mr. President, when we have disposed of the Gramm-Rudman-Hollings triggering amendment now pending—and I understand that to be the pending business to the debt limit—I will ask that this amendment be taken up which I am going to file at this time. I wanted to give notice to my colleagues so the managers and others might be looking into this.

I think there are probably a very limited number of cases. It is minuscule. But I think for those few cases where it occurs, Mr. President, if a person was caused to be exposed to radiation and, as a consequence of that, develops cancer, I think that person ought to be compensated. I think this error in the law should be corrected so that the question of breast cancer is a generic one for males or females, whoever may have served and otherwise been exposed, and as a consequence developed cancer.

Mr. President, I yield the floor. I ask that the amendment be laid down, that the article be incorporated in the RECORD at this time, and should the President or the manager like me to suggest the absence of a quorum, I would be delighted to do that.

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

[From the Chicago Sun-Times, July 23, 1986]

VA DENIES HIS BREAST CANCER CLAIM

(By Patricia Smith)

When his cancerous breast was removed six years ago, Don Parchem, a Marine veteran from Cicero, was sure that he'd have no problems receiving compensation from the Veterans Administration.

But he'd overlooked one thing—he wasn't a woman.

Parchem, 54, was involved in 1962 atmospheric tests conducted by the U.S. government on Johnston Island, 825 miles west of Honolulu. He claims that during the testing he was exposed to dangerous levels of radiation. He developed breast cancer 18 years after that exposure.

In September, Congress passed a law concerning dioxin and radiation exposure of veterans that listed 15 radiogenic diseases, that is diseases caused by radioactivity. "Female breast cancer" was third on the list. Parchem promptly filed a second claim with the Veterans Administration. His first was in 1980, immediately after his operation.

"I was fully aware of what the legislation said," said Parchem, who works as a custodian with the Berwyn school system. "But I thought 'female breast cancer' was just a general term to mark the specific area."

The VA disagreed, choosing to interpret the law exactly as written. Parchem's claim was denied. Although he was insured by his employer, he paid approximately $2,000 in medical costs.

Although the operation was considered successful, Parchem complains of constant cramping and nerve damage in his hand. "I've suffered all the symptoms and gone through the same trauma as women in the same situation," said Parchem.

"MISSING INTENT"

"They're missing the whole intent of the law. During the time I was on Johnston, I never heard, saw or read about any women taking part in the experiments."

"We can't get involved in his personal feelings about the law," said Ken Smith, a spokesman for the VA. "Simply stated, male breast cancer is not consider a radiogenic disease."

"Our doctors believe that the law was written to distinguish between two types of cancer," said George Kavin, a VA veterans benefits counselor. "Breast cancer is very much dependent on hormones, and in the female it thrives on estrogen. A man, of course, has different hormones and the disease wouldn't affect him in the same way. And the bottom line is that the connection [between exposure to radiation and cancer] can't be proven."

"That there is a connection is theoretical at this point," said Dr. John Imarisio, VA chief of nuclear medicine.

"To take one specific case and prove that exposure that took place 24 years ago is directly related to a cancer diagnosed in 1980 is virtually impossible. We haven't definitely proven that radiation increases the possibility of cancer."

"ENTIRELY POSSIBLE"

Miles P. Cunningham, president of the Illinois division of the American Cancer Society and a surgical oncologist (cancer specialist) at St. Francis Hospital in Evanston, said:

"In purely biological terms, it's entirely possible. Radiation exposure increases breast cancer risks in females, and there's no reason why the same shouldn't be true for males. Some features suggest that this is a different kind of breast cancer and may well have been radiation exposed. However, this could be a very rare case of breast cancer developing at an atypical age for no reason whatsoever.

"There's no way of knowing."

Cunningham said that sex discrimination would seem to be Parchem's most legitimate complaint.

"Perhaps the rules and regulations are in error. One can make a good presumption in this case without any conclusive proof."

Although Parchem is entitled to an appeal, he is wearying of the battle.

"It wears on you mentally. I'm just a working stiff, and this is expensive and time-consuming.

"This time, they've taken the law too far. I know I'm entitled to those benefits. As far as I'm concerned, this is as low as they can get."

□ 1140

Mr. HEINZ. Mr. President, are there other Senators who wish to express themselves on the pending amendment?

Mr. HART. Mr. President, if the Senator will yield, it is the intention of the Senator from Colorado to make a statement in a few moments.

Mr. HEINZ. 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. RUDMAN. 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. RUDMAN. Mr. President, I notice that the Senator from Colorado is on the floor. Last evening in the course of our discussion of the pending amendment, the Senator from Colorado and the Senator from New York [Mr. MOYNIHAN] inquired of the status of the hearings which were held, which, of course, were only held yesterday.

They made the point that the hearing record would be of great interest to Members of the Senate as we are considering this. Senator MOYNIHAN had proposed and has at the desk a resolution or a request for unanimous consent that the Senate not vote until the hearing record is available.

I am pleased to advise my friend from Colorado and Senator MOYNIHAN, who is not on the floor at this moment, that, in fact, the hearing record is now complete. It is being copied. It will be in both cloakrooms probably within the hour. If anyone wishes their own copy, the Governmental Affairs Committee is prepared to make additional copies of the 150-page record for any of those who wish to read it.

I would hope that most Members would have a chance to read parts of it because, in particular, the testimony of the Comptroller General, Mr. Boucher, the testimony of the Director of OMB, Mr. Miller, and the testimony of an expert on constitutional law who discussed the court case and this amendment which is pending, certainly would be of interest to those who have an interest in delving further into the matter.

I just wanted to make that statement here so that everybody would know that the hearing record is available and the Governmental Affairs Committee expedited the printing of it. It will be available, as I said, within the hour.

□ 1150

Mr. President, if there is no one else seeking recognition—I yield the floor, Mr. President.

Mr. HART addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. HART. Mr. President, on July 7 of this year, the Supreme Court of the United States struck down the role of the Comptroller General specified by the measure known as Gramm-Rudman-Hollings I. The Comptroller was given the power in that measure to cut spending above and beyond the arbitrary deficit reduction targets contained in the law.

A COMMENT ON THE PROCESS

Perhaps if the original bill had been subjected to Senate hearings before it was adopted, we could have learned whether there was a better set of figures than those arbitrary numbers. There were no hearings, at least on the Senate side.

The House Budget and Government Operations Committees and the Joint Economic Committee did have a chance to examine the legislation. They had that chance because a few Senators decided to step onto the railroad tracks last October and ask questions about that bill.

I do not know whether Senator MOYNIHAN or Senators SARBANES, BRADLEY, JOHNSTON, or the others who participated in that debate received the recognition they deserved, but they did ask questions and they bought us some time, which in the Senate is considered a valuable commodity.

The committees heard from a range of expert witnesses: James Tobin, Herbert Stein, Paul McCracken, the Nobel Laureate, Franco Modigliani, and Walter Heller—to name but a few. These are very respected economists. All evinced great concern about the deficit. Some also talked about the trade deficit, unemployment, and the need for revenues. None of them, to this Senator's knowledge, endorsed Gramm-Rudman-Hollings I. None endorsed the arbitrary selection of deficit targets.

We have hearings in the Senate to get information; to better educate the Members; to avoid making mistakes; to prevent the prospect, for example, of writing an unconstitutional law; to ensure we do not penalize people unfair—such as COLA recipients or veterans who enjoy the benefit of VA loans. We did not have the chance to avoid those mistakes. Indeed, we made them.

PROTECTING PROCEDURAL RIGHTS

Last week, we were told things would be different. The Senator from Colorado declined to use his procedural right to delay enactment of the joint resolution affirming the 1986 cuts. This Senator was told Members would see the amendment fixing Gramm-Rudman-Hollings. I was told there would be 48 hours grace. I assumed we might even have a hearing. But let us look at the record since that time.

There was a hearing. The hearing was not scheduled on Gramm-Rudman-Hollings II; it was about the General Accounting Office. The very same day, this legislation was brought before the Senate. It was the judgment of the Senator from Colorado that our colleague from New York, the distinguished Senator MOYNIHAN, made a good suggestion: Let us delay the vote until Senators can read the record. Let us vote on a resolution delaying consideration until Senators can read that record and understand what minimal record is being created on this measure. The Senator was at least prevented from offering that resolution and his suggestion, if not being outright rejected, was certainly not greeted with a great deal of enthusiasm.

The Senator from Colorado was treated somewhat better. Last Friday, the Senator from South Carolina [Mr. HOLLINGS] graciously provided my office with a copy of the proposed amendment.

On Monday, this Senator received another copy from Senator RUDMAN. The amendment had changed. Monday evening, the majority leader sent a copy of the amendment to my office. The amendment had changed again.

On Tuesday, the staff of the Senator from New Hampshire [Mr. RUDMAN] graciously offered to provide this Senator two copies of the amendment. They differed from each other. Gramm-Rudman-Hollings II was like eating in a Chinese restaurant. One can pick the same dish from columns A, B, C, and D—but you are never really sure what you are getting.

I do not think the Senate knows what we are voting on. That is why we have to ask questions and hope to create a record on the hope that might help some future legislators or policymakers, or perhaps even Supreme Court Justices, try to decide what it is we think we are doing here.

POWER OF OMB

Gramm-Rudman-Hollings II replaces the role of the Comptroller General with OMB. The President's Office of Management and Budget is vested with the authority to make the final across-the-board cuts if so required by the law. This is an agency,

as the Senate Government Affairs Committee reminds us, which is "an agent with a point of view, not a source of 'neutral competence.'"

Gramm-Rudman I purposely avoided giving OMB more power in this so-called sequester process. OMB and CBO were empowered to make deficit calculations. GAO was designated as neutral arbiter. We didn't want to place the final power to cut the budget in OMB's hands. And for good reason.

OMB is an agency of great power. It would be useful for the Senate to be reminded of the scope of that power and the political manner in which that power has been used.

All new rules promulgated by executive agencies, including the examination of any existing rules, are reviewed by OMB. The Budget Office can reject them, send them back to the agency for revsion. Once a proposed rule has been announced by an agency and opened to public comment, OMB has additional, off-the-record opportunities to influence the decisionmaking process.

Investigations by the Congress, and litigation in court, has revealed the extent to which OMB abuses this power. It blocked, for example, the promulgation of regulations by the Food and Drug Administration. Regulations had been mandated by the Congress in 1980 to deal with the problem of contaminated baby formula. OMB blocked the FDA rules, several years ago, and this permitted additional lots of contaminated formula to enter the market.

OMB has also been involved in litigation regarding its delay of asbestos regulations; again, regulations mandated by Congress.

OMB advises the President regarding impoundments as provided under the Budget Act. But this power, too, has been abused.

On September 26, 1985, the Comptroller General found that OMB had improperly impounded $11.5 million of the $89 million appropriated by Congress to aid countries with large numbers of refugees.

In fact, the OMB has scores of statutory powers and powers delegated by the President under Executive orders. And it has used those powers very, very politically.

The House Energy and Commerce Subcommittee on Investigations, chaired by the distinguished Congressman from Michigan, Mr. DINGELL, said this in a report about OMB:

> . . . Congressional investigations and court litigation have brought to light instances of arbitrary delays in the OMB review process forcing violations of statutorily prescribed or court ordered deadlines; the modification or complete displacement of technical, scientific and policy judgments of agency officials as a result of OMB pressure; OMB imposition of cost-benefit criteria in agency mandates; OMB substitution of political considerations economic analyses required by [The President's] Executive Order; secret meetings between OMB officials and affected industry representatives; OMB transmission of industry views to agency decisionmakers without identification; and failure to record OMB input in the public docket of an agency rulemaking.

Mr. President, this is a very political agency. The sponsors promise us, despite this record, the President's Budget Office will simply slip on a green eyeshade and handle these new responsibilities—to cut the budget across the board—apolitically. Mr. President, it just is not so.

TAKE OMB TO COURT

Yesterday in debate, the distinguished Senator from New Hampshire said there was no room for OMB mischief. But if mischief did occur, we could take OMB to court. That is a fascinating proposition.

In civil suits, there is a process called discovery. Litigation over the OMB sequester will be fact-intensive. Papers will have to be produced. While, under current law, GAO can get into court to challenge impoundments, this litigation could tie up the entire budget process. I question how realistic it is to subject the sequester order by OMB to litigation, including litigation that could go all the way.

First, under Gramm-Rudman II, section 274(h) of the Budget Act, is amended to read as follows:

> ECONOMIC DATA, ASSUMPTIONS AND METHODOLOGIES.—The economic data, assumptions and methodologies used by the Director of the Office of Management and Budget in computing the base levels of total revenues and total budget outlays . . . shall not be subject to review in any judicial or administrative proceeding.

□ 1200

That would make it tough for OMB to produce documents pursuant to a lawsuit perhaps brought by Members of Congress or interested members of the public to challenge whether the OMB did in fact operate apolitically or whether it put on its political hat.

Second, let us say there is an argument over the defense number in the budget. Executive Order 12356 authorizes the OMB Director to classify national security information. And, of course, there is always the issue of claims of executive privilege.

Mr. President, the question of the Senator from Colorado is this: If OMB cannot produce documents, or if OMB classifies or chooses not to provide documents, who is going to make headway in court? And more along the lines of a rhetorical question, why are we dregging the third branch of Government into a wide ranging budget issue, a budget issue which by its very definition has to do with political priorities? It is true that impoundments can be challenged under the Budget Act. But those are selective and narrow matters. This could tie up the entire budget. Why are we doing this?

I hope the sponsors have an answer. We have not seen the hearing record yet, although we have been promised that that will happen momentarily, so we really do not know the answer, at least to the degree it exists in that hearing record.

REPLY TO SENATOR HOLLINGS

Mr. President, I voted against the original Gramm-Rudman measure, and I intend to offer an amendment to repeal this law, if we have the procedural opportunity. I believe the budget process could be improved. Perhaps the sponsors and other opponents of this measure would share a common ground on how those improvements could be crafted.

If the Senator from Colorado had his druthers, we would examine closely the recommendations of the chairman of the Armed Services Committee to go to multiyear budgeting for defense.

The country would operate on a capital budget.

We would not amend the budget process every year during consideration of the debt limit bill.

We could have a tax expenditure budget.

We might even retain some of the procedural aspects of Gramm-Rudman-Hollings. I support shorter timetables for consideration of the budget. They have not been respected this year, but this Senator at least supports them.

Some of my colleagues support some aspects of Gramm-Rudman. Yesterday, in addressing those Members, this Senator suggested they could support what remains of Gramm-Rudman, in the wake of the Supreme Court decision, without voting for Gramm-Rudman-Hollings II. If we are opposed to giving OMB new powers, but one wants more control, we can have deficit neutral amendments. If one opposes Gramm-Rudman-Hollings II but wants more controls, we could have targets that are binding on subcommittees.

My purpose in offering the repeal amendment down the road is to show Members there are alternatives. We have committees for hearings to examine alternatives. We have the original budget process—a process which produced lower deficits, more economic growth, and less unemployment in prior administrations.

There are alternatives and some of those are numerically specific.

CONFIDENCE IN THE CONSTITUTION AND POLICIES, NOT PROCESS

The sponsors return to the Senate with Gramm-Rudman II out of a sincere sense of conviction. There is no question on that issue. They have confidence in OMB to cut the budget honestly, absent politics. They have confidence in their ability to write procedures into law to force the hand of

Congress. Mr. President, this Senator disagrees with them but is in deep respect of their views. It is hoped that they are equally respectful of this Senator's views.

The Senator from Colorado has confidence in the judgment of the people of this country. They sent us here to make choices, hard choices, about the budget, and other matters. This Senator is prepared to do that, as he has been throughout the previous 12 years.

The Senator from Colorado has confidence in the Constitution. Let me remind my colleagues what the Constitution says.

Article I, section 9 of the Constitution provides that Federal funds are to be expended only "in consequence of appropriations made by law." Article II, by contrast, designates the President as Chief Executive and otherwise describes the executive powers. But it does not refer directly to spending power.

This Senator believes the proposal before us, as the one before, will be found by the Supreme Court to violate the Constitution. I know this proposal violates the people's trust. They sent us here not only to revel in the good news but to squarely address the bad news. If the bad news is the deficit, we should face it, as we are elected to do, and not turn that final judgment over to the Office of Management and Budget. It is the sincere and considered judgment of the Senator from Colorado that Gramm-Rudman II does not face the bad news. It invites delay, debate, it injects the courts, again, into the budget process, and it should be defeated.

Mr. President, again there are those in support of this measure who say that if one opposes it, then one is giving over once again to the spend and spend and tax and tax inclination of the Congresses of the past, perhaps even the Democratic Parties of the past.

The Senator from Colorado strongly disagrees with that and believes the record is otherwise. But again as I have said it is not the intent of the Senator from Colorado to question the good faith or the sincerity of the sponsors of this amendment, or to suggest in any way either in the case of the original bill or this measure that they are seeking any dereliction of their own duties or seeking to pull an end run on the Congress or the American people. It is the sincere conviction of this Senator that the substitution of the Office of Management and Budget, a decision rejected in the first go-round and accepted apparently reluctantly now, is a bad judgment.

It is a bad measure. It is avoidance of what our obligations really are. It is the argument of those who support this measure that they are in fact facing our obligations. It is the judgment of those of us who oppose it that we are not.

Why are we here and why are we debating this? I think it is a very simple answer, Mr. President, and that is that the White House and the President particularly have abdicated responsibility in the budget process.

By his continued insistence against any kind of new revenues, an insistence rejected by the leadership of his own party in this Chamber, and by his insistence in unrealistic growth rates and spending by the Defense Department, the President has abdicated that responsibility and refuses to participate in the hard decision, the so-called bad news, of balancing the budget.

That is why we are here. If we had a President who was willing to do what Presidents should do in leading, to sit down with sincere and dedicated Members of both parties in both Houses and work out a budget for 1987, 1988, 1989, 1990, and 1991, there is no doubt in my mind that we would not need Gramm-Rudman-Hollings, that we would all be fulfilling our constitutional responsibilities, and that we would not be calling upon in a very dangerous precedent the Office of Management and Budget to fulfill a congressional role under the Constitution.

Mr. HOLLINGS addressed the Chair.

The PRESIDING OFFICER (Mr. BOSCHWITZ). The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, the distinguished Senator from Colorado and myself agree on his latter remarks relative to the President of the United States. If we had faced up to the revenue problems for the budgets that we have enacted over the past 5 years, there is no question but what we would not need Gramm-Rudman-Hollings. The point is we did not and neither did the President. This point is to be emphasized with respect to the distinguished Senator saying why are we here? Why do we need this? What is the answer? The answer is exactly that. We have tried to reduce the deficits every way possible. We have tried on every budget. The President doesn't care about large deficits. We have consistently voted down his budgets, once by an overwhelming margin of about 420 to 1 in the House. We have repeatedly rejected his budgets in the Senate. So we have tried. We sent the message at the time the budget came over from the President this year. It was $16 billion above the deficit target of $144 billion. The CBO estimated that immediately. The President's outlay figures for the national defense budget was $16 billion underestimated. So therein has been our dilemma. And that is why we are here and the answer is we have tried all other alternatives. I resist the idea of a total freedom granted to the Director of the Office of Management and Budget. Just like anyone else, I know the track record over there.

□ 1210

I have watched it here in this particular instance. The Supreme Court has said if the Congress can't do it then it has to go to the Executive. Further, it has to go to the Executive not as a categorical, unalterable direction or order. There must be discretion.

The Court has said that you cannot, in the legislative branch, execute. You cannot execute laws in Congress. A lot of us think we are President and that we can execute everything and assume the responsibility for the execution. But the Court is correct. We cannot execute; we cannot order. So we leave it to them with discretion. If we give them 30 days, irrespective of the trigger order of Gramm-Rudman-Hollings, we have 30 days in Congress, to pass in both Houses, an entirely different alternative. There is an alternative that is provided for under Gramm-Rudman-Hollings.

Then they hope the President can veto the congressional action so nothing will occur. I do not intend by Gramm-Rudman-Hollings to get rid of the executive branch.

The Senator from Colorado, the Senator from New York, and others have yet to propose anything other than defeat of Gramm-Rudman-Hollings—which, as I will elaborate in a moment, is working. It is working. There is not all that chaos as proclaimed by opponents. Ninety-five percent was found constitutional.

We did the best we could to see if we could have the Comptroller General act as a member of both the executive branch, and the legislative branch. The Congress cannot give up the GAO because its functions are very valuable to us and must remain apart from the executive.

We heard how the Court was going to find—in fact, ABC reported it, and the Court, in a pique, waited practically 1 month before the ruling was issued.

So we had a very reliable forewarning in May that we were going to lose this situation and we started looking at alternatives. We bounced about the idea of letting the Comptroller General be displaced by the President of the United States, only for cause and only after notice and only after hearing.

We wanted to restrain it in every way as in the case of Humphreys Executors, a case of 1935, with the Federal Labor Relations authority that had been found constitutional. The same holds true with the Federal Reserve Board and with the Federal Trade Commission, and others that have been looked upon as arms of Congress, but yet can be displaced by the Presi-

dent. We thought that we could, as innocently as possible, change it so that the Comptroller General then would be constitutional and would still be in the picture.

So, with respect to the alternative that the distinguished Senator from Colorado suggests, he starts cutting the Constitution. We have been trying that under the Constitution. We have tried every way in the world to back this administration down on the deficit: budget freeze, some revenues, some without revenues, oppose the Gramm-Latta, the Reaganomics.

The Senator from Colorado and I were among the few who did that. We said we are willing to pay for Government and we are willing to recommend revenues, and we are willing to have the vote because we believe these are necessary services of Government. But they went on recklessly down the road, the administration and Congress together, and we are in the minority. There has been an overwhelming majority to continue to spend and spend and borrow and borrow. That has been our track record for 5 years.

Now, even with the Gramm-Rudman-Hollings cut of $11.7 billion, there is $231.7 still a deficit of $220 billion. Without the reconciliation and the $11.7 billion cut, it would be nearer to $240 billion. So, in reality, we have been going up, up, and away.

I know about the sincerity part, but it is more than sincerity—it is a question of being effective and getting the thing done.

I stood on the floor of the U.S. Senate just a year ago, the latter part of July and the first of August. As a former chairman of the Budget Committee, I do not like to vote against budget resolutions. But I figured there has to be a time when we had to lay it on the line and outline various extravagant projections on the economy, unemployment, the growth rate, the inflation rate, and otherwise. Plus the resolution contained some unrealistically attainable, so-called cuts that were not going to occur.

I stated at the time that instead of $171.9 billion as a deficit in the resolution it would be over $200 billion. I asked them to take the bets and give me the odds; and here I am now, more nearly correct than ever before.

I stood on the floor of the Senate 2 weeks ago and said I again will have to vote against that budget because the deficit was nearer $165 billion for 1987 rather than $142.5 billion projected in the resolution.

Yesterday, the Director of the Office of Management and Budget, in his testimony, projected a $164 billion deficit for the 1987 budget proposal, rather than $142.5 billion. So there could very well be a sequester.

I have been loyal to the idea of trying to solve the problem with the tools at hand. We cannot ignore the President and his "make my day" posture. He remains popular and accepted and approved of by the American public with that particular posture. He is not going to pay for Government spending and the deficit. He says there will be no revenues. So the best way is to at least to have him sign this. I thought that was an accomplishment.

It was I who had included the potential of revenues in Gramm-Rudman-Hollings. The original draft did not call for revenues. The original draft did not call for a sequester from defense. It called for a sequester from social programs and entitlements. That is why I am proud of Gramm-Rudman-Hollings, because I made these and other fundamental contributions when it was prepared.

This does not cut anything. You can still provide the revenues. If we get into a position where we have worked our will the best we can and we find programs necessary, we can and should pay for it. The majority of us would resist selling the assets and selling off the Government, and begin to pay for what we appropriate, as the Constitution requires. Then we will stop paying for it by borrowed money and high interest costs and indenturing the next generation.

□ 1220

We can provide those revenues. I think the Senator from Colorado and I would be together on that.

But the answer is not like we just walked in today with a proposal, that we are trying to rush some things.

We heard that last year but yet we took all October, all November, and until mid-December.

No one is trying to rush anything. But everyone knows we have less than 20 working days between now and August 15 and 20 working days in September and we have a huge backlog of things to be done. All of us in the Congress know and understand that.

So we said early on we were revising Gramm-Rudman-Hollings. And certainly over 10 days ago in the Democratic Caucus I outlined this particular amendment.

My distinguished colleague from Colorado continues with others to say: "What is it? Where is it? Why is it? We have not had hearings. We don't understand it." I find the distinguished Senator has a perfect understanding of it in his statement, and I wrote the words down as he stated it. He said Gramm-Rudman-Hollings replaces the Office of Comptroller General with the Office of Management and Budget. You will see that in his statement he just made. That is the amendment, period. That is what the amendment is.

You can keep having 20 hearings, all the other things you want to do, but he has simply stated exactly what the amendment is.

It replaces the Office of the Comptroller General with the Office of Management and Budget.

That is what it does and no more, and that is the intent and no more.

There was at one time the issue of the GAO suing and that was in an original draft up to the first part of the week. There has been a legal question by the Justice Department which I agree with. When you start executing or you start suing as if to have executed, it is one and the same. It would have become a constitutional question, and more than anything else, we are not grandstanding. This is not an act in futility. This is an act of once and for all taking what has been found by the Supreme Court as being constitutional and taking the one defect—what I have called the flat tire to the vehicle and fixing the tire and not fixing the vehicle.

We are not trying to give further authority. We are not trying to change anything around. We are just saying let us replace the Comptroller General with the Office of Management and Budget. That is exactly what it does.

Now, Mr. President, we are sophisticated enough to know that amendments will be offered to our amendment. We do not want to avoid debate. I stated on last evening if we had time to debate this, I did not want to rush into a vote because I wanted to be able to talk to the colleagues and explain it. There have been many rumors about it. Then when responsible Senators appear and call it "madness," when they call it "monsters," when they call it "the scene of the crime," when they use all the other descriptions, those are meant not to reflect reality but only to excite their concerned fellow Senators. Many begin to wonder why responsible Senators describe such a thing as Gramm-Rudman-Hollings II as a monster or madness or any of the other particular things that they talk of when the facts speak otherwise.

Be that as it may, it should be understood that yes, some Directors of the Office of Management have not conducted themselves exactly the way I would conduct that office, nor any other Senator, perhaps, would conduct that office. But I am willing to take the risk because of the "political pressure." What is that political pressure? It is the political pressure of a concerned public. The people of the United States of America have prayed for the success of Gramm-Rudman-Hollings. They know at home of their need for fiscal responsibility.

No mayor can spend beyond his means. The city of New York tried it and they had to get all kinds of help and everything else like that. They cut back on their pension funds, on other contracts, and everything else, and I admire the city, it dug itself out of a

deep hole. Other cities in precarious positions began to retrench and politicians and officials and mayors and councilmen in the towns and cities of America all over this land understand you have to pay. There is no free lunch. You have to pay for what you spend.

At the State level they are trying to meet the demands of this modern society. We see all kinds of new initiatives with respect to the environment and safety, law and order, and other actions to maintain the integrity of their bonds, their fiscal integrity. In order to do so, the States measure their actions with these budgets during the year and 43 States one way or the other have a measurement process very similar to Gramm-Rudman-Hollings I and II, if amended.

And the process is where the State Comptroller notifies the Governor, generally speaking, as to whether the State is spending within the revenues during the midyear. Budgets are based on projections, but the economy changes. Some of us are talking of a 2-year budget because the budget process is so time-consuming. Let them put in a 2-, 3-, or 4-year budget. They will have supplemental after supplemental after supplemental. We live in a fiscal society. The economy changes. We have a devastating drought. When we debated the farm bill in April, we thought we had done the job. I guess most Senators did. Now we find we are going to have to spend billions more as a result of a devastating drought that could not be foreseen 2 months and 3 months ago. These things occur constantly in this day and age.

So it is these Governors who have that checkmate situation whereby they say, "Well, wait a minute, if we are spending beyond our means, then we will have to sequester or set aside from every budget straight across the board." It is a common understanding and it is generally speaking a half a percent, or up to 2 percent gain. It is not a traumatic $150 billion. When we talk in the extreme of monsters and madness, and then come on the floor of the Senate and talk about $150 billion being cut out of the Defense Department, that is drama. That is histrionics. But that is not the situation before us as bad as the crisis may be. There is no $150 billion that we need cut.

But you have those who are trying to use extreme examples to make the Senators who cannot pay attention to every little crossing of the T and dotting of the I in legislation saying, "Heavens above, what have they got going on up there now?" They are now positioning themselves to safety saying, "I don't have to vote for it. I know that I can just go ahead and vote against it and find a good reason because I do not have to understand."

That is why this Senator would like more time also, so that they all understand it is not madness, it is not a monster, it is not $150 billion. If we do our duty, we will respond to set limits of reducing the deficit over the 5-year period required by Gramm-Rudman-Hollings. If we do that, there may be a sequester in 1987—perhaps $10 billion to $20 billion. It is a substantial amount. But measured to each Federal agency, it does not amount to that much. It is not an extreme cut. There will be cuts. But we must do our job. That is what must be taken into consideration and the Governors do it, and so as a result, we can too.

I described it only last evening. It happened in my own State of South Carolina and it was not called madness or monster or we have given too much power to the Governor.

I reaffirm and emphasize the fact that the Governor politically does not like this power, because it takes on his name. They talk about our distinguished Governor Riley, the Riley cuts. Politicians are humans and they always like to say: "Well, you know, I tried to help. I wanted to save your budget. I was for UDAG. I was for EDA. I was for the farmer. I was for education. I was for this." But, you know, under the Riley cuts or now here in this instance under the Gramm-Rudman-Hollings cuts—hopefully they will become the Reagan cuts, give him the power, give it to the Office of Management and Budget—politically, from my experience that is a valid projection of exactly what will happen.

You will not be hearing of these cuts of Gramm-Rudman-Hollings. You are going to hear the President's cuts. That is how it always works at every level heretofore, and necessarily the cuts made by the particular Director of the Office of Management and Budget and the President in office at the time will be made within the light of public attention.

□ 1230

Everyone is looking and watching and waiting to see how this will work. It has had its effect on the stock market in New York. We all understand that. And they are wondering now whether it is going to continue to work or whether we are going to pass a budget, as the Constitution says, with three readings in the House and three readings in the Senate and signed by the President, and they wonder whether the President will veto and whether we will override the veto and be back into the financial mess that we have suffered from for the past 5 years. We get worse and worse and worse.

There is tremendous hope out there that this discipline continue because discipline it is. The discipline is working. We saved $11.7 billion already for this year. And when we reaffirmed the sequester we cut for the 3-year period, $11.7 billion for 1986, $16 billion for 1987 and $18 billion for 1988, or a $45.7 billion cut. Deficits have been cut under Gramm-Rudman-Hollings and not increased as the statement was made on yesterday.

Similarly, that discipline followed down on the farm bill, where we saved a billion dollars, not included in either House's treatment when it passed and received the three readings, that was inserted by conferees and stricken on a Gramm-Rudman-Hollings point of order. The discipline fixed.

With respect to the reconciliation bill, we saved another $18 billion. We saved $38 billion when both Houses passed the 1987 budget resolution. Some have projected more, which I doubt.

But, in any event, we adhered to it and we stayed with the discipline. The Finance Committee, in its markup the day before yesterday on reconciliation is meeting its goal. Nothing less than dramatic, the tax reform bill lessening taxes and simplifying them to two rates here in the U.S. Senate is a great example of the discipline of Gramm-Rudman-Hollings.

Those who handled that bill say that without the provision that we inserted that amendments be revenue neutral, it would never have passed in its form.

So we are talking about an alternative that is working, a discipline that is set. Whether it is set steadily and fastly enough is a question. Those who come in, responsible as they are, and say the enemy here and the evil here is Gramm-Rudman-Hollings, they are just totally off base.

Gramm-Rudman-Hollings is not off base. I do not think either body would go that far to say that is what is causing our trouble, because trouble we have. If anything at all is being done about the deficit and trying to cut back and bring us a government within the black, it has been Gramm-Rudman-Hollings.

So they do not offer any alternative. "Why now? What is the answer? What are the alternatives?" And they quote professors. Professors, those economic professors, Mr. President—well, I will not comment now. We will have plenty of time to comment about these economic professors because those are the ones that started this so-called full-employment budget.

I remember one name that the distinguished Senator mentioned. I think it was Paul McCracken. I will never forget the distinguished Senator from New Jersey, Clifford Case. At a hearing before the Appropriations Committee in the early seventies, along came Mr. Paul McCracken, the distinguished economist. I think he was Director of the Council of Economic Ad-

visers or the Chairman. Listen to this one.

Senator Case said: "Mr. Chairman, what is the full-employment budget?" He said, "Well, what we project is that, under our budget, there will be full employment in America."

I think unemployment was running about 8 percent at the time and full employment then meant it would be reduced to 6 percent unemployment. Thereby, full employment would be 2 percent; more than anyone else was projecting, but they said this is just a great and fine fiscal document that we have, what we call the full-employment budget.

So they projected out of thin air a reduction in unemployment in the United States over some 2 percent while they added some $50 billion onto the deficit. That started some 15 years ago under President Nixon. These economists, we listened to them.

We are not economists. We try to learn. I remember listening to Charlie Connolly, of the Federation of Tax Administrators, from Chicago in 1949. We are trying our best to get out of a fiscal situation that we had in my own State of South Carolina. So I have been listening to them well over 35 years—economists over and over again with respect to governmental budgets. I know the nuances and the twists and I know the trickery of, yes, David Stockman.

If we really believe that the Office of Management and Budget would go back to sneaky tricks, rather than repealing Gramm-Rudman-Hollings, the Senator from Colorado and I would have the cosponsorship of repealing the Office of Management and Budget. That is what we would want to do. We are not going with that nonsense any more. The public is not going to stand for it.

Under Gramm-Rudman-Hollings, the best politics is no politics. It is something to put us all in a corner that we do not like. But it is very fair. We are not giving our powers over to the Executive.

We have said as a Congress that the split on the cut should be 50-50 between defense and social programs. That is a congressional decision. We are not avoiding that. There is in the ground rules of Gramm-Rudman-Hollings that there shall not be a sequester from Social Security. That is in the ground rules decided by the Congress. We are not allocating, as they say, to mindless people. If we do not perform our duties in an orderly fashion, then there is nothing left for us to do than have it done at our behest. But we are the ones responsible for it.

Now, if there is someone in the executive branch who can do the job with discretion, as the Court says, I will be glad to join with you.

I yield the floor.

Mr. HEINZ. Mr. President, I know there are other people who wish to speak on the pending measure. Let me just note that some consideration is being given to laying aside the pending amendment. That would have to be done by unanimous consent. I am not going to propound any unanimous-consent request at this time, but there is thought being given to laying that amendment aside.

I point that out to alert all Senators to the possibility that, since there are other Senators who have amendments, they should be on notice that they could very well have an opportunity to come to the floor this afternoon to offer those amendments if a unanimous-consent request is entered into to lay aside the pending amendment. But I do not propound or make that request at this time.

Mr. President, I yield the floor.

□ 1240

Mr. HART addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. HART. Mr. President, the Senator from Colorado is prepared to vote on the pending measure. To my knowledge, there are no other opponents available to speak. So, so far as this Senator is concerned, we can go forward with a vote at this point.

I see the distinguished Senator from New York who may have some comments to make. I would like to respond to statements made briefly, if I may, Mr. President, and then I am prepared to dispose of the matter since it is not amendable in its present form.

Let me just say that there is more to knowing what a measure does than to have a bold statement about what it is. But to say this amendment replaces the Comptroller with the Director of The Office of Management and Budget is to state the obvious. But it does not answer the fundamental questions. To my knowledge the record to date does not answer those questions. Is it constitutional? Obviously we start out with the presumption it is as we did in the case of the previous iterations and were proved wrong, as some of us suggested.

The record shows no evidence to my knowledge of any authority for the proposition that this replacement or fix addresses that fundamental constitutional question, and I would further raise the question of, if there is another court test, and if the Director of Office of Management and Budget is found wanting under the Constitution in terms of filling this role, what do we do—find somebody else? Do we search through the streets of Washington like Diogenes with a lantern looking for one honest person in the Government I suppose who can carry out that matter?

Is it good policy? It clearly is a matter of dispute. The Senator from Colorado believes it is not good policy, but right now there is very little to support the proposition that it is. Will it protect the national security? Again, we know what the measure does. It replaces one functionary with another. Does it protect national security? That question remains unanswered.

In that regard, Mr. President, let me just conclude my remarks by making a few brief observations.

There are two arguments concerning defense and Gramm-Rudman. The first is that a sequester would be a national defense fiasco—as a member of the Armed Services Committee you don't think we should risk hacking $40 billion in defense budget authority out of next year's budget. The second argument—which is primarily an argument against the fix—is that handing the final say over defense estimates to the OMB leaves room for major league shenanigans in the estimates.

GRAMM-RUDMAN COULD IMPAIR DEFENSE

The defense authorization markup agonized over fiscal 1987 budget authority levels between $301 billion and $285 in fiscal year 1987 budget authority. These $16 billions were fought over tooth and nail. If you went into the markup and suggested a fiscal year 1987 budget authority level of $250 billion you would be laughed out of the room and be called a Communist. Yet this is what would happen were we to face a $35 to $40 billion sequester this fall—a prospect that is well within the pale.

Indeed, the CBO estimated that a defense sequester in fiscal year 1987 alone could end up cutting nearly $150 billion out of defense outlays over the coming 5 years. While I favor rationalizing defense spending and believe there are plenty of savings to be had in the defense budget, this process is no way to get at them. The $600 toilet seat might escape cuts—if it is under a long-term contract—but the toilet paper could be eliminated entirely.

The composition of defense spending would become even more confused and priority-less after such a sequester. The defense budget would be hacked irrationally by a sequester—the confusions that result from prior year contracts would result in some programs being hit far more deeply than others. Further research has shown that the bias against readiness and personnel accounts is probably overwhelmed by the accounting twists and turns in the process. The relative contract status of various activities in any given account is what will make the difference. For example, you may end up continuing purchasing F-16's because the contract cannot be broken, but not be able to purchase spare parts or training materials to maintain those aircraft.

THE FIX WILL LEAD TO MAJOR PROBLEMS

The defense budget rivals economic assumptions in terms of the opportunities it leaves open for a talented numbers cooker. This, under Gramm-Rudman, would lead to several problems:

First, the administration would be given wide berth in determining the composition of cuts in defense. While, in the cosmic scheme of things, this may be better than the complete irrationality of the intended process, it certainly gives the administration another way to pursue its own agenda without regard for congressional priorities.

Second, the administration could substantially shift the burden of a sequester away from defense. The administration consistently underestimates its proposed defense expenditures—CBO found this spring that the President's budget underestimated defense budget authority $20 billion for fiscal year 1987 and $160 billion over the next 5 years. While larger than previous years, this was no isolated incident. In seven out of nine times, CBO has revised the administration's defense estimates upward.

Increased control over the level and composition of the defense cuts will lessen the pressure on the administration to bargain. Making defense eat half the cuts was meant to lock the soldiers inside the Trojan horse—those who merely wish to eliminate social spending were to be frustrated. The fix breaks that deal.

We should note the apparent inconsistency in these two arguments—that Gramm-Rudman will cut defense too much, but that the fix will allow the administration to cut it too little—is just that an apparent inconsistency. The point is that we object to the threat that Gramm-Rudman-Hollings poses in the first place, and further, do not want to count on the President's ability to cook numbers to lessen the threat to defense in the second place—particularly since the defense savings would come exclusively out of domestic spending.

Mr. President, there are the considerations that bring the Senator from Colorado to resist the measure before us, and hope if a vote occurs forthwith or sometime soon, other Senators will see the error of their ways in supporting this process to begin with, will reverse that error, and get back to the kind of Government the Constitution contemplated where Members of Congress make the choices over the Nation's priorities and not some functionary subject to Presidential pressure.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. MOYNIHAN. Mr. President, I rise briefly to congratulate the Senator from Colorado once again on a reasoned, thoughtful statement about what he and I and others consider to be an unreasoned and almost thoughtless act which this body has taken before, and which I do not doubt before the day is over it will take again. This act, which James Q. Wilson has described as madness, "madness" from a careful and learned man, and which in the first instance the Supreme Court of the United States acting on a unanimous judgment of the district court in the District of Columbia declared unconstitutional as the Senator from Colorado anticipated that it would do.

There is an interesting passage in the decision that was handed down in the U.S. court by Judges Scalia, Johnson, and Gasch in which the district court stated—referring to the provision which ultimately was found unconstitutional, but explaining the rationale for it, the court said:

> The grant of authority to the Comptroller General was a carefully considered protection against what the House conceived to be the pro-executive bias of OMB. It is doubtful that the automatic reduction process would have passed without such protection, and doubtful that the protection would have been considered present if the Comptroller General were not removable by Congress itself.

The court went on to find on valid constitutional grounds that even so the arrangements must fail.

□ 1250

But they were more than sensible of why they were put in place. Congress had trusted the Comptroller General and had reason to, as a nonpolitical office. It had every reason not to trust the Office of Management and Budget in the face of 5 years of scandalous misconduct, documented over and again in the record about what was said and what happened, but now recorded in memoirs of those facts; yes, indeed.

May I say that yesterday I had occasion to read from Mr. Stockman's memoirs. He, of course, was Director at the time.

I think it appropriate to note that as early as 1984 Mr. Lawrence I. Barrett, a distinguished journalist with the Washington bureau of Time magazine, in his book "Gambling With History," about the years of the administration, described in precise detail the events to which Mr. Stockman subsequently correlated and said, "Yes, that is what happened."

We have known this. We have had responsible men on this. Barrett is not the type of person who writes things which he did not think were so.

Now we will go forward, I suppose, even so.

I would like to say this: The Senator from Colorado and I, and others have joined, have made the point that if a large sequester comes into play, the country will be astounded at the devastating impact on defense. That is our first responsibility as a body, not our only one. The Constitution declares that we will provide for the common defense and the general welfare. I suppose, Mr. President, that is going to have to happen.

What happens, as the Senator from Colorado has said, will prove true. We will find the most extraordinary imbalance of priorities as we go chop, chop through the automatic cutting arrangements. We will find that there has been distortion in estimates which will distort the outcome. We will have found that having abdicated our responsibility to make choices, having given Congress' most solemn responsibility away, having delegated to the executive that which the Constitution states can only be legislated by the Congress, we shall pay the price and we shall see the consequences.

Whether they can be undone, I do not know. I am not here to determine that. The Nation will not be ruined, but it will be injured, in my judgment; and the capacity of this institution will be called into question when we look up one day and see what happens and people say, "Who were those elected officials sent to Washington with clear constitutional duties who chose not to exercise their duties, who chose to turn their responsibilities over to others, for fear"—of what? For fear of doing that which they knew they would be responsible for when they sought office? I cannot think it is that. But it cannot be denied. Just as it is wholly within the power of the President to send us a balanced budget, it is wholly within the power of this Congress to enact one.

Well, we are not going to do that. We are going to give the authority, the most solemn authority, of article 1 of the Constitution to the President, a matter which the Senator from Colorado said just yesterday was fraught with constitutional problems. Whether it survives a constitutional test, we shall see. We can be sure that it will meet one. The matter will be challenged. One way or the other we shall have diminished, in this Senator's view, the stature of the U.S. Congress. On the eve of the 200th anniversary of the drafting and adoption of the American Constitution the question will arise, Just how well did the 99th Congress understand not just the rights of this body but also its responsibilities?

Mr. President, I see the Senator from South Carolina seeking recognition.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. HOLLINGS. Mr. President, once again we have to take issue when responsible Senators describe Gramm-Rudman-Hollings as thoughtless, an

act of madness, unreasonable, and then ask for reasonable debate. That is a rather anomalous situation. In fact, the Senator from Colorado said let us not rush it, and a minute ago the Senator said, "Let us have a vote."

However, we will be able to debate the issue, when we find out from these professors and all who the opponents talk of—we see they have disregarded the idea of revenues.

You can put in the alternative, the one that they say they are yearning for now, three readings in the House and three readings in the Senate. You can act on revenues.

Just yesterday, in regards to reconciliation, the Finance Committee voted for an increase. I am not going to vote for it, but these things happen and there is a good chance, perhaps, that it will pass, upping the Federal tax on a package of cigarettes from 16 cents to 24 cents, 8 cents a pack, bringing in $5 billion over 3 years.

I will resist that because I believe it is a matter for local revenues. The cities and States have always had that. The Federal Government has preempted them.

Now many want to unload from the Federal Government all responsibility to the State and local entities but yet take away their revenue sources.

But do they believe their own arguments? They claim these are devastating cuts, and will destroy America's national security.

Do you really believe these distinguished Senators are concerned about national security while we debate the Gramm-Rudman-Hollings issue: I know they are concerned about national security, but on Gramm-Rudman-Hollings?

They know good and well that if we faced any devastating cuts as they describe, we will come up with the revenues to deal with the problem.

There are many ways to pay for national defense. Our trouble is to vote for additional revenues to pay for it. One minute they want to vote and the next minute they do not want to vote. One minute they cannot understand Gramm-Rudman-Hollings and then in the next breath they give a perfect description of how it works.

One minute they go in one direction and the next minute another direction. They are trying to avoid their responsibilities. That is exactly what they are trying to do.

This amendment makes us all act responsibly. We have to do the job. We cannot just give rosy scenarios of GNP and interest rates, pat each other on the back, and hope the deficit goes down. Instead the deficit is going up, over $220 billion for 1986.

□ 1300

The interest cost on the national debt, Mr. President, now exceeds $500 million per day—it has been quoted as higher—and that has to do with working days. I am talking about tomorrow, Friday, July 25, the first thing our Government will do is borrow some $500 million—not to reduce the deficit but just to pay the interest costs. The $500 million provides for nothing, just for extravagance of past Congresses and administrations.

On Saturday morning, once again, the Government will borrow another $500 million. And on Sunday morning, and on Christmas morning of this year, they will borrow $500 million a day just to pay the interest costs.

This is a runaway animal. We are trying to get a halter on it. We are trying to bridle this mad steed. In doing so, the best job that we can possibly expect is to add another half-trillion dollars onto the national debt.

Economists can say what they want about this initiative, but it is working in 43 States in America. They accuse us of cowardice, saying what we need is courage. We have been looking to find that courage here for the last 5 years. So now this initiative, which is getting us to face up to the job, is being described as cowardice. This is absolute nonsense.

What we are doing is exactly what the Senator from Colorado said we are doing: We are replacing the Office of the Comptroller General with the Office of Management and Budget. That is simply all it is. It must be given to the executive.

I guess there are many on this side of the aisle who would not trust anyone in the executive branch. But the Government must go on and we must send all our legislation to the President hoping he will sign it. We send this particular initiative hoping that it will be executed in a proper fashion. This Senator happens to think that it will be done.

We have set the discipline by reaffirming the 1986 sequester of March 2. We looked at what the Director of the Office of Management and Budget did with the March 1 sequester.

Having seen the precedent and how they responded, how they treated the figures, and how they performed their duties, we said, "This was a job well done." I was present on the floor of the U.S. Senate when it was confirmed last week. Today, Senators come to the floor and describe it as madness, monsters, thoughtless acts and everything else.

It was very thoughtful. It had been debated for 3 months.

If someone has a better idea, other than repealing the discipline, I will be glad to listen. They really want to do away with the discipline. They want to get rid of it all. They do not come and suggest a better alternative.

The discipline is fixed and it is working. I hope we can adhere to it and this is to maintain that particular discipline. Nothing more, nothing less.

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

The PRESIDING OFFICER (Mr. GRASSLEY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

□ 1320

Mr. DOLE. 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. DOLE. Mr. President, let me indicate to my colleagues what is not happening. Obviously, we are not doing anything on the Senate floor. But a discussion is going on with Members on both sides of the aisle, Republicans and Democrats, with reference to trying to reach an agreement on an amendment which would meet the constitutional requirements insofar as the Gramm-Rudman-Hollings amendment is concerned. That discussion may take some time. It might take the remainder of the day. It might take today and tomorrow.

So what the majority leader is attempting to do now is to find some other business or legislation we could move to—perhaps the China Tax Treaty, and we will be able to dispose of that fairly quickly.

There are some nominations we may move to. There is a Cohen bill on civil penalties, civil fraud, which we are checking out.

So, rather than waste time—and we do not have much of it between now and the August 15 recess date—in the next 30 minutes we are going to try to come up with something and move to it. The pending business will still be the debt ceiling and the Gramm-Rudman-Hollings amendment, which we will come back to, assuming that we do all these things. So we will try to find some candidate to bring up on the floor.

RECESS UNTIL 2:05 P.M.

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate stand in recess until 2:05 p.m.

There being no objection, the Senate, at 1:32 p.m., recessed until 2:09 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. QUAYLE).

□ 1410

The PRESIDING OFFICER. The majority leader is recognized.

ORDER OF PROCEDURE

Mr. DOLE. Mr. President, let me indicate to my colleagues that what I would like to do is go into executive session when the distinguished minority leader arrives and consider three treaties. One is a Tax Agreement with China, Executive Calendar No. 8; another is Executive Calendar No. 12, the Vienna Convention for the Protection of the Ozone Layer; and the third

is Calendar No. 21, Protocol for the Conservation of Atlantic Tunas. Then there will be record votes, either three for one or one for each.

Without that, we are just killing time here. There are conferences going on on the Gramm-Rudman-Hollings proposal.

Then we could clear up some Executive Calendar nominations—Mr. Gilles and Mr. Hineman. I do not know of any objection to those nominations.

Then perhaps we could move to another nomination on the calendar that might be controversial, Mr. Abramowitz of the Department of State. There are a number of nominations that have been pending for a considerable amount of time—Morton L. Abramowitz from May 20; George R. Salem from June 18; M.D.B. Carlisle, from June 25. If we could dispose of those nominations, the Executive Calendar would be fairly clean. If we could do the treaties and the nominations I mentioned, we would have only a few other nominations and they have been on the calendar only a few days. Members may wish to check those carefully before taking further action.

FURTHER MODIFICATIONS TO COMMITTEE AMENDMENT

Mr. DOLE. Mr. President, on behalf of the Committee on Finance, I send to the desk further modifications to the committee amendment. I understand this has been cleared on both sides.

Mr. KERRY. Mr. President, yes, it has been cleared by the minority.

The PRESIDING OFFICER. The Senator has the right to modify the committee amendment on behalf of the committee.

The modifications are as follows:

On page 2 of the matter proposed to be inserted, lines 17 and 18, strike out "debt issuance suspension period" and insert in lieu thereof "debt limit impact period".

On page 2 of the matter proposed to be inserted, lines 23 and 24, strike out "debt issuance suspension period" and insert in lieu thereof "debt limit impact period".

On page 3 of the matter proposed to be inserted, line 3, strike out "debt issuance suspension period" and insert in lieu thereof "debt limit impact period".

On page 3 of the matter proposed to be inserted, lines 4 and 5, strike out "debt issuance suspension period" and insert in lieu thereof "debt limit impact period".

On page 3 of the matter proposed to be inserted, line 9, strike out "debt issuance suspension period" and insert in lieu thereof "debt limit impact period".

On page 3 of the matter proposed to be inserted, lines 13 and 14, strike out "debt issuance suspension period" and insert in lieu thereof "debt limit impact period".

On page 3 of the matter proposed to be inserted, line 17, strike out "debt issuance suspension period" and insert in lieu thereof "debt limit impact period".

On page 3 of the matter proposed to be inserted, beginning with line 22, strike out all through page 4, line 25 and insert in lieu thereof the following:

"(4) The Managing Trustee shall pay, on the first normal interest payment date that is at least 30 days after the expiration of any debt limit impact period, to each of the Trust Funds, from amounts in the general fund of the Treasury of the United States not otherwise appropriated, an amount determined by the Managing Trustee to be equal to the excess of—

"(A) the net amount of interest that would have been earned by such Trust Fund during such debt limit impact period if—

"(i) amounts in such Trust Fund that were not invested during such debt limit impact period solely by reason of the public debt limit had been invested, and

"(ii) redemptions and disinvestments with respect to such Trust Fund which occurred during such debt limit impact period solely by reason of the public debt limit had not occurred, over

"(B) the net amount of interest actually earned by such Trust Fund during such debt limit impact period.

"(5) For purposes of this section—

"(A) The term 'public debt limit' means the limitation imposed by subsection (b) of section 3103 of title 31, United States Code.

"(B) The term 'debt limit impact period' means any period for which the Secretary of the Treasury determines that the issuance of obligations of the United States sufficient to orderly conduct the financial operations of the United States may not be made without exceeding the public debt limit.".

(b) Subsections (a) of section 201 of the Social Security Act is amended by adding at the end thereof the following new sentence: "All amounts so transferred shall be immediately available exclusively for the purpose for which amounts in the Trust Fund are specifically made available under this title or under any other provisions of law directly related to the programs established by this title.".

On page 6 of the matter proposed to be inserted, beginning with line 23, strike all through page 7, line 5 and insert in lieu thereof the following:

"(C) Report to the Congress as soon as possible, but not later than the date that is 30 days after the first normal interest payment date occuring at least 30 days after the expiration of any debt limit impact period for which the Managing Trustee is required to take action under paragraph (3) or (4) of subsection (d), on the operation and status of the Trust Funds during each of such debt limit impact periods;".

Mr. DOLE. Mr. President, I believe that this is a further technical modification of the modification discussed yesterday by Senators MOYNIHAN, PACKWOOD, and others.

Mr. DOLE. 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.

□ 1430

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

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

EXECUTIVE SESSION

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate go into executive session.

There being no objection, the Senate proceeded to the consideration of executive business.

Mr. DOLE. Mr. President, I ask the minority leader if he is in a position to confirm the following nominations on the Executive Calendar: Calendar No. 928, Kenneth A. Gilles; Calendar No. 929, Kenneth A. Gilles; Calendar No. 932, Kalo A. Hineman.

Mr. BYRD. Mr. President, in response to the distinguished majority leader, I am prepared to say that these three nominations have been cleared by all Members on this side, and we are ready to proceed to vote on the confirmation of the nominations.

Mr. DOLE. I thank the distinguished minority leader.

Mr. President, I ask unanimous consent that the nominations just identified be considered en bloc and confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered en bloc and confirmed en bloc.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF AGRICULTURE

Kenneth A. Gilles, of Virginia, to be an Assistant Secretary of Agriculture, vice Raymond D. Lett, resigned.

Kenneth A. Gilles, of Virginia, to be a member of the board of directors of the Commodity Credit Corporation, vice C.W. McMillan, resigned.

COMMODITY FUTURES TRADING COMMISSION

Kalo A. Hineman, of Kansas, to be a Commissioner of the Commodity Futures Trading Commission for the term expiring June 19, 1991. (Reappointment)

Mr. DOLE. Mr. President, I move to reconsider the vote by which the nominations were confirmed.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOLE. Mr. President, I ask unanimous consent that the President be immediately notified that the Senate has given its consent to these nominations.

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

NOMINATION OF KALO A. HINEMAN

Mr. DOLE. Mr. President, I am very supportive of Kalo Hineman's renomination to be a Commissioner of the Commodity Futures Trading Commission [CFTC]. I supported his nomination in 1981 and am pleased that Kalo has agreed to serve a second term on the CFTC.

Kalo is a cattleman and wheat farmer from Dighton, KS, veterinarian, former State legislator, and banker. He has made an enormous contribution as the first and only

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farmer ever to serve on the CFTC. He chaired an agricultural options Advisory Committee and was instrumental in the Commission's early activities to implement a pilot program in exchange-traded agricultural options. These instruments have the potential of becoming a valuable risk-management tool for the agricultural sector.

The success of that committee prompted Chairman Phillps to expand its mission to other agricultural issues. As chairman of the Agricultural Advisory Committee at the CFTC Kalo provides a direct link to major farm organizations, users of commodities, exporters, processors, the cattle, pork and broiler industries as well as agricultural lenders.

BACKGROUND

Since 1947, Mr. Hineman has been a cattleman, rancher, and wheat and milo farmer in Dighton, KS. He is coowner with his son of Kalo Hineman Cattle Co. and Hineman Partners, a farming company. From 1955 to December 1981, he was a director of First National Bank of Dighton; and from 1974 to December 1981, he was a member of the Kansas House of Representatives. Kalo is a member and past president of the Kansas Livestock Association, a member of the National Cattlemen's Association, the American Farm Bureau Federation, and the National Association of Wheat Growers.

He is a 1943 graduate of Kansas State University where he received his DVM. He served in the U.S. Army, Veterinary Corps, as a captain and has served with the Office of Strategic Services.

CONCLUSION

Mr. President, Kalo Hineman has been an excellent Commissioner and has played an important role in communicating the role of futures trading in agriculture as well as representing the concerns that farmers tend to have regarding futures trading.

Kalo brings an important perspective to the CFTC on behalf of agriculture and in his 4 years of service has demonstrated the ability to be responsive to the agriculture community. Agriculture is fortunate to have a commissioner on the CFTC of Kalo's caliber and I look forward to his continued service.

TAX AGREEMENT WITH THE PEOPLE'S REPUBLIC OF CHINA

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Executive Calendar No. 8, Tax Agreement with the People's Republic of China.

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

The clerk will report.

The assistant legislative clerk read as follows:

Calendar No. 8, Treaty Document No. 98-30, Tax Agreement with the People's Republic of China.

Mr. DOLE. Mr. President, I ask unanimous consent that the treaty be advanced through its various parliamentary stages, up to and including the presentation of the resolution of ratification; that no amendments be in order to the resolution; and that the Senate proceed to vote immediately, without any intervening action, on adoption of the resolution of ratification.

Mr. EXON. Mr. President, reserving the right to object——

Mr. BYRD. Mr. President, reserving the right to object, Senators should be given an opportunity to reserve the right to object.

The PRESIDING OFFICER. Is there objection?

Mr. EXON. Mr. President, reserving the right to object—I am not sure I will—I would like a little explanation from the majority leader as to what he sees the parliamentary situation to be right now and where we are right now. Evidently, by unanimous consent or otherwise, we have gone off the debt ceiling bill and the amendment thereto, generally referred to as Gramm-Rudman II. Is that correct?

Mr. DOLE. That is correct.

If the Senator will yield, I indicate that, for the purpose of getting some business done this afternoon, there are a number of Senators on each side—I do not know where they are—negotiating the so-called Gramm-Rudman-Hollings amendment. I do not know how many are for it or against it, but at least they are working on some language. They came to me about 1 o'clock and said they would probably take the rest of the day and maybe even the rest of the week. The distinguished Senator from South Carolina is present. I hope the rest of the day would be adequate. In any event, these negotiations are going on.

Then, there was a suggestion that we move to South Africa, which I did not think was a very good idea. So I decided that we should be doing something and go into executive session and take care of some treaties that have been around for a while, as well as some nominations that need to be confirmed.

Mr. EXON. Mr. President, further reserving the right to object, as I understand it, the yeas and nays have not been requested on the so-called Gramm-Rudman II that has been offered as an amendment to the debt ceiling bill. Is that correct? Can the Chair advise me on that?

The PRESIDING OFFICER. The yeas and nays have not been ordered on that amendment.

Mr. EXON. I suggest, in reserving the right to object, that I share what I take to be the consternation, at least, of the distinguished minority leader with regard to our inability to get things done.

This Senator was on the floor yesterday with an amendment that was very pertinent to the Gramm-Rudman II amendment, and I was prevented by the manager of that bill from even getting a second when I asked for a rollcall vote on it.

I want to be reasonable and I want to be fair with my colleagues. But in view of the fact that we made the determination, under the leadership of the distinguished majority leader, that we were going to the debt ceiling bill—and all Senators know there is a whole group of amendments that will be put on that bill—the thoughts of setting aside the business of the Senate for other purposes does not seem to be in the interests of orderly process, to this Senator.

So I basically find myself probably in agreement with the majority leader and the minority leader: Why do we not move ahead?

I would also like to know what the plans are for tomorrow, if any. Some of my colleagues have asked me about that.

I would offer, as a constructive suggestion, that since I firmly believe that the amendment offered by this Senator yesterday would go to the very heart of the matter of Gramm-Rudman, we should get an expression of the U.S. Senate, in the form of a sense-of-the-Senate resolution, as to whether or not the Senate feels it is necessary to repair the sequester damage done to Gramm-Rudman as a result of the Supreme Court action.

It is my feeling that the authors of that bill probably knew what they were doing—at least, I hope they did—when it was initially passed. The Senate and the House overwhelmingly approved the initial sequester last March 1.

I feel that we do not need a lot of extensive negotiations until we find out whether or not it is the sense of the majority of this body that we need further tinkering or repair or additions to the Gramm-Rudman bill that still stands, despite the one important structure having been knocked out by the Supreme Court, with regard to the appointment of the sequestering officer.

I am wondering if there is any chance that, in the interests of proceeding in orderly fashion, after we have disposed of the treaty measures that the majority leader has just suggested, we can get an agreement that, notwithstanding the feelings of the Gramm-Rudman authors, that they want to vote first and first only on what they want—would it be unreasonable to ask the Senate to proceed meanwhile on the amendment offered by the Senator from Nebraska yester-

day, as something we could do directly on the subject?

□ 1440

Mr. DOLE. Mr. President, I would certainly be happy to explore that. I do not have any problem with voting on the Senator's amendment. I am not certain the others can have it both ways.

But, again, I think the Senator's amendment is the sense of the Senate that we use the fallback system, as I understand it. That was the amendment offered by the Senator from Nebraska yesterday, or he was going to offer the amendment. Then someone called for the regular order, as I understand it. I will be happy to explore that.

Mr. EXON. I wish the Senator would explore that. I will not object any further at this time. I would like to serve some notice that I may, since I was not given the consideration yesterday of a seconding on my request for the yeas and nays which is customary in this body. I think had we done that we would be moving ahead in an orderly fashion despite the feelings of the very select group in this body who are determined that they are going to dictate how things are going to be run and when the votes are going to be taken.

It may well be within the decision of this Senator that he might object to some of these things to try and get the Gramm-Rudman votes back on track and not put aside, which I think they should not be for any other important matter, including South Africa sanctions.

I thank the majority leader and minority leader, and I will not object at this time.

Mr. DOLE. I thank the Senator from Nebraska. I think the point he makes I do not disagree with. If we are going to move ahead on the debt limit extension, we have to have some amendments.

I know the sponsors of the Gramm-Rudman-Hollings amendment, for reasons that I consider to be good, wanted to have their amendment offered. What happens from time to time is that there are others who then look over the amendment and would like to make some minor changes. I guess that is what is under discussion now.

If that is going to be extended for some time maybe we could call up the amendment of the Senator from Nebraska. I am not certain I would support it but I think he has a right to bring it up and maybe once we start those type of amendments we can finally get around to final passage.

The PRESIDING OFFICER. Is there objection to the majority leader's request?

Without objection, it is so ordered.

The resolution of ratification follows:

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Agreement between the Government of the United States of America and the Government of the People's Republic of China for the Avoidance of Double Taxation and the Prevention of Tax Evasion with Respect to Taxes on Income, together with a supplementary protocol and exchange of notes, signed at Beijing on April 30, 1984, and a protocol concerning the interpretation of paragraph 7 of the supplementary protocol, signed at Beijing on May 10, 1986.

Mr. DOLE. Mr. President, I request the yeas and nays on the China treaty.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Washington.

Mr. EVANS. Mr. President, I had the privilege of chairing the hearing in the Foreign Relations Committee on the China Tax Treaty. In fact, this was one of the six tax treaties which were in front of the committee at that time.

These are standard treaties which are implemented in order to reduce or eliminate the double taxation of income earned by citizens and residents of the United States and the treaty partner from sources within the country. It is also, of course, designed to eliminate the evasion of taxes by anyone.

As in other U.S. tax treaties, the objective is achieved by each country agreeing to limit in certain specified situations its right to tax income derived from its territory by residents of the other. All the provisions of the treaty are reciprocal.

Mr. President, there are a number of impressive reasons for this treaty to be adopted, especially given the rapidly growing trade relationships with the People's Republic of China. There have been heavy rates of taxation imposed on foreign companies by the Chinese Government. There are many ambiguities in the Chinese new tax laws and the treaty is needed by American corporations for several reasons. First, without the treaty, technology transfer of U.S. companies in China will be subject to a 20-percent withholding tax, whereas competitors from other nations, all of which have tax treaties with China, are subjected to only 10 percent and in some case only 7 percent.

Second, without the treaty, United States residents in China become subject to taxes on their personal income after a 90-day presence in China; whereas, citizens of other nations with a tax treaty will become liable only after 183 days.

Third, without the treaty there is no guarantee of United States tax credits for payments in China; whereas, the treaty prevents double taxation of American corporations and individuals.

Mr. President, there are only a few of the reasons that the treaty is important to U.S. business. This treaty provides investors with an amount of certainty: they will know before undertaking a transaction in China what the income tax consequences will be. This treaty received a strong vote in the Foreign Relations Committee, and I urge that it be adopted by the Senate.

Mr. President, I ask unanimous consent that a letter from the Congressional Budget Office to the chairman of the Foreign Relations Committee, Senator LUGAR, be inserted at this point.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, December 11, 1985.

Hon. RICHARD G. LUGAR,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has examined Income Tax Agreement (and Protocol) with the Government of the People's Republic of China.

The proposed Income Tax Agreement does not affect current levels of budget authority or tax expenditures. CBO concurs with the Joint Committee on Taxation staff's estimate that the effect of the proposed treaty on budget revenues will be negligible.

With best wishes.

Sincerely,

RUDOLPH G. PENNER.

Mr. BYRD. Mr. President, I ask unanimous consent that Mr. PELL, who is the ranking minority member of the Foreign Relations Committee, be permitted to insert into the RECORD a statement in regard to the treaty upon which the Senate is about to vote.

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

Mr. PELL. Mr. President, today, the Senate is being asked to give its advice and consent to ratification of a bilateral income tax treaty between the United States and the People's Republic of China.

By and large, this treaty is similar to those already in effect between the United States and some 37 other countries. The purpose of the pending treaty is to remove the burden of double taxation from U.S. persons and firms who may be doing business in another country, and therefore be subject to tax both there and in the United States on the same income. The treaty is also intended to provide U.S. persons with some certainty with respect to the rates at which various sources of income will be taxed. This will better enable U.S. citizens to make sound financial decisions. Finally, this treaty is intended to provide a framework by which tax officials in both

countries can ensure that taxes are collected on those transactions which are subject to taxation, thereby thwarting tax evasion.

Senator HELMS had expressed concern that this treaty as originally negotiated contained a rather weak antitreaty shopping provision which is designed to prevent third country residents from obtaining unintended benefits from the treaty. After reviewing the treaty, the Committee on Foreign Relations concluded that, as a practical matter, the treaty shopping possibilities in China are insignificant at present. This conclusion was based upon expert testimony from U.S. tax officials and independent tax experts. However, in its report on the treaty, the Committee on Foreign Relations put administration and Chinese officials on notice that the committee would watch carefully to see that laws in China did not change in such a way as to open the door to third country residents' use of the treaty.

In order to address the concerns raised by Senator HELMS and others, Secretary Baker recently went the extra mile, in my view, by proposing a clarification on this issue to Chinese authorities during his visit to China last May. The Chinese Government readily agreed to this clarification to the antitreaty shopping provision contained in the treaty. A new protocol containing this clarification was signed at that time, and transmitted to the Senate on June 6. Treaty Document 99-26 which is currently before the Senate is this new protocol detailing rules designed to prevent the use of this bilateral income tax treaty as a conduit by third country residents to obtain unintended treaty benefits. I commend the Secretary for this efforts to close this potential loophole.

Mr. President, I believe that this treaty and related protocols are in the economic and foreign policy interest of the United States, and for those reasons I urge my colleagues to give their advice and consent to ratification.

The PRESIDING OFFICER. Is there any further debate on the resolution of ratification?

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

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

The question is on agreeing to the resolution of ratification.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

□ 1450

Mr. SIMPSON. I announce that the Senator from Utah [Mr. GARN], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Florida [Mrs. HAWKINS], are necessarily absent.

The PRESIDING OFFICER (Mr. ABDNOR). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 1, as follows:

[Rollcall Vote No. 163 Ex.]

YEAS—96

Abdnor	Glenn	Metzenbaum
Andrews	Gore	Mitchell
Armstrong	Gorton	Moynihan
Baucus	Gramm	Murkowski
Bentsen	Grassley	Nickles
Biden	Harkin	Nunn
Bingaman	Hart	Packwood
Boren	Hatch	Pell
Boschwitz	Hatfield	Pressler
Bradley	Hecht	Proxmire
Broyhill	Heflin	Pryor
Bumpers	Heinz	Quayle
Burdick	Hollings	Riegle
Byrd	Humphrey	Rockefeller
Chafee	Inouye	Roth
Chiles	Johnston	Rudman
Cochran	Kassebaum	Sarbanes
Cohen	Kasten	Sasser
Cranston	Kennedy	Simon
D'Amato	Kerry	Simpson
Danforth	Lautenberg	Specter
DeConcini	Laxalt	Stafford
Denton	Leahy	Stennis
Dixon	Levin	Stevens
Dodd	Long	Symms
Dole	Lugar	Thurmond
Domenici	Mathias	Trible
Durenberger	Matsunaga	Wallop
Eagleton	Mattingly	Warner
Evans	McClure	Weicker
Exon	McConnell	Wilson
Ford	Melcher	Zorinsky

NAYS—1

Helms

NOT VOTING—3

Garn	Goldwater	Hawkins

□ 1510

The PRESIDING OFFICER. Two-thirds of the Senators present and voting have voted in the affirmative, the resolution of ratification is agreed to.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, the Senate has just advised and consented to the ratification of the first effort to a complete income tax treaty to be signed with the People's Republic of China. This is not a small event. Efforts were set in motion many years ago and the treaty was, in fact, initiated by the President in 1984 in Beijing, as he states to us in the letter of submittal of July 24, 2 years ago.

Mr. BYRD. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senator will withhold. The Senate is not in order. The Senate will be in order.

The Senator from New York.

Mr. MOYNIHAN. I thank the Presiding Officer and I thank the minority leader.

To repeat, Mr. President, this is the first complete income tax treaty to be signed with the People's Republic of China. It is based on a model income tax treaty prepared by the Department of Treasury of the United States, and it is a matter of large consequence to the economic relations between our two nations.

Mr. President, I think it may be said that while the benefits of the treaty are reciprocal, as they ought to be or the President would not have signed the treaty and the Senate would not have accepted it for ratification, the benefits, however, may be described as principally enabling and fostering American investments in the People's Republic.

The treaty provides a series of guarantees as to what income will be taxed, what will not be taxed, what could be repatriated, and other guarantees concerning investments. That is the principal purpose of tax treaties.

Mr. President, we do not anticipate that there will be a large amount of investment by the People's Republic in the United States. There has been discussion of investment by U.S. firms and individuals in the People's Republic.

So we have accomplished something which will be mutually beneficial to our two nations and that is good.

What I wish to say, Mr. President, is that it is a point to be made for the record and now that if the People's Republic of China had not yesterday, July 23, released the New York Times bureau chief in Beijing, Mr. John F. Burns, after 6 days in near solitary confinement on an absurd charge of espionage; had the People's Republic not released Mr. Burns yesterday, we would not have voted on this treaty today. At least those are the sentiments of the Senate. I would be surprised that were we to have voted, the treaty would have been approved.

Specifically, Mr. President, we are in executive session, and in executive session, a motion to take up a matter on the Executive Calendar is debatable.

□ 1520

The Senator would have debated it into October if need be or, indeed, until it was taken down, which would have been done very quickly and with no great resistance from the majority or minority leader in view of the extraordinary conduct of the Chinese authorities.

This ought to be understood in Beijing. Mr. A.M. Rosenthal, the executive editor of the New York Times, and Mr. Warren Hoge, the Times' foreign editor, flew from New York to Beijing to ask what was happening to American journalists. They made very

modest statements to the effect that were Mr. Burns to be detained in the condition he was and for any length of time, it would not but damage relations between our countries. Yet, the Chinese authorities chose to dismiss this thought as one beneath their concern.

If that is the case, then they might have considered whether they should have written that treaty in the first place; because, whether they understand this or not, the U.S. Senate holds as a matter of large consequence the treatment of American nationals abroad and takes a very concerned view of any charge of espionage directed against a distinguished journalist for a reputable journal, whose espionage was carried out, we are asked to believe, in the course of a several-thousand-mile motorcyle ride in the interior provinces of China—this in full view of the authorities; indeed, accompanied by another American, who had just served a period of time as a professor of law at Beijing University.

Mr. President, it is not required to restate my point. I simply want the record to show that it was just in the very nick of time that the Chinese authorities released Mr. Burns. For reasons that we could not find acceptable, they chose to expel him, but he is at least at liberty—in Hong Kong, when last heard from.

And it is a good thing this was done, else this treaty would not have been available for consideration today. The Senator from New York would have felt it necessary to debate the motion. He would have found support in this matter on both sides of the aisle, and the effort would have prevailed.

I simply say in closing that not quite 1 year ago, our distinguished majority leader led a trade delegation to the Far East. The distinguished Senator from Washington, who is on the floor at this time, a former Governor of that State, was one of the Senators in the delegation. I had the honor to be with it as well. We had a great many talks with the Chinese officials in the Great Hall of the People. We visited Shanghai. We inquired at length into possibilities for improvement of economic relations between our countries. We thought we had made some progress.

We were dismayed to see the behavior of the last week. We are relieved that it is over and I am happy that the recourse that would have been necessary did not in the end prove so. But I want the RECORD to show that if any police official in Beijing thinks it would not matter to the relationship between our countries that they simply threw an American journalist into prison and kept him there incommunicado, that official was wrong and would have been proved wrong in short order.

Mr. President, I thank the Senate for its courtesy in hearing me in this matter. I ask unanimous consent that there be printed in the RECORD the report of Mr. Burns' expulsion, together with the text of the Chinese statement on that occasion.

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

[From the New York Times, July 24, 1986]

TIMES REPORTER IS EXPELLED FROM CHINA

The Peking bureau chief of The New York Times was expelled from China yesterday after being detained for nearly six days on suspicion of espionage.

The correspondent, John F. Burns, was placed aboard a plane of the Chinese state airline and flown to Hong Kong.

The official New China News Agency said he had been ousted from the country for "activities incompatible with his status as a journalist." It said he had been involved in "deliberately breaking into Chinese areas closed to aliens, thereby violating the law governing aliens' entry into and exit from the People's Republic of China."

In a statement issued in New York, Arthur Ochs Sulzberger, publisher of The Times, said, "We are grateful for the prompt resolution of the problem facing John Burns, though we regret his expulsion from China after so many years of distinguished reporting for The New York Times."

ACCUSED OF "ACT OF SPYING"

The Chinese authorities told A.M. Rosenthal, executive editor of The Times, that they considered Mr. Burns guilty of an "act of spying and intelligence gathering which will not be tolerated by any sovereign state."

Mr. Rosenthal, who arrived in Peking on Saturday with the newspaper's foreign editor, Warren Hoge, said of Mr. Burns: "I believe in his innocence of any espionage and intelligence gathering."

The Times editors were told by the Chinese authorities yesterday that Mr. Burns and an American traveling companion had broken into "a military restricted zone of our country" and had taken "numerous photographs of classified objects.,"

Mr. Burn's wife, Jane Scott-Long, and their two children, Jamie, 5, and Emily, 2, were allowed to remain behind in Peking to complete the family's preparations to leave China.

Mr. Burns said the trip out of which the charges grew had been "a legitimate journalistic venture."

"This is not the kind of thing spies do," he told reporters after his arrival in Hong Kong. "I'm not a spy. I'm a journalist. If I had been a spy, I certainly would not have chosen to do anything as clumsy as this way to go about gathering information."

Until yesterday, Mr. Burns, who spent most of his incarceration incommunicado in a small cell, had not been accused of any offense. On Monday he was allowed to see his family, British and American Embassy officials and his editors.

Mr. Rosenthal voiced regret over Mr. Burns' expulsion, adding, "We'll soon be asking the Foreign Ministry to accredit another New York Times correspondent to China." He said he had been assured by the authorities that the newspaper would be allowed to replace Mr. Burns.

The case against Mr. Burns arose from a motorcycle tour of central China that began late last month. He was accompanied by Edward McNally, a lawyer on leave from the United States Justice Department to teach constitutional law at Peking University, and Zhang Daxing, who had recently returned to China after studying in the United States.

During their trip, the three were stopped by the police near the border of Shaanxi and Sichuan provinces and told they were in a restricted area. They were held for two days but were allowed to return to Peking after writing long "self-criticisms."

Mr. Burns, who said he had thought the matter had been resolved, was taken into custody for a second time on Thursday at the Peking airport as he and his family prepared to leave China on vacation. He was questioned at the airport for 15 hours, his home was searched and he was taken to a detention center early Friday morning.

Film from the trip was confiscated, and Chinese officials told the Times editors yesterday that the materials would not be returned.

Mr. McNally had left China to attend to business in Hong Kong before Mr. Burns was detained. Mr. Zhang was reported to have been questioned for a day and ordered to write a second self-criticism. His whereabouts were not known.

Mr. Burns, who is 41 years old, was born in Britain and travels on a British passport. He became The Times' Peking bureau chief in 1984. He reported from China for The Globe and Mail of Toronto from 1971 to 1975, when he joined The Times. He has also served as The Times' Bureau chief in Johannesburg and Moscow.

TEXT OF CHINA'S STATEMENT

(Following is the text of a Chinese statement on the case of John F. Burns, the Peking bureau chief of The New York Times, who was expelled yesterday. The statement was read in Peking by Xu Hui, an official of the State Security Bureau, to A.M. Rosenthal, executive editor of The Times, and Warren Hoge, the newspaper's foreign editor.)

The Burns-McNally case is a grave one. They disregarded the laws of China, deliberately violating the law governing aliens entering into and exiting from the People's Republic of China. They broke into a military restricted zone of our country and took numerous photographs of classified objects.

Such demeanor obviously constitutes an act of spying and intelligence gathering which will not be tolerated by any sovereign state and needless to say is also a regrettable incident.

We attach great importance to friendly relations between China and the United States and are loath to see such a relationship impaired.

Since the beginning of the Burns and McNally case, while upholding the sovereignty of the law of China, we have acted with the utmost restraint and have sought earnestly to deal with the matter satisfactorily within the limits permitted by law and restricted to the least possible publicity.

It is out of such considerations that we did not investigate and affix criminal responsibility of the two persons through judicial procedures, which we could have done according to the nature of their offense.

Thus the penalization has been greatly mitigated. We hope this is taken notice of by the U.S. side.

We have made a decision to expel Burns from the territory of the People's Republic of China today.

We will only release a brief news item, without making public the details of the case.

We will adhere to this attitude unless we are faced with a difficult situation, in which case we will have to act against our will.

Mr. EVANS. Mr. President, I do appreciate the words of the distinguished Senator from New York. As he said, we joined together on that trip to the People's Republic of China and I am exceedingly pleased that we were able to take this additional very important step in building trade relationships between our two countries with the passage of this treaty.

GENEVA CONVENTION FOR THE PROTECTION OF THE OZONE LAYER

Mr. EVANS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Executive Calendar No. 12, the Vienna Convention for the Protection of the Ozone Layer. I further ask unanimous consent that the treaty be advanced through its various parliamentary stages, up to and including the presentation of the resolution of ratification; that no amendments be in order to the resolution; and that the Senate proceed to vote immediately without any intervening action on the resolution of ratification.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Mr. President, reserving the right to object, I shall object for just a moment. I hope the Senator will withhold his request.

Mr. EVANS. I shall be delighted to withhold the request.

Mr. President, let me repeat the unanimous-consent request: I ask unanimous consent that the Senate proceed to the consideration of Executive Calendar No. 12, the Vienna Convention for the Protection of the Ozone Layer; that the treaty be advanced through its various parliamentary stages up to and including the presentation of the resolution of ratification; that no amendments be in order to the resolution; and that the Senate proceed to vote immediately, without any intervening action, on the resolution of ratification.

Mr. BYRD. Reserving the right to object, Mr. President, I shall object to the last part of the request that has been propounded by the distinguished acting Republican leader. There may be some Senators who would want to debate this matter, at least briefly. Could he rephrase his request to allow some discussion of the resolution of ratification?

Mr. EVANS. Mr. President, I do rephrase the request in its last part, so that it reads "no amendments be in order to the resolution and that subsequent to debate, the Senate proceed to vote immediately on the adoption of the resolution of ratification."

□ 1530

Mr. President, I will reinstitute the request for unanimous consent. Perhaps it is easier to reread the first part of it. I ask unanimous consent that the Senate proceed to the consideration of Executive Calendar No. 12, Vienna Convention for the Protection of the Ozone Layer, and I further ask unanimous consent that the treaty be advanced through its various parliamentary stages, up to and including the resolution of ratification and that no amendments be in order to the resolution.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Mr. President, there is no objection to this request.

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

The Clerk will report.

The legislative clerk read as follows:

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Vienna Convention for the Protection of the Ozone Layer, done at Vienna on March 22, 1985.

Mr. EVANS. Mr. President, while the title of the treaty may sound esoteric—the protection of the ozone layer—there is growing scientific concern about the ozone layer which surrounds the Earth. The ozone layer plays a key role in shielding out ultraviolet radiation and in controlling the atmospheric heat gradient. There is growing concern that certain human activities are depleting and restructuring the Earth's ozone layer. These changes could adversely affect human health and the environment. There is significant evidence that the layer disappears over the Antarctic on a seasonal basis for a longer period of time each year. There is clear evidence that certain industrial processes and products lead to a depletion of the ozone layer. The United States has taken some significant action to reduce the pollutants which have that effect. Other countries have not moved as rapidly, and it is important that we proceed ahead on this treaty.

The treaty does not mandate action by any nation but it does commit countries to take appropriate measures to protect the ozone layer and provide procedures for developing control measures as may be needed. Given the global nature of this problem, any measures to effectively handle the ozone problem do require international cooperation, and action must be based on a sound scientific and technical basis. That is the primary objective of the Vienna Convention. It will help to increase the scientific understanding of the ozone layer and the potential risks of modifying that layer. It creates a framework for international cooperation on appropriate research, monitoring, and information exchange.

The Ozone Convention is supported by the administration, by affected industries, and by the environmental community.

Mr. GORE addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. GORE. Mr. President, this proposed treaty is not controversial and I am informed not opposed by any Member of this body. I wish to speak in strong support of the proposed ratification. I also want to address the issues that are involved very briefly and say that I do not think this treaty goes far enough. It is a small step, a tiny step, and indeed the description of the treaty makes it clear that it does not obligate us to take any regulatory action or spend any money or do much of anything. That is a weakness of the treaty given the severity of the problem. Nevertheless, it is a step we should take because it represents the beginning of international cooperation to assess the nature of the problem. And the treaty itself contains a provision for future protocols that could have teeth in them if we subsequently agreed in this Chamber and if the other signatories to the treaty subsequently agreed.

But the real reason I wanted to make a few brief remarks on the occasion of that ratification, Mr. President, is that I am completely convinced that we in the United States and other countries around the world are failing to take the problems of atmospheric pollution on a global basis as serious as we should. Now, the principal threat to the ozone layer is coming from a class of chemicals known as chlorofluorocarbons, or CFC's. These substances will contribute greatly to another problem, the greenhouse effect. Their production should be controlled internationally. My colleague, the Senator from Washington, has already spoken of the new finding, first announced by British scientists, that the ozone layer above Antarctica disappears during our summer and Antarctica's winter, and there is now a hole in the ozone layer the size of the continental United States. It gets larger each year. Studies are underway involving a rare winter expedition to this portion of Antarctica to try to determine whether or not this is an historical phenomenon or something that is new, that has occurred since the advent and acceleration of the industrial revolution and more particularly in the last 2 decades with the tremendous increase in the production of chlorofluorocarbons.

Mr. President, if it was only for the threat to the ozone layer, chlorofluorocarbons should be controlled, but as I mentioned earlier they are also one of the major contributing factors to the greenhouse effect. Now, as we are well aware, the greenhouse

effect is principally caused by the rapid increase in the amount of carbon dioxide in the upper atmosphere and the amounts of carbon dioxide involved totally dwarf the amounts of chlorofluorocarbons involved. However, because of their peculiar chemical properties, the small volume of chlorofluorocarbons contribute perhaps as much as 30 percent to the cause of the greenhouse effect.

Now, Mr. President, we have not had many discussions of the greenhouse effect in this Chamber probably because it sounds like a bad science fiction novel and nobody wants to deal with an issue that is this complex and fraught with scientific uncertainty and fraught with dire warnings that will come to fruition in the next century. You may have heard some of the forecasts—a 3-to-8 degree (F) temperature increase by 2030, a 10-percent decrease in crop yields, and more frequent tropical storms. Nevertheless, we have an obligation to deal with this issue. By the end of this century the greenhouse effect may be recognized as the major environmental problem facing the world.

Now, the solution is currently unimaginable because it would eventually involve significant changes in the pattern of fossil fuel use, and because that is currently unimaginable the temptation is to just push it aside and say we are not going to deal with it. But the effect on this country and other countries around the world if the scientists' projections are true will be devastating.

Let me point out, Mr. President, that last fall in Villach, Austria, an international scientific meeting was convened to discuss the greenhouse effect and the threat to the ozone layer. From that meeting there emerged a consensus that the greenhouse effect is real, and it is occurring now. We are already locking in a huge effect due to the accumulation of CO_2 in the atmosphere.

There are remaining areas of uncertainty. However, those points I just mentioned are not among them. There is virtually no respected scientist who disagrees any longer that the greenhouse effect is real and that the impact will be large.

Six years ago I had the opportunity to begin a series of hearings over in the other body on the greenhouse effect. At that time it was an issue that existed on the fringes of the atmospheric sciences, but during the last 6 years it has moved from the fringes into the main stream of science and, as I said, there is now no longer any significant disagreement.

Now, how do we assess the potential impact? Well, we are told that the increase in temperature over the next few decades would be 2 to 3 degrees on a worldwide average, and to some that does not sound like a lot. However, when you look more closely at what occurred in the past when the worldwide average temperature increases by that amount, it becomes clear that at the poles there is a much larger temperature increase, on the order of 12 to 15 degrees. This has an enormous effect on glacial ice, both north and south.

□ 1540

The Antarctic ice cap is a particular problem, the west Antarctic ice shelf in particular, because it is on top of a land mass, and the impact of its melting on the sea level would be much greater than pack ice that is already floating in the oceans. The first impact would be an increase in temperatures.

The second impact would be the melting of glacial ice and the resulting increase in sea levels around the world. But the impact would not be confined to those, because the world weather system, according to the scientists who have testified both on the House side and in a set of excellent hearings conducted with the leadership of the Senator from Rhode Island [Mr. CHAFEE], who has been an outstanding leader on this issue. The scientists have testified that another set of impacts would be the loss of equilibrium in the world weather machine, if you will, with a corresponding change in the distribution of moisture and rainfall patterns throughout the world. At different latitudes, you would find great changes in the amount of moisture available.

Two weeks ago, I asked the Library of Congress to conduct a session for Members of this body and the other body and to present some of the newest scientific evidence. One of the presenters pointed out that the amount of water in the Western United States, under the latest computer projections, would decrease by 50 percent early in the next century. Knowing of the shortage of water in many areas of the West now, it is difficult to imagine the impact of such a reduction.

Mr. President, as I said at the outset of these remarks, the issue involved begins to resemble a bad science-fiction novel. As can be seen from the effects I have alluded to, that we have been told about by these scientists, certainly paint a dire picture. But we can take action. We do not have to sit back and wait for these predictions by the scientists to come true.

One of the first steps is to control chlorofluorocarbons, because, as I mentioned, they contribute to as much as 30 percent of the greenhouse effect, and they pose the single greatest threat to the ozone layer, a problem whose severity is now being measured by this special scientific winter expedition to the Antarctic.

So this treaty, of course, should be ratified, but let us have no illusions about the fact that it does not really address the entire problem. It is a first, small step. It should be adopted, and of course will be adopted, but let us resolve in this body to take further steps: No. 1, to increase our confidence in the scientific data.

Toward that end, I introduced a resolution, Senate Concurrent Resolution No. 96, sometime ago calling for the establishment of an international year of research on the greenhouse effect, modeled after the 1957 "International Geophysical Year" which, ironically, led to the best single scientific data that we have to this day on the greenhouse effect—specifically, the monitoring stations that tell us about the rapid increase in CO_2 accumulation in the upper atmosphere.

So that is the first step—increase the confidence we have in the scientific data.

The scientists tell us there is a consensus view in their professions. Let us communicate that to the public. But in doing so, let us get better data, more complete data, and document the problem to the satisfaction of more people. After all, there are areas where we need a lot more information.

For example, what is the role of the oceans likely to be as temperatures increase? Will they absorb more carbon dioxide or, as the latest scientific data begins to hint, will they disgorge some of the carbon dioxide already stored in the ocean?

Also, what is the role likely to be played by the cloud system, which we do not know? The scientists need more research money to get an answer to that problem. That is the first step—increase the confidence we have in the data.

Second, and concurrent with that first step, control chlorofluorocarbons as immediately as possible.

Third, we must address the problem of deforestation—again, an extremely difficult problem. However, it contributes as much as 20 to 25 percent to the problem of the greenhouse effect.

It is barely imaginable that our civilization could find a way to deal with the problem of deforestation, and if we did, perhaps we could even address the challenge of reforestation. We know about the destruction of rain forests and the advance of deserts in vulnerable areas throughout the world. Those problems should be addressed even if we did not have a greenhouse effect or a threat to the ozone layer. It is barely imaginable that we, as a civilization, could address that problem.

Then, 10, 20, or 50 years from now, if we have successfully met those challenges, and if the evidence is effective as before that the greenhouse effect and the threat to the ozone layer is as

real as the scientific community en masse tells us it is, it might become imaginable for us to make some changes in the pattern of fossil fuel use around the world. It is not now. There is no point in discussing it. It is completely unrealistic. But perhaps by building our confidence in the ability of the world to work cooperatively in addressing a problem of this magnitude, we can make imaginable what is now unimaginable.

In conclusion, I urge all my colleagues to support the ratification of this Vienna Convention and to join in addressing this issue in other ways in the months and years to come.

Mr. CHAFEE. Mr. President, this convention for the protection of the Earth's stratospheric ozone layer is an important first step and represents a major international effort to address a serious environmental problem.

On June 10 and 11 of this year, the Subcommittee on Environmental Pollution, which I chair, held hearings on the issues of ozone depletion, the greenhouse effect and climate change. We heard graphic, powerful and disturbing testimony from a number of distinguished scientists and even saw a film that shows how the ozone layer over the Antarctic has, over the last several years, been periodically plagued by a hole that is growing larger and larger. This and other evidence is cause for international concern and, more importantly, action.

This is not a matter of chicken little telling us the sky is falling. The scientific evidence is telling us we have a problem, a serious problem.

There is a very real possibility that man—through ignorance or indifference, or both—is irreversibly altering the ability of our atmosphere to perform basic life support functions for the planet.

At our hearings, many of the Government witnesses argued that we need more studies. They contend that there are too many scientific uncertainties to warrant action. Only Lee Thomas, the Administrator of the Environmental Protection Agency, recognized what is at stake here. He was the only decisionmaker from the Government who appreciated the fact that policymakers and those who make regulatory decisions cannot allow themselves to be paralyzed by these gaps in knowledge.

This convention provides for international cooperation in research and information exchange on the depletion of the Earth's stratospheric ozone layer. That is an accomplishment for which the United Nations Environment Program deserves recognition and appreciation.

However, we must not stop here. The true value of this convention will be realized only if it serves as the framework for protocols involving international regulations of human activities.

I am proud to say that the United States was a leader in the effort to get such protocols adopted as part of this convention when it was first developed. Although that effort was unsuccessful, the U.S. delegation must continue to press for such international regulation. This is particularly important with respect to chlorofluorocarbons [CFC's], manmade chemicals that represent a serious threat to the global environment. With or without international agreement, the United States must recognize that it is a world leader in the area of environmental protection and, in this instance, may have to lead by example. Domestic controls on CFC's may have to go forward before we have an international agreement.

Although CFC's are only part of the problem, they are an important element that can be controled. The fact that a particualr action does not solve the entire problem is an insufficient reason to delay. Let's do what we can today and then we can do more tomorrow.

Mr. President, the problem of ozone depletion, the greenhouse effect, and climate change have not yet been elevated to the same level of public awareness as toxic waste or acid rain. Nevertheless, that is changing and, as more and more people become aware of—and concerned about—ozone depletion and climate change, we will be held accountable. By giving our advice and consent to ratification of the Vienna Convention for the Protection of the Ozone Layer, we are taking a small but important initial step toward solving the ozone depletion problem.

Mr. STAFFORD. Mr. President, I am pleased that the Senate is on the verge of ratifying the ozone research convention. But we should make it clear that the task should not stop with research alone. We—and by that I mean the United States as well as other nations of the world—need to take positive and prompt steps to deal with threats to the ozone layer and the planetary atmosphere.

One such step would be simple. That would be for the rest of the world to take the action which the United States took a decade ago and ban the nonessential uses of chlorofluorocarbons as aerosols. We seem to have gotten along quite well in this country without CFC's in spray cans and I suspect the rest of the world would have the same experience. In addition, there are other uses of CFC's which our country and others could eliminate with little or no dislocation.

I hope that as the research convention is being elaborated by the delegates from this country and others, attention will be given to the possibilities for concrete action.

Mr. BAUCUS. Mr. President, I rise today in support of ratification of the Vienna Convention for the Protection of the Ozone Layer.

This convention will bring about international cooperation in research and information exchange on the depletion of the Earth's ozone layer.

Stratospheric ozone depletion and global warming are clearly worldwide problems that require international cooperation.

The time for action is now. If the scientific community's projections of actually seeing affects within the next 20 years and almost certainly within the next 50 years are correct, then we may already be beyond the point where we have the luxury of waiting to act.

The question is, Should we just wait until we actually know for sure, or take steps now to address the problem?

I come down on the side of action. We are talking about a problem that has been building up for at least the last century.

Each day we fail to set needed policies in motion, the potential for failure increases.

Mr. President, ratification of this convention will focus attention on this critical worldwide environmental problem. International cooperation on this issue is obviously in the United States, best interest.

Worldwide emissions of ozone depleting chemicals could well be the most critical environmental problem we will face, both for the remainder of this century and well into the next century.

Ratification of the Vienna Convention for the Protection of the Ozone Layer is a significant first step. The next step is for the convention to serve as a framework for protocols involving international regulation of the ozone layer.

Are there further remarks?

Mr. BYRD. Mr. President, I ask a division on the vote.

The PRESIDING OFFICER. The minority leader asks for a division.

As many as are in favor of the resolution of ratification will rise and remain standing until they are counted. Those in favor will rise.

As many as are opposed will rise and stand until they are counted.

Two-thirds of the Senators present and voting having voted in the affirmative the resolution of ratification is adopted.

Mr. EVANS. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. EVANS. Mr. President, I ask that Senators who are here remain for

about 2 minutes. We have one more treaty and it should take no longer than that.

PROTOCOL TO THE CONVENTION FOR THE CONSERVATION OF ATLANTIC TUNAS

Mr. EVANS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Executive Calendar No. 11, Protocol for the Conservation of Atlantic Tuna and further ask unanimous consent that the treaty be advanced through its various parliamentary stages up to and including the presentation of the resolution of ratification and that no amendments be in order to the resolution.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. There is no objection.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Protocol to the 1966 International Convention for the Conservation of Atlantic Tunas (ICCAT), agreed upon July 10, 1984 by the Conference of Plenipotentiaries of the Contracting Parties to the 1966 Convention, and signed by the United States on September 10, 1984.

Mr. EVANS. Mr. President, this very simply is a protocol to add to an already existing treaty which would allow the European Economic Community to accede as a member to the treaty rather than individual countries of the European Community.

The tuna fishing industry joins the administration in supporting this protocol. I believe it will help streamline, simplify, and add to the treaty which is already in existence.

The PRESIDING OFFICER. Are there any further remarks?

The question is on the adoption of the resolution of ratification.

Mr. BYRD. Mr. President, I ask for a division.

The PRESIDING OFFICER. The minority leader asks for a division.

As many as are in favor of the resolution of ratification will rise and remain standing until they are counted.

As many as are opposed will rise and stand until they are counted.

Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is adopted.

Mr. EVANS. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. BYRD. Mr. President, I move to lay that motion to reconsider on the table.

The motion to lay on the table was agreed to.

LEGISLATIVE SESSION

Mr. EVANS. Mr. President, I ask unanimous consent that the Senate return to legislative session.

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

Mr. EVANS. 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.

□ 1600

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

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

INCREASE IN STATUTORY LIMIT ON THE PUBLIC DEBT

The Senate resumed consideration of the joint resolution.

Mr. JOHNSTON. Mr. President, what is the pending business?

The PRESIDING OFFICER. The Chair will state to the distinguished Senator we are back in legislative session and the pending business is the Rudman amendment.

Mr. JOHNSTON. Mr. President, I rise in opposition to the pending Rudman amendment.

Mr. President, a week or two ago, the Supreme Court ruled on the question of the constitutionality of Gramm-Rudman. As we all know, the Supreme Court found unconstitutional that provision which gives the General Accounting Office, or the Comptroller General, the power to make certain what is here called ministerial decisions under the Gramm-Rudman Act.

Mr. President, what the Rudman amendment would do would be to replace the role of the General Accounting Office, or the Comptroller General, with OMB.

□ 1610

So the Rudman amendment would turn over, in effect, to the Director of the Office of Management and Budget those functions under the act presently performed by the GAO.

Mr. President, the first question to ask is, Did the Supreme Court denude or emasculate the Gramm-Rudman law by their decision?

Mr. President, I find my answer in the television interviews given by the distinguished Senator from Texas [Mr. GRAMM], whom I heard over and over again on television on the day the decision came down. He said, "We have preserved 95 percent of the enforcement mechanism provided for under the law."

I think he was demonstrably correct, Mr. President, because under the present law, while we have thrown out the role of the Comptroller General, that role is superseded by the Congress acting as a whole. What the act provides is that when the snapshot is taken, the OMB and the CBO get together just as they do under the present act, and instead of giving those numbers to the Comptroller General, they give those numbers instead to a joint Budget Committee which, in turn, submits the numbers for vote on the House and the Senate floor, and, in turn, that must be signed into law by the President.

That is precisely the procedure we followed just last week when we approved the numbers in the first sequestration. Those numbers were submitted to the Joint Budget Committee. They were there voted, I believe, Mr. President, unanimously, and with dispatch, and submitted quickly to the floor of the Senate and the House where the resolution was approved, dispatched to the President, and all signed within a period of hours.

That, in my view, Mr. President, is precisely what would happen if we do not pass this amendment but leave the law as it is because by voting in the Joint Budget Committee and by voting on the floor of the House or the floor of the Senate to approve those numbers you approve neither the principle of Gramm-Rudman, nor the amount of the sequestration, or of the fact of a sequestration because that is not the issue.

The only issue to be voted on when the numbers are submitted to the Joint Budget Committee or to the House and the Senate respectively is to approve the economic facts as found by the OMB and CBO, and as set forth in that set of numbers.

The Congress is then given a period of 3 to 4 weeks within which to correct the numbers, to find the savings, to adjust the deficit to the target of $144 billion, with a leeway of $10 billion and, in other words, to reduce that deficit to $154 billion to avoid sequestration.

Mr. President, it seems very plain to me that the Congress will do that. Even those of us who very strongly have opposed Gramm-Rudman, and continue to oppose Gramm-Rudman are not going to turn our backs on what are the economic facts; that is, we are not going to say the deficit is less than it is, nor are we going to ignore the numbers. That is what we have already demonstrated the Congress will do.

Mr. President, the question presented by this amendment is whether we want to replace that procedure which I just described which Senator GRAMM himself describes as being 95 percent of what the present law provides, and whether we are going to replace that with the function of OMB.

Mr. President, I think that would be a grave, grave mistake. This is not a ministerial act to be performed by OMB. It is an act full of discretion.

Mr. President, to quote from the Supreme Court decision, Bowsher versus Synar, the Chief Justice states that the Comptroller was only required to have "due regard for the estimates submitted to him by the Director of CBO and the Director of OMB." And as the Chief Justice further points out, "the act plainly contemplates that the Comptroller General will exercise his independent judgment and evaluation with respect to those estimates." Moreover, the Comptroller General "must also interpret the provisions of the act" and has "the ultimate authority to determine the budget cuts to be made."

Let me repeat that last sentence, Mr. President.

According to the Supreme Court the GAO has under the act "the ultimate authority to determine the budget cuts to be made."

That is what the Supreme Court says is the function of the Comptroller General under the present act prior to the time it was found to be unconstitutional.

What the pending amendment would do is replace the function of the Comptroller General with the Director of OMB. In place of the Supreme Court language that constitutes the "ultimate authority to determine the budget cuts to be made" in the GAO, that authority would be in the OMB. In other words, the OMB who have the discretion to make "independent judgments and evaluation" with respect to the estimates. The OMB would have the "ultimate authority to determine the budget cuts to be made."

That being so, Mr. President, the question is, Do we want to give that authority to OMB? What is the track record of OMB? Let us look at OMB, the Director of OMB. Let us look at this budget cycle.

Mr. President, in the 1987 budget, CBO says that the President's budget submitted by OMB missed the mark on outlay estimates by $17 billion. We know how they did that. They did it with smoke and mirrors. There was a cute trick, you remember, where OCS revenues, some $1.3 billion, had already been received, were already in the Treasury, and OMB said let us act as if those receipts were going to be received next year. So they moved over $1.3 billion to the next fiscal year, so the deficit will look like it is $1.3 billion less in fiscal 1987. Altogether, $17 billion worth of such chicanery went on in this budget by this OMB. They tell us, well, let us replace the GAO, let us replace indeed the Congress with OMB.

Mr. President, it is not just this year that OMB has done badly. For in 8 of the last 9 years, as our colleague Senator HART pointed out, the OMB has missed the mark by 16 percent on the average. Sixteen percent is a huge amount. Is that just a difference in adding up the figures by the guys with the green eyeshades? No, Mr. President. Those are intentional differences. We need do nothing more than read Mr. Stockman's book to find out what OMB has been doing all this while.

Mr. President, I had occasion to look back at Mr. Stockman's book today. It is just full of the most interesting quotes. If I may, I'll just read one paragraph. He says in making the 1984 deficit projections, this is what they at OMB did. He said, "Bookkeeping invention thus began its wondrous works. We invented the 'magic asterisk': If we couldn't find the savings in time—and we couldn't—we would issue an IOU. We would call it 'future savings' to be identified? It was marvelously creative. A magic asterisk item would cost negative $30 billion, $40 billion, whatever it took to get to a balanced budget in 1984 after we toted up all the individual budget cuts we'd actually approved."

□ 1620

Mr. President, it is right there in black and white by the Director of OMB. He says they invented the magic asterisk, a bookkeeping invention, $30 billion or $40 billion worth.

He goes further to say that, "We adjusted the administration's budget to incorporate all the smoke and mirrors."

Well, Mr. President, I cannot believe that we are asked seriously to approve an amendment here on the floor of the Senate to take away prerogatives from the Congress and turn them over to OMB with that kind of track record, with the present Director of OMB who missed it this year by $17 billion, for 8 of the last 9 years by an average of 16 percent, representing many billions of dollars in each one of those years, and with the on-the-record publicly stated positions of Mr. Stockman who spent more time in OMB than anybody else in this administration, who said, "We invested the magic asterisk. We used smoke and mirrors."

Is there the slightest reason, Mr. President, to believe that this OMB has changed its stripe and will suddenly become solely a green eyeshade adder of the numbers as opposed to a smoke and mirrors magician?

I submit to you, Mr. President, there is no reason to believe that. We would be naive in the extreme if we set up a mechanism involving the very economic lifeblood, the spending programs, the national defense, all these functions of Government, and turned it over to a smoke and mirrors, magic asterisk group when enacting a budget is what we were elected for in the Congress.

Mr. President, I can make a very strong case. I believe that the case has been made by the short history of Gramm-Rudman, that the principal effect of Gramm-Rudman has been simply to delay the whole budget process; not to save money. Indeed, the budget deficit today is higher today than on the day we passed Gramm-Rudman. We can show that it has delayed the whole process. But however one feels about Gramm-Rudman, whether one passionately supports it, whether one supports it with great reservations because it is the only thing left to do, or whether one continues to oppose it, we certainly should not turn over to the smoke and mirrors, magic asterisk crowd in OMB the duty to decide how much is going to be cut.

The Supreme Court said, Mr. President, that if you turn those powers over to the Office of Management and Budget, then it will be OMB who not only decides how much to be cut and what to cut, but what the numbers are that make up the whole economic equation of this country.

Mr. President, I hope we will not do such a foolish thing, one that is economically unsound, at odds with the Constitution, and at odds with the role that we, as elected Senators and Congressmen, have under our constitutional system.

I oppose this amendment, Mr. President, and I yield the floor.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The distinguished minority leader.

Mr. BYRD. Mr. President, I do not want to take advantage of the distinguished acting Republican leader. He may or may not be in a position to answer the questions that I have.

Various Senators have engagements elsewhere. Some have airline reservations. I wonder if we can find out whether or not there are going to be more rollcall votes today.

Mr. HEINZ. If the Democratic leader will yield. I will be happy to respond.

As the Democratic leader knows, there is a pending amendment, the Gramm-Rudman amendment. It would appear highly unlikely that we will be able to get to a vote on that anytime soon. It is extremely unlikely that anything will transpire on that tonight. This Senator does not anticipate that there will be any unanimous consents granted to lay that amendment aside even temporarily.

Further, the majority leader indicated to me that it is his intention to take up what I believe is an noncontroversial nomination. I do not have the name of the nominee. The leader apparently feels he could clear at least one other item on the Executive Cal-

endar. That would be with the consent, of course, of the other side of the aisle.

It would be my best guess that we would be unlikely, say, during the next 2 hours, at a miminum, to have any rollcall votes or any items that are likely to come up. Indeed, it seems highly unlikely to me that there will be any more rollcall votes tonight.

My friend from West Virginia, the minority leader, has pointed out I cannot speak with the same kind of authority as the majority leader. He is very tied up in the tax conference, which has been running morning and afternoon and which will probably run into the evening. That is one of the reasons that gives me optimism that not much could transpire here on the floor, namely, the continuing tax conference. I hope that is a response to the minority leader.

Mr. BYRD. Mr. President, the distinguished acting Republican leader has certainly been as responsive as he could be under the circumstances. I am sure of that. I thank him for that.

As to a nomination being on the calendar that is cleared for action, I know of no nomination on the calendar that is cleared for action.

The Senate earlier today confirmed three nominees on the Executive Calendar. There is a nomination that this side is prepared to go to, but, as I understand, there is an objection on the other side of the aisle to taking up that nomination.

Mr. HEINZ. If the minority leader will yield, I have just been advised that the minority leader is correct, that we do not anticipate taking up any such nomination.

Mr. BYRD. One further question I would ask: Does the distinguished acting Republican leader know whether or not the majority leader intends to have a session tomorrow?

Mr. HEINZ. Mr. President, let me say to my friend from West Virginia, the Democratic leader, that I cannot speak to that. I would anticipate the Senate would be in session tomorrow. But it is entirely possible that the parties interested in bringing about some kind of possible compromise on the Gramm-Rudman amendment, which is the pending business, may not be prepared tomorrow. I have heard some of the parties to those discussions say that they feel it is unlikely that they will be in a position to present an alternative until Monday.

That is what they say. My best guess is that we would be in session tomorrow. As to votes, I cannot speak to that. If, at this point, the Senate goes about its business tomorrow the same way it is right now, which is rather slowly, I do not think I would forsee any rollcall votes. I want to caution any Members listening to this that that is not a guarantee.

□ 1630

Mr. BYRD. Mr. President, the distinguished acting Republican leader, I think, has responded as fully and as straightforwardly as he is in a position to respond at this time. Based on what he has said, however, I think I should say that I plan to tell Members on my side of the aisle that there will be no more rollcall votes today. I say this because I know something also about the calendar to which the distinguished acting leader has addressed himself. I know that the Gramm-Rudman-Hollings amendment is pending. I know it cannot be set aside except by unanimous consent. I also know that the parties are working on a modification of that amendment and that the parties on both sides have indicated that there is not a likelihood that they will have that modification worked out today.

I know that the Executive Calendar has been cleared, as far as nominations on which no objections have been lodged are concerned, and the three treaties have been disposed of.

I also know that we should not keep our colleagues here if they have other engagements to which they are committed on the premise that there might be rollcall votes. Ordinarily, that is reason enough why they should stay here but I think, on the basis of what the distinguished acting Republican leader has said about the calendar, and on the basis of what my previous discussions with the distinguished majority leader have indicated to me—namely, that there is one other nomination on the Executive Calendar to which he wanted to go, but there is a hold on that nomination on the other side—I think I am going to tell my colleagues on my side—but before I do so, I want to hear what the distinguished acting Republican leader has to say.

Mr. HEINZ. If the distinguished Democratic leader will yield briefly.

Mr. BYRD. The Senator has the floor.

Mr. HEINZ. I thank him.

Mr. President, I do not disagree with his forecast for this evening. One of the reasons I do not disagree with it is that at this point, although there are some other amendments that Senators have expressed some interest in offering, I do not know of a single Senator at this moment—I see one Senator who might have an amendment, the Senator from Tennessee [Mr. SASSER]—who is ready to propound a unanimous-consent request to bring an amendment up. Absent that, we are clearly not going to have any votes on any amendments tonight.

There could be unanimous consent tomorrow, some might be agreeable to those tomorrow and there might be other items on the Executive Calendar that could be cleared tomorrow for action by the Senate.

Again, that is beyond my powers, first of all, to forecast that. But I think other Senators, hearing there may not be other rollcall votes tonight, may decide that there is not going to be any business that they need to attend to here tomorrow, and they could be sadly mistaken on that.

I feel it is only fair to them that I warn them advisedly that we cannot yet forecast the schedule of votes tomorrow.

Mr. BYRD. Mr. President, I thank the distinguished acting leader. My query of the distinguished majority leader earlier today with respect to rollcall votes on tomorrow elicited a somewhat similar response. The majority leader was not in a position very early today to say whether or not there would be rollcall votes tomorrow.

I have discussed the matter with him since. He has not been absolute in his response to my question because, at the time of my discussion with him, he was not in a position to say.

I understand there would be some objections to setting aside the Gramm-Rudman amendment to take up other amendments. I cannot be sure that I am accurate in that. At least I am accurate in having heard that, but I do not know that that is the case.

Mr. HEINZ. Mr. President, I think at this point, the distinguished Democratic leader would be absolutely correct. I would have to object at this point to laying aside the Gramm-Rudman amendment.

Mr. BYRD. Very well.

Mr. President, I am going to tell my colleagues on my side of the aisle that there will not be any further rollcall votes today, because I do not see any indication from the other side of the aisle that there will be such. I do know that several Senators on the other side of the aisle have a very important engagement this afternoon which will keep them occupied for the next couple of hours, I believe, and possibly after that. I cannot speak for the other side.

That being the case, I think it would be only fair to my colleagues and to our colleagues on the other side of the aisle, in the absence of any further instructions from the majority leader, to say that there will be no more rollcall votes. The only thing I can do to guarantee that is to be on the floor and speak if I have to.

Mr. HEINZ. I would like, if the distinguished Democratic leader will yield further, to indicate that at the conclusion of this colloquy, it is my intention to suggest the absence of a quorum and I anticipate that that quorum call might be quite lengthy, at least until the majority leader returns to try to transact any additional business he might want to transact.

Mr. BYRD. Mr. President, that leaves us on a rather long leash here. I know that Members on the other side have business elsewhere. I just picked that up by the grapevine; I was not informed of that directly or formally. I do not think I should keep Members on this side of the aisle hanging around the Senate for another couple of hours.

Mr. HEINZ. I think I can say to the distinguished Democratic leader that there are not going to be any more rollcall votes tonight. We may transact business, but I do not think that there will be any business that we will allow to come up on which we shall feel compelled to go to a rollcall vote. So I think the Democratic leader can in good conscience advise all the Members on his side of the aisle, and I am advising Members on my side of the aisle that there will be no further rollcall votes tonight.

There could be further business of the Senate and I anticipate that there will be further business of the Senate. But I do not anticipate that any of it will take rollcall votes.

Mr. BYRD. Mr. President, I do not think the acting leader could be more fair, more forthright, more understanding, or more considerate. So there will be no more rollcall votes tonight, I am saying to my colleagues, as the distinguished acting Republican leader has just said for the record.

I also hope that those of us who have to stay around to clean up the work of the Senate at the end of the day—and that includes myself and the distinguished majority leader—to do the housekeeping chores, do not have to stay too long to transact what housekeeping duties may be remaining and which probably could, in all likelihood, go over until tomorrow.

I thank the distinguished acting Republican leader. I think this has been a good discussion in that we are both assured as to what the circumstances are. I am deeply grateful to him.

Mr. HEINZ. Mr. President, 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.

□ 1740

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

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

PHILIP R. RIVERS—A TRIBUTE

Mr. CHAFEE. Mr. President, staff members are the silent majority of the U.S. Senate. It is the staff we employ who do the bulk of the work when it comes to administering our offices, crafting the legislation we propose, and dealing with our constituents and the press.

My purpose in speaking today is to pay tribute to a special member of my staff, Phil Rivers, who is leaving my office next week to undertake a new challenge in the private sector as a partner in a new firm he is founding with two other partners.

Phil has been with me since I came to the Senate in 1977, and has been my chief of staff for the past 5 years. In serving me, he has served the people of Rhode Island admirably and well, never hesitating or complaining of the long hours his position has required in dealing with whatever has come along to demand his attention.

By and large, these qualities of loyalty and hard work are those which characterize most Senate staff.

With Phil Rivers, however, I have been blessed with something special—a friend, counselor, and confidant. He has provided that extra margin of loyalty and effort which has made my work in the Senate the joy that it is. I am especially appreciative of the fact that, although it may at times have been uncomfortable, Phil Rivers has never given me less than his honest opinion. He never sought favor by tempering his counsel or shading his words. For that, I shall always be grateful.

That Phil will be missed as my chief of staff is one of the understatements of the year. Yet the sadness I and the rest of my staff feel at his departure is tempered by knowing that whenever needed, we can continue to call upon him for his skill and advice.

In closing, Mr. President, I wish for Phil only the best that the future may bring. May he have the excitement, the adventure, the joy that comes with the undertaking of a new career and a new business. Phil Rivers embarks upon this new challenge with the knowledge that he has served me, the Senate, and the people of Rhode Island with distinction and honor, for which I can offer him only my heartfelt thanks and gratitude.

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.

□ 1750

Mr. DOLE. Mr. President, I ask that further proceedings under the quorum call be rescinded.

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

ORDER OF PROCEDURE

Mr. DOLE. Mr. President, unfortunately, we are not making much progress on the debt ceiling. I say that without criticism because I think those who are working on the major amendment have been off in a conference all day trying to figure out some agreement, which involves I guess four or five or six or more Senators from both sides of the aisle. It is my understanding until that amendment is voted on, and I would hope that we could have some indication yet tonight—I am going to go ahead and go out—have some indication tonight they have made some progress, it is certainly my hope that we can work on it tomorrow. But I cannot force people to offer amendments. Obviously, there does not seem to be much interest in offering any amendments. There was some hope that perhaps there was an amendment to repeal Gramm-Rudman which could have been offered, but I think everything is sort of waiting on this one major amendment. I do not have the foggiest notion at this point when that may be completed.

We will move to the nomination of Morton I. Abramowitz tomorrow morning and hopefully take care of that and other nominations on the Executive Calendar. The Abramowitz nomination was reported May 20; George R. Salem, June 18; and M.D.B. Carlisle, June 25. We have disposed of Kenneth Gilles and Kalo Hineman. That would leave the National Oceanic and Atmospheric Administration, which was just reported, and Federal Emergency Management Agency just reported. I am not certain there is any problem with these two nominations.

So we will try overnight to see, first of all, if they have completed action on the Gramm-Rudman-Hollings amendment as modified by input from other Senators. And if we cannot achieve that I would assume we would come in early and bring up the Abramowitz nomination. I am advised by Senator HELMS that he would insist on a rollcall on the motion to proceed and that he might not let us complete action on that tomorrow. So that is about where we are, I say to the distinguished minority leader.

Mr. BYRD. On the calendar, I say to the distinguished majority leader, for his information—and I hope it will be helpful to him in conducting his scheduling responsibilities—is the nomination of Morton Abramowitz. On this side, that nomination has been cleared by all Members. So there is a hold on the other side of the aisle.

Mr. DOLE. That is right.

Mr. BYRD. On the next two nominations, George Salem and M.D.B. Carlisle, there are holds on those two nominations on this side, I have no doubt that the clearance of the hold on Carlisle will not be any problem. Possibly that hold will be cleared soon.

With respect to Kathleen Lawrence, there are holds on both sides of the aisle. The other nominations, as the

distinguished majority leader has correctly stated, are new reports and therefore, I think, would be cleared for action very soon.

Mr. DOLE. I think we are in fair shape on the Executive Calendar.

Mr. BYRD. I have heard what the distinguished majority leader has said. Does he feel that there will be rollcall votes tomorrow?

Mr. DOLE. The only information I have has been relayed to me by staff, that Senator HELMS would insist on a rollcall vote on a motion to proceed to the nomination of Morton Abramowitz, Calendar No. 823. He feels strongly about this nomination. It may be that after that vote—I assume that the motion would be agreed to—he might want to discuss it at some length. He did not indicate whether he would go beyond that step or not. I do not anticipate any votes other than that one.

Mr. BYRD. Is it the intention of the distinguished majority leader to move to that tomorrow?

Mr. DOLE. Yes.

Mr. BYRD. And Mr. HELMS indicated that he would want a rollcall vote on the motion?

Mr. DOLE. That is correct.

Mr. BYRD. So there would be one rollcall vote tomorrow?

Mr. DOLE. Unless he did insist on a vote on the nomination.

Mr. BYRD. So there would be one rollcall vote tomorrow?

Mr. DOLE. For certain.

Mr. BYRD. What time does the majority leader intend to bring the Senate in?

Mr. DOLE. I would like to come in at an early hour and hope to dispose of the business by noon or shortly thereafter, so that Members can take care of other duties outside of Washington, DC.

Mr. BYRD. Does the distinguished majority leader at this point foresee what the schedule will be like on Monday and Tuesday, keeping in mind, of course, that the resolution with respect to televised coverage of Senate debate and proceedings requires that the Senate have a vote on Tuesday at the close of business, or that there be a motion to delay that vote for 30 days? Does the distinguished majority leader have in mind that there will be any request to change the schedule for Monday with respect to debate on the motion regarding televised coverage?

Mr. DOLE. As I understand, that will come up on Tuesday, the 29th.

Mr. BYRD. The vote will, but in accordance with the resolution, there are to be 12 hours of debate thereon.

Mr. DOLE. I say to the distinguished minority leader that I hope it will not be necessary to consume 12 hours. I know there has been a lot of activity in the Rules Committee. Members on each side, sort of ad hoc groups, have offered some good suggestions. It is something I will have to focus on tomorrow. I hope we will not need the 12 hours.

I was advised earlier by the distinguished Senator from South Carolina, properly so, that they hope to have the modification of the major Gramm-Rudman-Hollings amendment completed by the weekend. That would make it available at least for discussion early on Monday. I have indicated that there will be no votes until, say, 4 or 5 o'clock—if any—on Monday, to give Members an opportunity to return.

□ 1800

Mr. BYRD. Mr. President, I would like to discuss the 12 hours that are provided for in the television coverage resolution. I would like to discuss that with the distinguished majority leader tomorrow, because, in accordance with the resolution, I do not believe those 12 hours would begin until Tuesday and that would make for a pretty long day.

I hope that we could either shorten the 12 hours for Tuesday or, if we get an objection to that, I hope the distinguished majority leader would then be prepared to provide some time on Monday for that debate so that we could come within the requirements of the resolution. We can discuss that tomorrow.

Mr. DOLE. If it appears we are not going to get any action on the debt ceiling on Monday, perhaps we could shift some of that time into Monday on the TV discussion.

Mr. BYRD. Very well. Then if we could discuss this on tomorrow and be prepared to inform our colleagues, I think it would be well that we do so, if I may so state.

Mr. DOLE. I thank the Senator. And we will have an opportunity at noon tomorrow to cover that.

Mr. BYRD. Yes.

(Mr. GORTON assumed the chair.)

Mr. DOLE. Mr. President, I have been advised that the distinguished Senator from North Carolina, Senator HELMS, indicated he will not permit us to complete action, as I understand it in shorthand, on this nomination tomorrow. So it would be my revised observation that there probably will be just one vote tomorrow.

Mr. BYRD. If I may just pursue this for 1 minute. I am in a position to inform the distinguished majority leader that under New Reports, Calendar Order No. 938, the nominee for Director of the Commissioned Officers Corps under the National Oceanic and Atmospheric Administration, has been cleared on this side. Also under New Reports, Calendar Order No. 939, Mr. George Woloshyn, to be an Associate Director of the Federal Emergency Management Agency, has been cleared on this side of the aisle; and the nominations placed on the Secretary's desk are cleared on this side of the aisle. If the distinguished majority leader would like to do those today, they have been cleared by all Members on this side.

Mr. DOLE. I thank the distinguished minority leader. I understand they are making one phone call to make sure we are clear on this side.

I am happy to yield to the Senator from Nebraska.

INCREASE IN STATUTORY LIMIT ON THE PUBLIC DEBT

Mr. EXON. Mr. President, I thank the distinguished majority leader for his courtesy. While he is on the floor, I want to tell him I am here, willing and able. I heard the appeal in my office that no one was offering any amendments. I heard the manager of the bill on that side of the aisle indicate that no one wished to offer any amendments. I am here, I am willing, I am able, as I was yesterday, as I am right now, and as I will be tomorrow to offer an extremely timely amendment that is exactly on point that I tried to offer yesterday but was blocked, as the distinguished majority leader knows, by those who are trying to manage this bill off the floor. And yet I hear the appeals over and over and over again that no one wishes to offer any amendments. Of course, no one wishes to offer any amendment because of the parliamentary situation in which we find ourselves.

Does the majority leader have any words of wisdom for me as to what I could do to offer my amendment again? I have used every parliamentary procedure that I know of, including the one that we fashioned yesterday to get around the blocked position the Senate found itself in by the managers of Gramm-Rudman II, or whatever it is called.

I would simply say to the majority leader and the minority leader that there is this Senator and there are other Senators who are prepared, willing, and able to offer amendments but we are not going to be dictated to by those who wish to run the Senate from outside the U.S. Senate for reasons best known to themselves.

So I hope that if you are going to appeal for people to come over and offer amendments, at least you would say, "Except Senator EXON, because we do not want his amendment considered," even though I think the majority leader would recognize it is timely and pertinent to the matter at hand.

Is the majority leader recommending that I go ahead and try and offer the amendment again now? The only way that I would know how to do this, and I would be glad to listen to the expert advice from the majority leader and minority leader, would be to re-

quest unanimous consent that notwithstanding the current parliamentary situation that I be allowed to offer the amendment that I did yesterday and notwithstanding the parliamentary situation I would appeal to the majority leader and the minority leader to see if they could muster enough Senators on the floor so that I could get a second. Can anyone help me?

Mr. DOLE. Mr. President, will the Senator yield?

Mr. EXON. I am glad to yield for a response.

Mr. DOLE. I am afraid not.

As I indicated earlier, I would not have any quarrel with setting aside the pending amendment and taking up the amendment of the Senator from Nebraska.

I am advised others would object, and I would have to do that for them in their absence.

My own view is it is a legitimate amendment. I am not certain I will support it, but I think it makes the issue, lays it right out in front, as I understand the Senator's amendment, and it is my view that those who are crafting the Gramm-Rudman-Hollings II, working with Senator CHILES, Senator DOMENICI, Senator LEVIN, are making some minor changes in the amendment that is pending and, therefore, there is not much in the way I would know that the Senator could offer his amendment without setting aside the pending amendment.

Mr. EXON. I thank very much the distinguished majority leader.

I would hope the record would then show that at least the junior Senator from Nebraska is ready, willing, and able to offer an amendment and therefore should be excluded from any criticism, direct or indirect, by certain Senators on the floor of this body, because I am ready to go.

Would the majority leader be good enough to indicate as to whether or not he might be able to assist me in relieving some of the objections from his side of the aisle if I would try to offer this amendment sometime tomorrow, I mean just to be helpful to the majority leader and get the Senate moving.

Mr. DOLE. I appreciate that. Every time I indicate we need to offer amendments, if I do not forget, I will state that the Senator from Nebraska is prepared to offer his. The distinguished Senator from Nebraska is here to offer his amendment if others would come in and do so. I did visit with the distinguished Senator from South Carolina, as the Senator knows earlier. I will do the same with the distinguished Senators from New Hampshire and Texas, Senators RUDMAN and GRAMM, tomorrow morning.

I would really like to finish the debt ceiling. It is important and it is also important we look at the fact we have hopefully an August 15 deadline. We have a lot of things we have not done yet.

Mr. EXON. I thank the majority leader.

I would just say again for the record so that all understand that I have been mystified by the framers of the Gramm-Rudman-Hollings amendment. When this Senator comes up on the floor and offers an amendment for them to vote up or down essentially on Gramm-Rudman-Hollings I, they do not want me to do that. Evidently, they do not want to reaffirm the support for the amendment that they themselves have honed, that they themselves have advanced as a great salvation of the deficit problem in America.

All that the amendment that I have offered says very simply and very directly is that let us go ahead in a speedy fashion and allow the fallback provision that was written into the original bill to take over and not simply foster Gramm-Rudman II that decides and attempts to appoint another nonelected faceless bureaucrat to make the cuts in the budget that this Senator believes is a responsibility of each and every Member of the U.S. Senate and each and every Member of the House of Representatives.

□ 1810

The fallback position was there for a reason, and the reason was they felt their earlier appointment and dictate to the Director of the General Accounting Office might be ruled out of order by the Supreme Court, which is exactly what the Supreme Court did, Mr. President.

Therefore, I cannot understand if they were in good faith in the initial instance, which I assume they were, why they are now objecting to an amendment offered by this Senator that simply says let us employ the fallback position that you crafted as an insurance policy. We now need the insurance policy if we are to proceed with responsibilities here.

I would say that I am most keenly disappointed that by and large another week has gone by without any significant action in the U.S. Senate. We all know not only are we scheduled to have a recess on August 15, but we are not going to be back very long before the early October scheduled adjournment of the U.S. Senate.

I suspect that I will see many very difficult days ahead, maybe working until 12 o'clock or 1 or 2 o'clock in the morning again. It seems to me that we are back into the old trough of not doing our work when we can do it in a timely fashion essentially because some individuals are negotiating somewhere off the floor of the U.S. Senate, and therefore are by action here preventing this Senator from making a timely and on-point amendment. I criticize that process. I do not think it is in the name of efficiency. I do not blame either the majority or minority leader for that, but I do blame the process that we are all a part of and for whatever part I play in that, I apologize. I think it is wrong. I will be here again tomorrow. I am glad to yield to the minority leader.

Mr. BYRD. Mr. President, the distinguished Senator has referred to the minority leader three times this afternoon. I should say to the distinguished Senator that I have not clamored for Senators to come to the floor and offer amendments. Why have I not done so? Well, one reason is that there is no place open for an amendment to be offered at the moment. The amendment tree is filled. There is pending an amendment offered to the committee amendment. So the amendment that is offered to the committee amendment is an amendment in the second degree.

The only option that would be open to any Senator at this moment with respect to this present pending measure would be a motion to recommit with instructions. And those instructions could carry whatever amendment the Senator might have in mind. If the Senator would look at rule XXII, he will find that a motion to recommit has precedence over a motion to amend.

So that would be the only opening at this point. Otherwise, at this point, there is no opportunity for any Senator to call up an amendment—Republican or Democrat, no matter what his seniority, no matter what his committee membership may be, no matter whether he is the majority leader or the minority leader—unless he can get unanimous consent to set the pending amendment aside, and then he cannot offer an amendment. Except by unanimous consent, no Senator can offer an amendment.

So if the Senator is in his office and hears a Senator urging Senators to get to the floor and call up amendments, the Senator will know as should all Senators know—and the record will show—that while nobody can keep a Senator from so urging, the situation is, that unanimous consent cannot be gotten to set the pending amendment aside and let some other amendment be offered.

If a Senator wants to ask unanimous consent that the pending amendment be set aside so that a Senator can call up an amendment, that is within a Senator's right. But objection will keep any Senator from calling up an amendment.

I compliment the distinguished Senator from Nebraska. He is here. He is willing. He is able to call up an amendment if he can get consent to do it. I applaud him for responding to the call. This Senator has not made such a call. This Senator knows that the

amendment tree is filled, and that unless unanimous consent can be granted for a Senator to call up another amendment, it is futile to expect Senators to be here on the floor and call up their amendment. They cannot do it.

Mr. EXON. I thank the minority leader. I recognize very well that he has not been urging people to come over here for this purpose. I tell him that I appreciate very much his suggestion that a recommitment motion would be in order. That is another one of the amendments that I have here in a recommitment form. But the problem is that if I would do that, I very likely would run into the same situation that I did yesterday where I would be blocked from even asking for the yeas and nays and bringing the amendment up.

I also hope that the minority leader heard the response of the majority leader when, a few moments ago, I asked him whether or not he thought I could be successful by asking unanimous consent to set aside the pending business, and his response was while he had no objection to it, he assumed that there would be those Senators that would, and therefore since he is on the floor at this time, he would have to object.

I think essentially what the minority leader is saying is correct, that anyone is essentially blocked under the present parliamentary situation, as I thought I outlined when I began these remarks. That is the reason that no one is on the floor ready to offer amendments except this Senator because they know there is no way.

Mr. BYRD. Mr. President, if the Senator will yield further, the distinguished majority leader is, I am sure, stating the situation accurately. There are Senators who would object to setting the amendment aside temporarily.

□ 1817

Those Senators not being on the floor, the majority leader feels that he would have to object in their stead. I have been in that position myself on many occasions, knowing that there are Senators on my side of the aisle who would interpose an objection. Consequently, I felt I had to protect them because that was expected of me. It is expected of the majority leader.

May I say to the distinguished Senator from Nebraska, he is not prevented from offering a motion to recommit.

Mr. EXON. I understand that.

Mr. BYRD. He has the floor right now. If he wanted to offer a motion to recommit with instructions to report back with whatever amendment he has, the yeas and nays have nothing to do with it. He could offer that. Then that would be the matter before the Senate. He is not completely imprisoned as one who has no right to do anything. Of course, the majority leader is in a position, once he gets the floor, to take this bill down or to call up something in its place. The distinguished majority leader has to do whatever he thinks he has to do.

But the distinguished Senator from Nebraska does have some recourse. If I had known he was trying to get the yeas and nays yesterday, I would have been here trying to help him. But the yeas and nays have nothing to do with this particular situation now.

MOTION TO COMMIT

Mr. EXON. Mr. President, I send to the desk a motion to commit and ask that it be read at this time.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

Motion that the bill be committed to Government Affairs with instructions that it be reported back forthwith with an amendment as follows:

SEC. . (a) The Senate finds and declares that:

(1) annual deficits which exceed $200 billion and an accumulated national debt which exceeds $2 Trillion threaten the economic health of the nation;

(2) The Constitution provides that "The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States . . .;"

(3A) The Congressional Budget and Impoundment Act of 1974 was intended to establish effective Congressional Control over the budget process;

(4) The Emergency Deficit Control Act of 1985, popularly referred to as the Gramm-Rudman-Hollings law, attempted to implement an automatic spending reduction mechanism which could be activated without a Congressional vote;

(5) the United States Supreme Court invalidated the automatic sequester mechanism of the Emergency Deficit Control Act of 1985;

(6) other provisions of the Emergency Deficit Control Act of 1985 remain in effect, including the declining deficit targets and the requirement that legislation be consistent with the declining deficit targets;

(7) the Emergency Deficit Control Act of 1985 further provided for alternative procedures, popularly known as "fallback" provisions, which became effective upon the invalidation of the automatic sequester mechanism by the United States Supreme Court;

(8) the Congress successfully used the alternative procedures on Thursday July 17, 1986 to implement $11.7 billion in spending reduction for fiscal year 1986;

(9) the American people expect their Representatives in Congress to set budgetary priorities and make difficult decisions necessary to reduce the federal deficit;

(b) it is therefore the sense of the Senate that the Congress utilize the existing "fallback" provisions of the Emergency Deficit Control Act to require a Congressional vote on specific measures to reduce the federal budget deficit.

Mr. DOLE. Mr. President, I understand that this is a motion to commit to the Government Affairs Committee and to report back.

The PRESIDING OFFICER. The majority leader is correct.

Mr. DOLE. I assume the motion to commit is amendable.

The PRESIDING OFFICER. It is amendable.

Mr. DOLE. Mr. President, I think what we now have before us is the very thing the distinguished Senator from Nebraska wished to do earlier. I said at the time I had no quarrel with that. But I do think that others may wish to take a look at this and may even want to propose an amendment of some kind.

I would hope that now that it is before us we could go into executive session and complete the nominations which have been cleared with the distinguished minority leader and then go out this evening. This would be pending when we return tomorrow morning.

Mr. EXON addressed the Chair.

Mr. DOLE. I retain my right to the floor but I am happy to yield.

Mr. EXON. Mr. President, I appreciate very much the statement by the majority leader. At least we have another amendment that has been offered. It might pry loose the logjam or lack thereof that we have that is preventing action by the Senate now. I hope that maybe those who are blocking action on the amendment that I have just offered now in two or three different forms could be prevailed upon by the majority leader and, if necessary, the minority leader tomorrow so that we can proceed with action on this.

With that, I know the majority leader will be delighted to know that I have canceled my airplane reservations and will be here ready to do action tomorrow if I am allowed to do so.

I thank both the majority and the minority leader.

Mr. DOLE. I thank the distinguished Senator from Nebraska. We will deal with this tomorrow, I am not certain just how, but it will be revisited.

EXECUTIVE SESSION

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate go into executive session in order to consider the following nominations on the Executive Calendar: Nos. 938, 939, and all nominations placed on the Secretary's desk except Edwin Corr.

Mr. BYRD. Reserving the right to object, Mr. President, and I shall not object, these are the nominations that I earlier stated had been cleared on this side of the aisle by all Members and we are ready to proceed.

Mr. DOLE. I thank the minority leader.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. The nominations will be stated.

Mr. DOLE. Mr. President, I ask unanimous consent that the nominations be considered and confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered en bloc and confirmed en bloc.

The nominations considered and confirmed en bloc are as follows:

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Rear Adm. Francis D. Moran, National Oceanic and Atmospheric Administration, to be Director of the Commissioned Officer Corps, National Oceanic and Atmospheric Administration.

FEDERAL EMERGENCY MANAGEMENT AGENCY

George Woloshyn, of Virginia, to be an Associate Director of the Federal Emergency Management Agency.

NOMINATIONS PLACED ON THE SECRETARY'S DESK IN THE AIR FORCE, ARMY, COAST GUARD, NAVY, SENIOR FOREIGN SERVICE

Air Force nominations beginning Benjamin P. Graham, and ending Patricia H. Sanner, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 16, 1986.

Air Force nominations beginning Kenneth Klint, and ending Benjamin P. Graham, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 16, 1986.

Air Force nominations beginning Lewis J. Abrahams, and ending Alfred M. Zimmerman, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 16, 1986.

Air Force nominations beginning Gary A. Anderson, and ending Bujung Zen, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 16, 1986.

Air Force nominations beginning Steven W. Abbott, and ending Kenneth A. Zollo, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 16, 1986.

Air Force nominations beginning Michael F. Adames, and ending Cindy L. Ziegler, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 16, 1986.

Army nominations beginning Thomas N. Bolton, and ending Thomas G. Latour, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 14, 1986.

Army nominations beginning William R. Anderson, and ending Margaret O. Stock, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 14, 1986.

Coast Guard nominations beginning Howard F. Wirt, and ending Billy L. Heath, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 14, 1986.

Navy nominations beginning John P. Abenstein, and ending Nicholas Francis Zoeli, Jr., which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 15, 1986.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the nominations were considered and confirmed.

Mr. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOLE. Mr. President, I ask unanimous consent that the President be immediately notified that the Senate has given its consent to these nominations.

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

LEGISLATIVE SESSION

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate return to legislative session.

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

MESSAGES FROM THE HOUSE

At 10:13 a.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 bills, in which it requests the concurrence of the Senate:

H.R. 4212. An act to provide for the reauthorization of the Deep Seabed Hard Mineral Resources Act, and for other purposes;

H.R. 4685. An act to adjust the boundaries of areas of the National Wilderness Preservation System in the State of Texas; and

H.R. 4878. An act to require the Secretary of the Interior to submit the House Interior and Insular Affairs Committee and the Senate Energy and Natural Resources Committee certain information regarding Micronesian governments.

ENROLLED BILL SIGNED

At 11:03 a.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3511. An act to amend title 18, United States Code, with respect to certain bribery and related expenses.

The enrolled bill was subsequently signed by the President pro tempore [Mr. THURMOND].

At 2:44 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 415) to amend the Education of the Handicapped Act to authorize the award of reasonable attorneys' fees to certain prevailing parties; and to clarify the effect of the Education of the Handicapped Act on rights, procedures, and remedies under other laws relating to the prohibition of discrimination.

The message also announced that the House agrees to the amendments of the Senate numbered 1, 2, and 3, to the amendment of the House to the bill (S. 720) to establish a permanent boundary for the Acadia National Park in the State of Maine, and for other purposes; and that the House disagrees to the amendment of the Senate numbered 4 to the bill.

The message further announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5050. An act to establish the Social Security Administration as an independent agency, which shall be headed by a Social Security Board, and which shall be responsible for the administration of the old-age, survivors, and disability insurance program under title II of the Social Security Act and the supplemental security income program under title XVI of such Act, to provide for more prudent and effective management of the OASDI and Medicare trust funds, and for other purposes.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent, and referred as indicated:

H.R. 4212. An act to provide for the reauthorization of the Deep Seabed Hard Mineral Resources Act, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 4685. An act to adjust the boundaries of areas of the National Wilderness Preservation System in the State of Texas; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 4878. An act to require the Secretary of the Interior to submit the House Interior and Insular Affairs Committee and the Senate Energy and Natural Resources Committee certain information regarding Micronesian governments; to the Committee on Energy and Natural Resources.

H.R. 5050. An act to establish the Social Security Administration as an independent agency, which shall be headed by a Social Security Board, and which shall be responsible for the administration of the old-age, survivors, and disability insurance program under title II of the Social Security Act and the supplemental security income program under title XVI of such Act, to provide for more prudent and effective management of the OASDI and Medicare trust funds, and for other purposes; to the Committee on Finance.

The following resolution, which had been ordered held at the desk until the close of business today, July 24, 1986, was referred to the Committee on Rules and Administration:

S. Res. 452. Resolution expressing the sense of the Senate with regard to a vote on any amendment to the Balanced Budget and Emergency Deficit Control Act.

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. BAUCUS (for himself, Mr. DURENBERGER, and Mr. DIXON):

S. 2682. A bill to amend the Trade Act of 1974 to require the initiation of negotiations to obtain a certain international trade

agreement, and for other purposes; to the Committee on Finance.

By Mr. THURMOND (for himself, Mr. BIDEN, Mr. DECONCINI, and Mr. D'AMATO):

S. 2683. A bill to make unlawful the laundering of money, and for other purposes; to the Committee on the Judiciary.

By Mr. BURDICK (for himself and Mr. ZORINSKY):

S. 2684. A bill to amend the Commodity Credit Corporation Charter Act to require the Commodity Credit Corporation to pay rates for the storage of grain on farms that is no less than the rates the Corporation pays for storage of grain in commercial storage facilities; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SASSER (for himself and Mr. GORE):

S. 2685. A bill to designate certain lands in the Cherokee National Forest in the State of Tennessee as wilderness areas, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BROYHILL:

S. 2686. A bill to amend title XVIII of the Social Security Act to permit certain individuals with physical or mental impairments to continue medicare coverage at their own expense; to the Committee on Finance.

By Mr. GLENN (for himself and Mr. METZENBAUM):

S. 2687. A bill to amend the Clayton Act regarding consent judgments; to the Committee on the Judiciary.

By Mr. KENNEDY (for himself, Mr. WEICKER, Mr. GRASSLEY, and Mr. KERRY):

S. 2688. A bill to amend the Developmental Disabilities Assistance and Bill of Rights Act to authorize grants to university graduate programs which provide training in the care of elderly persons with developmental disabilities; to the Committee on Labor and Human Resources.

By Mr. KENNEDY (for himself and Mr. GORE):

S. 2689. A bill to provide for the establishment of standards and labeling by the Consumer Product Safety Commission for certain products, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WARNER (for himself, Mr. SASSER, Mr. PRESSLER, Mr. DOLE, Mr. SYMMS, Mr. HECHT, Mr. MATTINGLY, Mr. LAXALT, Mr. MURKOWSKI, Mr. KASTEN, Mr. HEINZ, Mr. HATCH, Mr. COHEN, Mr. ANDREWS, Mr. GARN, Mr. MCCLURE,, Mr. NICKLES, Mrs. HAWKINS, Mr. HELMS, Mr. PELL, Mr. MATSUNAGA, Mr. JOHNSTON, Mr. ZORINSKY, Mr. INOUYE, Mr. ROCKEFELLER, Mr. HOLLINGS, Mr. PRYOR, Mr. BAUCUS, Mr. BRADLEY, Mr. LEVIN, Mr. NUNN, Mr. LEAHY, Mr. LAUTENBERG, and Mr. BUMPERS):

S.J. Res. 377. Joint resolution to designate the week of May 17, 1987, through May 23, 1987, as "National Tourism Week"; to the Committee on the Judiciary.

By Mr. MITCHELL (for himself, Mr. COHEN, Mr. DODD, Mr. METZENBAUM, Mr. SPECTER, Mr. LEAHY, Mr. SIMON, Mr. KERRY, Mr. KENNEDY, and Mr. D'AMATO):

S.J. Res. 378. Joint resolution to provide for a temporary prohibition of strikes or lockouts with respect to the Maine Central Railroad Company Portland Terminal Company labor-management dispute; to the Committee on Labor and Human Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SIMON (for himself and Mrs. KASSEBAUM):

S. Con. Res. 155. Concurrent resolution expressing the support of the Congress for a transition to democracy in Paraguay; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BAUCUS (for himself, Mr. DURENBERGER, and Mr. DIXON):

S. 2682. A bill to amend the Trade Act of 1974 to require the initiation of negotiations to obtain a certain international trade agreement, and for other purposes; to the Committee on Finance.

(The remarks of Mr. BAUCUS and the text of the legislation appear earlier in today's RECORD.)

By Mr. THURMOND (for himself, Mr. BIDEN, Mr. DECONCINI, and Mr. D'AMATO):

S. 2683. A bill to make unlawful the laundering of money, and for other purposes; to the Committee on the Judiciary.

MONEY LAUNDERING CRIMES ACT

Mr. THURMOND. Mr. President, I rise today to introduce the "Money Laundering Crimes Act of 1986" on behalf of Senators BIDEN, DECONCINI, D'AMATO, and myself. This legislation creates a new substantive offense of money laundering in the Federal Criminal Code. Creation of a money laundering offense is imperative if our law enforcement agencies are to be effective against the organized criminal groups which reap profits from unlawful activity by camouflaging the proceeds through elaborate laundering schemes.

The President's Commission on Organized Crime has identified money laundering as one of the greatest challenges facing law enforcement today. A recent Wall Street Journal article states that illegal drugs, gambling, and vice generate $150 billion annually. It is readily apparent that criminals rely on laundering schemes to hide the identity and true source of these proceeds. While some criminal organizations still employ such crude methods of laundering as smuggling suitcases full of money to offshore banks, many now employ professionals to devise and assist in complex laundering operations. Most disturbing is the increasing willingness of a few dishonest attorneys, accountants, and bankers to participate in these sophisticated schemes.

This bill creates a new substantive offense of money laundering in title 18 of the United States Code, and it provides our law enforcement agencies with the tools necessary to enforce the new offense. The Right to Financial Privacy Act is amended to protect banks which come forward voluntarily to assist in detecting money laundering. The Bank Secrecy Act is also amended to provide the Secretary of the Treasury with the authority to meaningfully participate in efforts to stop laundering. The forfeiture sections of the bill reiterate loudly and clearly the principle, of which I have long been an advocate, that crime should not, and will not, pay. Finally, the forfeiture provisions permit the Attorney General to share forfeited property and funds with foreign countries which assist in acts which lead to the seizure or forfeiture of such property. This provision should encourage other countries to take an active role in the war against organized crime and money laundering.

I would like to commend the distinguished ranking minority member of the Judiciary Committee, Senator BIDEN; the distinguished Senator from Arizona, Senator DECONCINI; and the distinguished Senator from New York, Senator D'AMATO, for their effort and interest in drafting money laundering legislation which enjoys bipartisan support.

Mr. BIDEN. Mr. President, I am pleased today to join the distinguished chairman of the Judiciary Committee in introducing the Money Laundering Crimes Act of 1986, a bill designed to impose stiff new criminal and civil penalties on money laundering activity in this country. In doing so, I wish to thank the chairman for taking the time to work with me to craft a carefully drawn bill, which has already drawn praise from critics of earlier money laundering proposals. I also applaud the efforts taken by the junior Senator from Arizona, Senator DECONCINCI, who is joining us today as a sponsor of the bill, and who has demonstrated great leadership on the important issue of money laundering.

Money laundering is the process by which the proceeds of crime are disguised to appear legitimate, using ordinary and not-so-ordinary financial transactions. Or as a former money launderer stated, "Laundering money is to switch the black money or the dirty money to clean money. . . ." Money laundering takes many forms—from the purchase of a $5,000 money order with a pile of $20 bills to a string of international wire transfers, through a series of domestic and foreign financial institutions, using a succession of aliases and shell corporations. It is estimated that some $50 to $100 billion is funneled through such transactions every year.

Money laundering is a crucial financial underpinning of organized crime and narcotics trafficking. Without

money laundering, drug traffickers would literally drown in cash. Drug traffickers need money laundering in order to conceal the billions of dollars in cash generated annually in drug sales and to convert this cash into manageable form. As one observer has put it, money laundering is part of the "life support system" of organized crime. Regrettably, every dollar laundered means another dollar available to support new supplies of cocaine and heroin on the streets of this country.

That is why the chairman and I are introducing the Money Laundering Crimes Act of 1986. This bill will make money laundering a Federal crime. It will make it a crime to structure a financial transaction to evade the reporting requirements of current law, which are designed to catch money launderers. It will encourage banks to report suspicious money laundering activity to law enforcement authorities, without trampling on the privacy rights of innocent customers. And it will continue a legislative initiative that I have been urging for years: It will authorize the forfeiture to the Government of the billions of dollars earned annually by money launderers.

At the same time, our bill is not a wish list of amendments to the Criminal Code. It does not gut the Right to Financial Privacy Act. It does not require banks to turn over customers' records at will. It does not amend the Federal rules of criminal procedure to empower courts to gag any witness who appears before a grand jury. Several months ago, the administration introduced a bill ostensibly aimed at money laundering that also raised all of these difficulties. That bill was attacked by groups ranging from the attorneys general of several States to the American Civil Liberties Union.

As we did in 1984 when the chairman and I worked in a bipartisan manner to pass the most encompassing revisions to Federal criminal law in the last 20 years, we scrapped the administration's proposal and drafted our own bill. This new money laundering bill is the result of our work and it now has the support of the critics, who attacked the President's original proposal. It is my hope that this bill will gain the support of the full Judiciary Committee and speedy passage by the Senate as a whole. I urge all of my colleagues to join us in this fight. We cannot afford to waste any time. We need this weapon against drug traffickers and organized criminals, and we need it now.

Mr. DECONCINI. Mr. President, I would like to take this opportunity to praise Chairman THURMOND and ranking member BIDEN for their cooperation and interest in working out a compromise between S. 1385—the money laundering bill I had introduced on June 27, 1985, and S. 1335—the administration's money laundering bill.

Money laundering is one of the most costly ills infecting our Nation. In 1984 the President's Commission on Organized Crime reported that it was possible to launder $100 million in a single transaction. Moreover, violations of tax laws are an inevitable byproduct of laundering schemes, and this costs the Nation millions of dollars in public revenue.

Modern, sophisticated money laundering techniques have contributed to the financial success of organized crime in recent years, particularly in the narcotics trade. Without the means to launder money, thereby making cash generated by a criminal enterprise appear to come from a legitimate source, organized crime could not flourish as it now does. Studies cite narcotics trafficking as one of the growth industries within the underworld, and it is impossible for any American city, social or ethnic group to inoculate itself from the drug epidemic. As long as organized crime continues to successfully conceal enormous amounts of illegally generated income, our law enforcement agencies will continue to do battle with the narcotics traffickers from a position of weakness.

Money laundering techniques are used by large legitimate businesses as well. The President's commission discovered that American corporations, such as Gulf Oil, Lockheed Aircraft, and McDonnell Douglas, have engaged in illegal money laundering. Each corporation was involved in schemes to make illegal payments to foreign government officials in order to win lucrative overseas contracts. The broad array of groups participating in money laundering illustrates how widespread the problem has become.

As a solution to the problem, this bill will make money laundering a Federal crime. It will enable law enforcement agencies to begin eliminating the huge profits reaped by those who deal in crime by making the proceeds of money laundering subject to forfeiture. The bill also clarifies and reforms the reporting requirements for financial institutions. It contains modest amendments to the Right to Financial Privacy Act in order to clarify inconsistent court interpretations as to what information may be reported by financial institutions to law enforcement agencies. This consensus bill has the support of the Justice Department, the American Bankers' Association, and, on privacy issues, the ACLU.

I am pleased to have been a part of the bipartisan effort, and I urge my colleagues to support this much needed legislation. I recommend that this bill be quickly enacted.

Thank you.

By Mr. BURDICK:

S. 2684. A bill to amend the Commodity Credit Corporation Charter Act to require the Commodity Credit Corporation to pay rates for the storage of grain on farms that is no less than the rates the Corporation pays for storage of grain in commercial storage facilities; to the Committee on Agriculture, Nutrition, and Forestry.

GRAIN STORAGE RATE EQUITY ACT

Mr. BURDICK. Mr. President, today I am introducing a bill which would resolve a great inequity that exists in the Government's program of storing grain. Many of my colleagues are unaware, I'm sure, that the Government pays commercial storage facilities as much as 60 percent more than it pays farmers to store grain.

Farmers currently receive 26.5 cents per bushel to store grain. Commercial warehouses, on the other hand, receive a much higher rate—on the average between 30 and 35 cents. Right now, I am told, some commercial houses are getting 42 cents.

This discrepancy is ridiculous, Mr. President. And there is no justification for it. Keep in mind that farmers are required to maintain the quality of the grain they store, just like the commercial folks. They have to control pests, keep the grain dry, and otherwise maintain its quality.

The Department of Agriculture cannot provide a valid reason for the storage rate difference. When pressed, the best it can come up with goes something like this. The commercial rate is negotiated so USDA pays what it has to in order to get the space. But farmers are not in a negotiating position, so they have to take what they are given.

I remember learning in basic economics that farming was an example of perfect competition because farmers have absolutely no say in the market conditions—they have to take them or leave them. But does the fact that they find themselves in this undesirable position mean we treat them like second-class citizens and take them for a ride? Certainly not. On the contrary, we ought to be giving them preferential treatment.

So there is no justifiable reason for giving farmers a lower rate. And since I can't provide one when my farmers ask, I am introducing this bill along with my colleague from Nebraska, Senator ZORINSKY.

This legislation is very simple. It requires the Commodity Credit Corporation to pay the same rate to farmers as it pays, on the average, to commercial warehouses.

We need to have a reserve grain program and we need to store the grain somewhere. By paying the farmers to store the grain, we accomplish having a reserve and we also provide some income to the farmers. I don't know how badly commercial warehouses need the money, but I can tell you it is

the only thing that is keeping some farmers afloat right now.

Mr. President, I hope my colleagues will support this bill, and I ask unanimous consent that it be printed in the RECORD.

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

S. 2684

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. GRAIN STORAGE RATES.

Section 4(h) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714b(h)) is amended by inserting before the colon at the end of the fifth proviso the following: "and except that the rate the Corporation pays for the storage of grain on farms may not be less than the average rate the Corporation pays for the storage of grain in commercial storage facilities in such area".

By Mr. SASSER (for himself and Mr. GORE):

S. 2685. A bill to designate certain lands in the Cherokee National Forest in the State of Tennessee as wilderness areas, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

TENNESSEE WILDERNESS ACT

● Mr. SASSER. Mr. President, I am joined by my colleague, Senator GORE, today in introducing the Tennessee Wilderness Act of 1986.

The bill we are introducing today carries out the wilderness recommendations of the U.S. Forest Service as set forth in the final forest management plan for the Cherokee National Forest. These recommendations have been developed through the RARE II and forest management planning processes, and reflect the input and concerns of the many Cherokee Forest users. The Forest Service is to be commended for these recommendations, for with these wilderness designations we are preserving the scenic and natural integrity of our preeminent roadless areas in the Cherokee National Forest.

The bill designates approximately 33,735 acres as wilderness, primarily in the northern portion of the Cherokee which is without an existing wilderness designation. When added to the current wilderness acreage in the southern portion of the forest, this bill will bring the total designated wilderness in the Cherokee National Forest to 66,637 acres, or about 11 percent of the total forest acreage.

Six outstanding natural areas will be added to the national wilderness preservation system under this bill. These six areas, and the approximate acreage of each, are:

Pond Mountain Wilderness, 6,665 acres; Big Laurel Branch Wilderness, 6,251 acres; Unaka Mountain Wilderness, 4,700 acres; Sampson Mountain Wilderness, 8,319 acres; Little Frog Mountain Wilderness, 4,800 acres; and Big Frog Mountain Wilderness addition, 3,000 acres.

Because the Appalachian National Scenic Trail runs through portions of the proposed wilderness areas, this bill provides special protections for the trail and its users. The bill authorizes the use in wilderness areas of trail signs and markers, the maintenance of trail shelters and other trail-related structures, and the construction and maintenance of footbridges, waterbars, and other structures necessary or desirable for protection of the land for the safety of the public.

Additionally, the bill provides for the release of areas not designated wilderness from further consideration for wilderness during the remainder of the current forest planning cycle. However, it does provide for consideration in future planning cycles of wilderness designation for roadless areas, so that we leave the option of future wilderness designations available to the next generation of forest users.

Mr. President, this bill is identical to the bill introduced in the House of Representatives last week by my distinguished colleagues, Mr. QUILLEN and Mr. DUNCAN. It is a bipartisan bill, and a compromise supported by a broad range of interested groups. There are other areas worthy of wilderness designation in the Cherokee, and I hope that some of these areas may be given further protection in the final management plan.

With this bill, however, we will be able to lay to rest an important component of the Cherokee final plan. By resolving the wilderness debate, we will provide a clearer path to resolution of the other issues at stake in the Cherokee Forest planning process. And by acting on these recommendations, we will preserve today's wilderness not only for the enrichment of our generation, but also for the lifetime of many Americans to come.

I urge the Senate's swift and positive action on this legislation.●

● Mr. GORE. Mr. President, I am introducing today—along with my colleague, Senator SASSER—a bill to designate certain lands in the Cherokee National Forest of Tennessee as wilderness areas; and to allow management of certain lands for uses other than wilderness.

This act, to be known as the Tennessee Wilderness Act of 1986, will add some 33,735 acres to the National Wilderness Preservation System. This is a companion bill to one introduced in the House of Representatives on July 15 by my distinguished colleagues, Congressmen JAMES QUILLEN and JOHN DUNCAN of Tennessee.

The areas to be designated as wilderness were all recommended for wilderness status in the Forest Service's April 1, 1986 management plan for the Cherokee National Forest. Two of the areas are wilderness study areas under existing legislation. These recommendations also have the support of the majority of environmental and conservation groups in Tennessee. This legislation represents a reasonable compromise that will help meet the demand for unroaded recreation on the forest, while ensuring that adequate timber supplies remain available for local industry.

Six areas of the Cherokee National Forest are specifically designated by this bill as components of the National Wilderness Preservation System. With approximate acreage, they are:

One, Pond Mountain Wilderness, with 6,665 acres; two, Big Laurel Branch Wilderness, with 6,251 acres; three, Unaka Mountain Wilderness, with 4,700 acres; four, Sampson Mountain Wilderness, with 8,319 acres; five, Little Frog Mountain Wilderness, with 4,800 acres; and six, Big Frog Wilderness, with 3,000 acres.

The final result of this legislation will be approximately 66,000 acres of wilderness in Cherokee National Forest, about 11 percent of the forest's total area. Special provisions will provide for the use of the Appalachian Trail, by authorizing trail markers and signs and permitting shelters and other trail-related structures. Other special facilities necessary for protecting the land and the safety of the public will also be permitted.

In addition, the bill releases lands for nonwilderness management within the Cherokee National Forest. This provision is consistent with recent wilderness bills enacted by the Congress.

Mr. President, the management and use of Cherokee National Forest is a matter of intense concern to the people of east Tennessee. In the course of my regular open meetings, I have met with hundreds of individuals who are committed to a plan for that forest which is environmentally and economically sound for Tennessee and the Nation. They want a plan that will preserve the long-range productivity and beauty of the forest, and maintain and enhance jobs and businesses dependent on forest resources.

This legislation helps meet that goal. While I have reservations about many aspects of the Forest Service plan for Cherokee National Forest, I believe the wilderness recommendations are reasonable. I congratulate all sides for their hard work on this issue. I believe this bill commands a broad base of support from Tennesseans—environmentalists, hikers, and campers, and business people—and I hope my colleagues will give it quick approval.●

By Mr. BROYHILL:

S. 2686. A bill to amend title XVIII of the Social Security Act to permit certain individuals with physical or mental impairments to continue Medi-

care coverage at their own expense; to the Committee on Finance.

MEDICARE COVERAGE FOR THE DISABLED

● Mr. BROYHILL. Mr. President, today I am introducing legislation to remove a longstanding disincentive for the disabled in this country to return to work. I introduced an identical bill in the U.S. House of Representatives on June 25, 1986.

Although the Federal Government has made a significant commitment—approximately $60 billion—to individuals with disabilities through programs that provide income support and health benefits, there have not been adequate efforts made to promote independence and self-sufficiency. Many of the disabled who could return to work are reluctant to take advantage of the trial work periods currently allowed under the Social Security Disability Insurance Program. Disabled people fear that taking the entry-level positions or low-paying service jobs most find available could leave them with less income and no health insurance as their Federal benefits expire. This is because disabled individuals with preexisting health conditions have a difficult time obtaining adequate health insurance from their employers.

In an effort to remove these penalties of returning to work, I am today introducing a bill which will allow disabled individuals who were entitled to benefits under the Social Security Disability Program to purchase Medicare coverage on the basis of a fee schedule related to their income. The legislation requires the Secretary of Health and Human Services to determine the premium cost for Medicare benefits and to assess qualified individuals a minimum payment amount of 25 percent of the full premium cost and a maximum payment amount of 8 percent of the individual's adjusted gross income.

In developing this legislation, I must credit Ms. Deborah McKeithan of Charlotte, NC, who brought to my attention the discouraging facts the Nation's disabled face when they seek employment. Ms. McKeithan, a victim of multiple sclerosis and epilepsy, has not only returned to work but has established her own business. Together with a group of friends, Deborah McKeithan established the Handicapped Organization for Women [HOW], which now provides needed community services through 50 chapters in 30 States. In tribute to her efforts, Deborah has been honored by Newsweek, which profiled her achievements in its recent Collector's Edition article entitled "100 New American Heroes."

In May, Deborah McKeithan came to my office to discuss the problems the disabled have in obtaining health insurance upon returning to work. She was concerned that such difficulties discouraged individuals who were receiving Social Security payments and health benefits from reaching their full potential as productive members of our society. Under the current system, eligibility for Social Security disability benefits and Medicare is based on the inability of an individual to engage in substantial gainful activity. Therefore, once an individual begins earning more than $300 a month, cash assistance is discontinued, and, within 24 months, Medicare eligibility also expires. This leaves the disabled individual who has been back in the work force for 2 to 4 years unable to purchase health insurance at an affordable price.

With a fuller understanding of the problems of the disabled, I decided that it was time to change the disincentives which exist today and provide for a redirection toward greater self-sufficiency. Ms. McKeithan has convinced me that there are individuals currently receiving disability benefits who will seek employment given the opportunity to purchase health insurance at a price within their means. While I am aware that the bill I am introducing today will not solve all the problems which the disabled citizens of our country face, it will allow those individuals who were employed prior to their disability to return to work knowing they can purchase health insurance at an affordable price.

SUMMARY OF THE BILL

The legislation establishes a new section within title 18 of the Social Security Act to allow certain disabled individuals to purchase parts A and B of Medicare on the basis of a fee schedule related to their income. Eligible individuals must be under 65 years of age; have been entitled to Medicare benefits under the Social Security Disability Program [SSDI] and lost those benefits due to their engagement in substantial gainful activity; be determined on an annual basis to continue to have the physical or mental impairment that qualified the individual for SSDI; and be enrolled for benefits under this program since the first month in which they were entitled to benefits.

An individual who qualifies may enroll in the program during a 7-month initial enrollment period which begins the third month before he or she satisfies the requirements of the program. Special enrollment periods are also provided for in the legislation for eligible individuals previously enrolled in group health plans due to their employment. The monthly premium for individuals participating in this program would be the same as the premium determined for other individuals who are permitted to purchase Medicare under section 1818 of the Social Security except for two qualifications: First, the premium assessed cannot exceed 8 percent of the adjusted gross income of the individual, and second, the premium assessed cannot be less than 25 percent of the full cost of the Medicare premium. If the individual purchases Medicare part A, he or she can also purchase part B. The sliding fee schedule would also apply for the part B premium amount.

In addition, if an individual is enrolled in a group health plan due to his/her employment and has enrolled in this program, Medicare benefits would become secondary to benefits under the employer's group health plan. The legislation would take effect 60 days following enactment.●

By Mr. GLENN (for himself and Mr. METZENBAUM):

S. 2687. A bill to amend the Clayton Act regarding consent judgments; to the Committee on the Judiciary.

CONSENT JUDGMENT

● Mr. GLENN. Mr. President, today, along with my colleague, Senator METZENBAUM, I am introducing S. 2687, an amendment to the Clayton Act. This bill would ensure that divested companies are commercially viable and guarantee that all affected parties are able to intervene in the consent decree proceeding prior to the final decree.

In recent times, we have heard various officials blame the current antitrust laws for everything from this country's record trade deficits to loss in U.S. technological leadership. Accordingly, the Justice Department has established a pattern of leniency with regard to corporate mergers. I agree that something is definitely wrong with our antitrust laws—especially when the end result is the situation we have in Massillon, OH, with nearly 700 people out of work and a stainless steel company closed for nearly 1 year.

Let me explain what our bill does. Before entering a consent decree, a court is required to determine that the divesture of the entity is in the public interest. Our bill will ensure that the citizens of each State have a role in deciding what is in their best interests. It would require a decision, before a consent decree is finalized, that the divested entity is able to compete in the marketplace. As an added protection, the bill would also give State attorneys general the ability to participate in the consent decree proceedings. Our bill recognizes that the Department of Justice merger consent decrees have their greatest impact in the States where the required divestitures take place.

Mr. President, I have with me a letter from Anthony J. Celebrezze, Jr., attorney general of the State of Ohio. Attorney General Celebrezze supports this effort to address the economic concern arising from the current antitrust merger policy. He, too, is concerned with the loss of competition

and jobs that results from a divestiture gone wrong. Mr. President, I ask that the letter from Attorney General Celebrezze be printed in the RECORD in its entirety following my statement.

Like most of the other States in the northern industrial tier, Ohio has paid a heavy price for having been at the heart of one of the world's prime manufacturing regions. Since 1979, Ohio has lost 259,000 manufacturing jobs, both to foreign competition and to other parts of the country. Its manufacturing employment since that time has declined 19.9 percent, compared with a decline of 8.4 percent for manufacturing jobs in the Nation as a whole. For these reasons, Ohio and similarly situated States cannot survive the current trend of companies divesting themselves of entities which are not capable of succeeding financially when independent. That trend has resulted only in perpetuating the problem of declining industries, and in throwing even more people out of work.

The viability of American corporations is extremely important in the face of today's trade situation. I doubt that anyone will disagree that we need to implement legislation that will permit and promote the growth of American industries. Yet, we are doing anything but that when we allow the divestiture and failure of money making businesses such as Enduro.

The Enduro sale, ordered by the Justice Department as a result of the LTV-Republic merger, should never have happened. At the time the LTV-Republic merger took place, serious questions regarding antitrust laws and merger guidelines were raised. As antitrust experts predicted, the fallout from the Justice Department's decision was great. Unfortunately, the people of Massillon were unsuspecting victims.

While it is possible under current law for interested parties to intervene in consent decree proceedings which involve divestitures, attempts to intervene in these proceedings have usually been unsuccessful.

Neither the Justice Department nor the divesting company possess a sufficient interest in making sure the divested company is commercially viable or bought by a truly sound or reputable buyer. Ironically, those with the most to lose in large corporate mergers—the workers and the community—are allowed the least involvement.

Mr. President, I believe that the State attorney general can and does represent the interest of the people of his State. If the Ohio attorney general had been able to intervene in the Enduro consent decree proceedings, I believe questions would have been raised about Robert Newstat's financial status that neither LTV nor the Department of Justice were motivated to ask. Of course, we will never know with regard to Enduro, but we can and should keep this from happening in other States, other towns, and other communities. This legislation will do just that.

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

COLUMBUS, OH, *June 9, 1986.*

Hon. JOHN GLENN,
U.S. Senator, Senate Office Building, Washington, DC

DEAR SENATOR GLENN: I support your efforts to address a major economic concern arising from the current Administration's antitrust merger policy. That policy, which runs contrary to that of all prior administrations, both Democratic and Republican, has fostered mergers of unprecedented size between direct competitors. The current Department of Justice (DOJ) routinely approves controversial merger proposals, requiring only that the merged firm spin off specified assets to a third party. All too often, the selected third party is unable to successfully operate the acquired business. The result, as demonstrated by the LTV/Republic Steel divestiture of Enduro Steel to an unfit buyer, is an immediate loss of competition and jobs. While divestiture is sometimes an appropriate solution to the anticompetitive problems of merger, it must be applied selectively and carefully. DOJ's summary application of this remedy, to the exclusion of all others, often exacerbates the anticompetitive problems of mergers.

Your proposed legislation would directly address such situations by requiring any proposed divestitures to fully restore competition and by requiring greater scrutiny of the relative economic viability of the selected buyer of divested assets. The bill would also require reasonable steps to be taken to protect the interests of affected employees, and would give the attorney of a state the right to intervene in consent decree proceedings where proposed divestitures would affect the jobs of 100 or more full time employees in that state.

Your legislative proposal recognizes that the DOJ merger consent decrees have their greatest impact in the states where the required divestitures take place. In the case of the LTV/Republic Steel merger, the divestiture of the Enduro Steel Plant in Massillon, Ohio to a financially unprepared buyer resulted in the closing of the plant and the loss of 700 jobs. The destructive impact of such a closing is felt not only by the dislocated workers and their families, but also by the state and local economies in the form of higher unemployment and welfare costs and an eroded tax base. Moreover, the closing of the previously profitable Enduro plant reduced competition in an already concentrated industry.

The possibility of similar disasters raises questions of whether the public interest can be better served by the consent decree review process. An obvious concern is that a merging firm does not have a strong incentive to select as a buyer for the divested facilities anyone who would prove to be an effective competitor. Greater scrutiny of both the competitive viability of the divested entities and the financial preparedness of the buyer is called for in these circumstances.

Section 5 of the Clayton Act provides for input of non-parties in the judicial review of consent decrees proposed by DOJ. Amending this section to grant the Attorney General of the affected state the right to intervene ensures that the public interest will be more effectively represented in the review of a very complex and important decision. Intervenor status would enable the state Attorney General to obtain facts relevant to the issues of economic viability and financial preparedness, thus ensuring that these issues are adequately considered. Because intervention under the proposed bill is limited to the state Attorney General under specific circumstances, this amendment does not threaten to overly complicate the consent decree review process. Therefore, this proposed legislation is clearly in the public interest.

In light of these considerations, I hereby support your legislative initiative and applaud your efforts to promote competition and protect employee interests, both within Ohio and throughout the nation.

Sincerely,

ANTHONY J. CELEBREZZE, Jr.
Attorney General.●

By Mr. KENNEDY (for himself, Mr. WEICKER, Mr. GRASSLEY, and Mr. KERRY):

S. 2688. A bill to amend the Developmental Disabilities Assistance and Bill of Rights Act to authorize grants to university graduate programs which provide training in the care of elderly persons with developmental disabilities; to the Committee on Labor and Human Resources.

DEVELOPMENTAL DISABILITIES TRAINING ASSISTANCE ACT

● Mr. KENNEDY. Mr. President, I rise to introduce the Geriatric Developmental Disabilities Training Act of 1986. I am pleased to say that I am joined by my distinguished colleagues and fellow committee members Senators WEICKER, GRASSLEY, and KERRY.

Mr. President, there is a growing number of developmentally disabled and mentally retarded individuals who have only recently begun to face a new and perplexing experience. The number of these individuals who are, for the first time, living to experience the changes, and the needs of old age has grown significantly. In fact, there are now between 200,000 and a half million people who have passed the age of 65 and reside in institutional or residential care facilities.

Mr. President, older mentally retarded and developmentally disabled persons face the same problems that nondisabled elderly persons do. They need adequate housing, social supports, recreational activities, preventive and curative health care, and recreational activities. They need attentive and caring companions who are prepared to assist them with their changing needs.

Unfortunately, as this population has grown, the gaps in our present system of providing assistance have become apparent. At the present time, programs that primarily serve mentally retarded persons do not have the staff in their operations who are knowledgeable about the process of aging. By the same token, senior centers and aging programs lack staff who

are knowledgeable about mental retardation and developmental disabilities.

This lack of trained professionals with knowledge of both mental retardation and aging represents a pressing need. The proposal I am introducing today is designed to meet that need.

Though, currently, university-level gerontology training programs do not offer courses in mental retardation, and university-level mental retardation training programs do not offer courses in adult development or aging, these pools could be easily expanded to offer the necessary cross training. With such cross training, there is a pool of professionals in both fields who are prepared to provide the necessary services and who could begin to fill this void.

The bill we are introducing today would assist selected university programs to establish short-term graduate-level training programs to respond to this training need. These programs would combine core knowledge in both gerontology and mental retardation. Professionals already working in the field would have an opportunity to obtain this cross-training and continuing education on a rotating basis. In this fashion, over a period of 5 years, a large number of staff in different programs around the country could receive the necessary instruction.

This amendment to the Developmental Disabilities Act will authorize only $1 million to accomplish this important task. This very modest sum will permit a number of educational institutions to participate in the effort to fill the knowledge gap we are recognizing today.

I believe my colleagues will recognize the truth of the situation we perceive and the validity of the solution we are proposing. Older mentally retarded and developmentally disabled individuals need the help and support and guidance that most aging persons do. Fortunately, there are those who are waiting to give it. A small amount of training will assist them to provide it with professional knowledge and understanding. I urge my colleagues to make this vision possible.●

By Mr. KENNEDY (for himself and Mr. GORE):

S. 2689. A bill to provide for the establishment of standards and labeling by the Consumer Product Safety Commission for certain products, and for other purposes; to the Committee on Commerce, Science, and Transportation.

CHILD INJURY PREVENTION AMENDMENTS

● Mr. KENNEDY. Mr. President, I rise to address the problem of injuries to children. It is time that the problem of injuries took its rightful place in our list of health priorities. Increasingly, the Nation is realizing that injuries have become the last major plague of the young. Injuries cause 50 percent of all deaths of children over age 1 and 75 percent of deaths of children over age 15.

We must begin to mount the same serious effort to combat injuries as we did decades ago when we brought widespread childhood diseases under control. Today, as a contribution to that effort, I am introducing the Children's Injury Prevention Amendments of 1986. These amendments address three specific causes of injury to children: all terrain vehicles, hazardous toys, and cigarette lighters. Last week I introduced a companion bill, the Children's Injury Prevention Act of 1986. I have been joined by my distinguished colleague Senator GORE in introducing both proposals.

We must approach the battle against injuries on many fronts proceeding with the knowledge that most injuries are not accidents. Unsafe conditions, behaviors, and products contribute mightily to the risk of injury. Careful study of injury patterns reveal the appropriate places to focus our efforts.

Increasingly the public is becoming aware of the hazard represented by all terrain vehicles. This summer, there have been seven deaths every 10 days because of these recreational vehicles. One-half of the deaths are to children under 16, one-quarter are children under 12. In some communities, half the deaths are children under 12.

These motorized bikes sit on three or four low-pressure balloon tires and are meant to be driven off of paved roads. Because they are poorly designed, they are prone to flip, tip, or role over causing serious injury. The three-wheeled versions appear to be especially dangerous.

All terrain vehicles have caused 415 deaths and 185,000 serious injuries since 1982. Each year, the death and injury toll rise significantly. Though half the deaths have been in children under 16, these bikes have often been viewed as toys. Most of the youngsters, and their parents, had little idea about the risk they were taking when they mounted their new bikes. In hearings held around the country last year, bereaved parents whose children had died or were permanently disabled, spoke with anguish about buying these "toys" for their children's amusement. Yet, despite the experience of these families, 650,000 new bikes are likely to be sold this year.

Mr. President, something must put a stop to this needless loss of children. The bill I am introducing will require the four Japanese manufacturers to present an improved design for these vehicles to the Consumer Product Safety Commission within 6 months. If they do not, the legislation authorizes the Commission to ban the vehicles altogether. Shortly alfter the bill takes effect, warning labels will appear on the bikes and all packaging materials and advertising.

Examples of eminently avoidable injuries to children, Mr. President, involves the use of cigarette lighters. This year, young children playing with cigarette lighters will start fires which will cause approximately 200 deaths, countless burn injuries and thousands of dollars in property damage. More than one-half of the dead will be children under the age of 5.

We can remedy this hazard by requiring child-resistant caps on cigarette lighters. Such caps should not reduce the utility of the product. Poisoning deaths were reduced by over 80 percent after child resistant caps were placed on medication bottles, and similar success can be achieved in reducing senseless fire deaths.

Another preventable cause of injuries involves hazardous toys. In 1984, 126,000 toy-related injuries were treated in hospital emergency rooms around the country. Though we have mandatory safety standards for some toys, this is not the case for the great majority of toys.

Most parents believe that the age recommendations on the toys they buy are there to help choose toys which are developmentally appropriate for their child. In fact, the labels are intended to deal with safety, but the information is misleading and incomplete. By designing a more effective system of labeling, implemented by the manufacturer, based on guidelines from the Consumer Product Safety Commission, we can reduce the unacceptable injury rate from unsafe toys and protect children from being victimized.

Injuries are not usually accidents. We already know the cause of most injuries which occur to children. Individual parents can do much to protect their children. Children themselves can make a difference if they are taught how to avoid danger.

Government and industry must play a more active role if we are to reduce death and injury from these and other causes. I hope that Congress will respond with appropriate and effective action.●

By Mr. WARNER (for himself, Mr. SASSER, Mr. PRESSLER, Mr. DOLE, Mr. SYMMS, Mr. HECHT, Mr. MATTINGLY, Mr. LAXALT, Mr. MURKOWSKI, Mr. KASTEN, Mr. HEINZ, Mr. HATCH, Mr. COHEN, Mr. ANDREWS, Mr. GARN, Mr. MCCLURE, Mr. NICKLES, MRS. HAWKINS, Mr. HELMS, Mr. PELL, Mr. MATSUNAGA, Mr. JOHNSTON, Mr. ZORINSKY, Mr. INOUYE, Mr. ROCKEFELLER, Mr. HOLLINGS, Mr. PRYOR, Mr. BAUCUS, Mr. BRADLEY, Mr. LEVIN, Mr. NUNN, Mr. LEAHY, Mr. LAUTENBERG, and Mr. BUMPERS):

S.J. Res. 377. Joint resolution to designate the week of May 17, 1987, through May 23, 1987, as "National Tourism Week"; to the Committee on the Judiciary.

NATIONAL TOURISM WEEK

Mr. WARNER. Mr. President, it is my pleasure to stand today in recognition of National Tourism Week 1987. I am joined by my respected colleague, the Senator from Tennessee, Senator SASSER who cochairs the Senate tourism caucus with me and Senator PRESSLER, chairman of the Subcommittee on Commerce, Trade and Tourism.

Each year since 1981, the Nation has seen fit to recognize the travel and tourism industry by designating a "National Tourism Week." Each year, the benefits which accrue to the Nation's citizens from the travel and tourism industry continue to grow. By now, the statistics are well publicized, but still no less astounding—the second largest industry in the land is travel and tourism; the same industry is the first, second or third largest employer in 41 States; and the revenue from the industry brings to our overall financial picture, a contribution of approximately $225 billion. This year, I would like to continue what appears to have become a tradition over the past few years, by introducing a Senate joint resolution declaring the week of May 19, 1987, "National Tourism Week."

The year promises to be a special one in many ways for those involved in the many facets of the tourism industry. As many Americans choose to postpone or cancel vacation and travel plans to more exotic corners of the globe, our domestic tourism industry is charged with the role of playing host to the many fellow Americans who will be instead, venturing to every corner of the United States.

In addition, our domestic tourism industry has the distinction of functioning as both an export and an import. Our country will be the travel destination of thousands of foreign visitors, who will boost our economy with literally billions of vacation dollars. Newspapers and magazines have been reporting for some time now the cross country effort taking place in recreation related businesses to accommodate the influx of tourists expected during the vacation season. Through the exchange generated from travel and tourism, the United States has a unique opportunity to enhance our international balance of trade.

Anyone who has traveled, whether to a neighboring State or a foreign country, knows that the greatest benefit from any travel experience is the exposure to a different culture, lifestyle or value system. We learn by comparison, we enlighten our thought and enhance our individual perspectives on the world through comparison and exposure to other cultures. Ultimately, we become more educated, more intellectually tolerant of those whose differences might have previously seemed insurmountable. The cultural exchange initiated by the travel and tourism industry produces a level of understanding and international goodwill which is essential to the maintenance of positive relations on a global level.

Mr. President, National Tourism Week 1986 was a tremendous success. Events highlighting the week ranged from the now traditional Southeast hoedown, a colorful celebration held here on the Mall, to the premier of "Discover America," a beautiful film produced by the U.S. Travel and Tourism Agency, and a fitting tribute to the travel opportunities in the United States. Last year's theme, "Tourism Works For America" was so successful that it is again the theme for National Tourism Week.

In recognition of this past successful year in the tourism industry, and with great expectations that 1987 will be another banner year for the industry, showing that tourism does indeed work for America, I introduce today the Senate joint resolution declaring the week beginning May 17, "National Tourism Week, 1987."

● Mr. SASSER. Mr. President, once again this year I am pleased to join my colleague, Senator WARNER, in introducing legislation designating the week of May 17-23, 1987, as "National Tourism Week."

As cochairman of the Senate tourism caucus, I cannot forgo this opportunity to encourage my colleagues in the Senate to recognize the tremendous importance that tourism plays in our economy. The travel industry is the third largest retail or service industry in the United States, accounting for over $220 billion in 1984.

At a time when the twin budget and trade deficits continue to rise and unemployment remains consistently above the 7-percent level, travel and tourism in the United States generates both needed revenues and jobs. Domestic and international travel's economic contributions in 1984 include: expenditures in the United States of $229 billion; payroll income generated, $52 billion; employment generated, $4.9 million direct and $2.2 million indirect; Federal tax revenues generated, $13.6 billion; State tax revenues generated, $8.9 billion; and local tax revenues generated, $2.7 billion.

Each two jobs in the travel and tourism industry generates one job in businesses supplying goods and services to the travel industry. Further, the one thing that we can afford to import more, and should encourage doing so, is foreign visitors. Tourism provides the largest earnings of export receipts among tradable services. Foreign visitors spent, in 1984, $26,446 every minute in the United States. In that same minute, the Federal Government receives $1,338 in taxes.

It can readily be seen from these statistics that travel and tourism is an important and increasingly vital component of our national economy. As a tribute to tourism's importance, I urge my colleagues to support the resolution that Senator WARNER and I are introducing here today.●

1987 NATIONAL TOURISM WEEK RESOLUTION

● Mr. PRESSLER. Mr. President, today I join with over one-third of my colleagues in the Senate in cosponsoring and supporting legislation to designate the week of May 17-23, 1987, as the fourth annual "National Tourism Week."

In paying tribute to the travel and tourism industry in America, it is important for us to understand just what the phrase "travel and tourism" encompasses. Certainly, the excitement of summer vacation time spent exploring the great outdoors with family and friends comes to mind. But let's look beyond the obvious.

Year round, travel and tourism means money; a crucial component of our Nation's economy. According to newly released figures, foreign and domestic tourists spent $260 billion in the United States in 1985, up from $220 billion in 1984. They generated $18 billion in Federal tax revenues, $11 in State taxes, and $4 billion in local tax receipts.

Travel and tourism represents jobs. It represents a source of livelihood and a way of life. It represents professions * * * in motel and hotel accommodation, car rental, travel agencies, and amusement parks. It employs Americans in concessions near scenic attractions; in campgrounds and in companies that manufacture the RV's and motor homes that frequent them. Airlines and tour buses, resorts and restaurants, gas stations and grocery stores are a part of the picture, as well.

In fact, all of these and more comprise an industry that has become the third largest retail or service industry in our Nation's economy. In 1985, travel and tourism employed 5.9 million people directly, involving a total payroll of $60 billion. Over the past 10 years, travel and tourism employment has grown by 60 percent, three times the growth rate for all jobs in the United States.

Finally, at a time when our balance of trade is a major economic concern, international travel and tourism services now rank as the Nation's largest tradable service export, representing over 25 percent of the $45 billion generated by all services exports.

Indeed, 20.9 million foreign tourists visited America in 1985, spending $14.1 billion while they were here. This latter point is why, as chairman of the U.S. Senate Business, Trade, and

Tourism Subcommittee, I continue to champion legislation to keep our U.S. Travel and Tourism Administration [USTTA] working to bring foreign visitors to the United States.

S. 2307, which I introduced this session with 17 cosponsors, would authorize $42 million in funding for the USTTA over the next 3 years. I have urged my colleagues to join me in approving this measure when it comes up for Senate consideration later this month. Similarly, I am encouraging them to rally behind this resolution to designate a National Tourism Week for 1987.

Three years ago some of us in Congress saw a need to set aside time each year to highlight the importance of travel and tourism in the United States, to recognize the impact of the travel and tourism industry on this Nation's economic well-being, and to pay tribute to the millions of men and women who make it succeed.

We chose to celebrate National Tourism Week in May, just as most Americans begin looking forward to summer holidays. The wonder of our Nation's bounty is that the "travel and tourism season" never ends in these United States. No matter your interest. No matter the time of year. You can snow ski in the Rockies in July; body surf in the tropics in January.

The USTTA's international marketing campaign theme calls out to potential foreign visitors, "America. Catch the Spirit." But we Americans already know we have it all right here in our own national backyard. As this resolution is introduced to set aside May 17-23, 1987, as the next official National Tourism Week, let us recognize that every week is a national tourism week in the United States. That is truly something to celebrate.

By Mr. MITCHELL (for himself, Mr. COHEN, Mr. DODD, Mr. METZENBAUM, Mr. SPECTER, Mr. LEAHY, Mr. SIMON, Mr. KERRY, Mr. KENNEDY, and Mr. D'AMATO):

S.J. Res. 378. Joint resolution to provide for a temporary prohibition on strikes or lockouts with respect to the Maine Central Railroad Co., and Portland Terminal Co., labor-management dispute; to the Committee on Labor and Human Resources.

EXTENSION OF COOLING-OFF PERIOD IN MAINE CENTRAL RAILROAD STRIKE

● Mr. MITCHELL. Mr. President, I am today introducing a joint resolution to extend by 60 days the cooling-off period in the strike between the Maine Central Railroad and the Brotherhood of Maintenance of Way Employees [BMWE].

Joining me in this action as cosponsors are Senators COHEN of Maine, DODD of Connecticut, LEAHY of Vermont, KENNEDY and KERRY of Massachusetts, D'AMATO of New York, SIMON of Illinois, METZENBAUM of Ohio, and SPECTER of Pennsylvania. Similar action will be initiated in the House of Representatives by House Commerce and Transportation Subcommittee Chairman JAMES FLORIO of New Jersey and Representatives MCKERNAN and SNOWE of Maine. The Maine congressional delegation is unanimous in proposing this action as the means of dealing with a labor dispute originating in Maine, but threatening to spread nationally. We are supported by the Governor of Maine, Joseph Brennan.

On July 20, 1986, the cooling-off period initiated by President Reagan's May 16 emergency board order expired. The provisions of the Federal Railway Labor Act have been exhausted. Although the Presidential emergency board made recommendations for settling the labor dispute, the railroad and the union have been unable to reach an agreement.

The dispute has entered an uncertain phase. Both the railroad and the union are entitled to engage in self-help. The dispute could escalate at any time to a national railroad strike, with serious impact on interstate commerce. Congress should encourage a measure of stability into the situation, and allow negotiations between the parties to continue.

Since 1963, Congress has intervened 11 times in labor disputes when the provisions of the Railway Labor Act have been exhausted. Precedents weigh in favor of first extending the cooling-off period imposed by the emergency order, before taking any other kind of action.

Precedents also exist for Congress to impose binding arbitration or specific settlement terms. However, there is traditional reluctance—which I believe wise—for Congress to do anything which supplants the collective-bargaining process, or otherwise unnecessarily substitutes the judgment of Congress for that of the actual parties to a dispute.

I do not believe that stronger action is advisable at this time. However, the joint resolution which I propose would require the Secretary of Labor to report to Congress 15 days prior to the expiration of the new cooling-off period with a proposed solution to the dispute.

The Maine Central Railroad and the BMWE are wrestling with difficult job protection and work rule issues which are shared throughout the railroad industry. Resolution of these issues will have national implications for railroads everywhere, and a very real impact on Maine's transportation network. It is in everyone's interest—most importantly, the public interest—for the parties to make every effort to resolve their differences cooperatively, and to get back as quickly as possible to the business of running the railroad.●

ADDITIONAL COSPONSORS

S. 89

At the request of Mr. INOUYE, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 89, a bill to recognize the organization known as the National Academies of Practice.

S. 519

At the request of Mr. EVANS, the name of the Senator from Tennessee [Mr. GORE] was added as a cosponsor of S. 519, a bill to require a study of the compensation and related systems in executive agencies, and for other purposes.

S. 1562

At the request of Mr. GRASSLEY, the names of the Senator from Oklahoma [Mr. BOREN] and the Senator from Ohio [Mr. METZENBAUM] were added as cosponsors of S. 1562, a bill to amend the False Claims Act, and title 18 of the United States Code regarding penalties for false claims, and for other purposes.

S. 1801

At the request of Mr. HELMS, the name of the Senator from Georgia [Mr. NUNN] was added as a cosponsor of S. 1801, a bill to amend the Trade Act of 1974 to promote expansion of international trade in furniture with Canada, and for other purposes.

S. 1980

At the request of Mr. THURMOND, the name of the Senator from Arkansas [Mr. BUMPERS] was added as a cosponsor of S. 1980, a bill to amend title 17, United States Code, regarding the conveyance of audiovisual work, and for other purposes.

S. 2050

At the request of Mr. METZENBAUM, the name of the Senator from North Dakota [Mr. BURDICK] was added as a cosponsor of S. 2050, a bill to notify workers who are at risk of occupational disease in order to establish a system for identifying and preventing illness and death of such workers, and for other purposes.

S. 2266

At the request of Mr. WALLOP, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor 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. 2281

At the request of Mr. TRIBLE, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of S. 2281, a bill to amend title 18, United States Code, to provide additional penalties for fraud and related activities in connection with access devices and computers, and for other purposes.

S. 2370

At the request of Mr. MURKOWSKI, the name of the Senator from Utah [Mr. GARN] was added as a cosponsor of S. 2370, a bill to allow the Francis Scott Key Park Foundation, Inc., to erect a memorial in the District of Columbia.

S. 2404

At the request of Mr. BRADLEY, the name of the Senator from Delaware [Mr. BIDEN] was added as a cosponsor of S. 2404, a bill to amend part D of title IV of the Social Security Act to prohibit the retroactive modification of child support arrearages.

S. 2455

At the request of Mr. MITCHELL, the name of the Senator from Ohio [Mr. GLENN] was added as a cosponsor of S. 2455, a bill entitled the National Organ and Tissue Donor Act.

S. 2496

At the request of Mr. D'AMATO, his name was added as a cosponsor of S. 2496, a bill to authorize the President to award congressional gold medals to Drs. Andrei Sakharov and Yelena Bonner for the great personal sacrifice they have made to further the causes of human rights and world peace.

S. 2539

At the request of Mr. WARNER, the names of the Senator from North Carolina [Mr. HELMS], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Rhode Island [Mr. CHAFEE], and the Senator from West Virginia [Mr. ROCKEFELLER] were added as cosponsors of S. 2539, a bill to consolidate and improve provisions of law relating to absentee registration and voting in elections for Federal office by members of uniformed services and citizens of the United States who reside overseas.

S. 2570

At the request of Mr. CRANSTON, the names of the Senator from Hawaii [Mr. INOUYE], and the Senator from Illinois [Mr. SIMON] were added as cosponsors of S. 2570, a bill entitled the Anti-Apartheid Action Act of 1986.

S. 2573

At the request of Mr. HEINZ, the name of the Senator from Ohio [Mr. METZENBAUM] was added as a cosponsor of S. 2573, a bill to amend the Disaster Relief Act of 1974 to provide more effective assistance to disaster and emergency victims.

At the request of Mr. D'AMATO, his name was added as a cosponsor of S. 2573, supra.

S. 2576

At the request of Mr. DURENBERGER, the names of the Senator from Maine [Mr. COHEN], the Senator from Vermont [Mr. LEAHY], and the Senator from Nevada [Mr. HECHT] were added as cosponsors of S. 2576, a bill to amend title XVIII of the Social Security Act to require timely payment of properly submitted Medicare claims.

S. 2593

At the request of Mr. BUMPERS, the name of the Senator from Tennessee [Mr. SASSER] was added as a cosponsor of S. 2593, a bill to establish the National Nuclear Safety Study Commission.

S. 2637

At the request of Mr. LONG, the name of the Senator from Mississippi [Mr. STENNIS] was added as a cosponsor of S. 2637, a bill relating to the application of the drawback provisions of section 313 of the Tariff Act of 1930 to certain imports of cane sugar.

S. 2680

At the request of Mr. THURMOND, the names of the Senator from Oklahoma [Mr. NICKLES], the Senator from Indiana [Mr. QUAYLE], the Senator from Wyoming [Mr. SIMPSON], the Senator from Georgia [Mr. MATTINGLY], and the Senator from Georgia [Mr. NUNN], were added as cosponsors of S. 2680, a bill to amend the Internal Revenue Code of 1954 to allow a charitable contribution deduction to farmers who donate agricultural products to assist victims of natural disasters.

SENATE JOINT RESOLUTION 343

At the request of Mr. D'Amato, the names of the Senator from Illinois [Mr. SIMON] and the Senator from Nevada [Mr. LAXALT], were added as cosponsors of Senate Joint Resolution 343, a joint resolution designating the week of September 21, 1986, through September 27, 1986, as "Emergency Medical Services Week."

SENATE JOINT RESOLUTION 356

At the request of Mr. MATHIAS, the name of the Senator from Oklahoma [Mr. NICKLES] was added as a cosponsor of Senate Joint Resolution 356, a joint resolution to recognize and support the efforts of the U.S. Committee for the Battle of Normandy Museum to encourage American awareness and participation in development of a memorial to the "Battle of Normandy."

SENATE JOINT RESOLUTION 367

At the request of Mr. HEINZ, the name of the Senator from Ohio [Mr. GLENN] was added as a cosponsor of Senate Joint Resolution 367, a joint resolution to designate July 31, 1986, as "National Kidney Program Day."

SENATE CONCURRENT RESOLUTION 147

At the request of Mr. CRANSTON, the names of the Senator from Connecticut [Mr. DODD], the Senator from Vermont [Mr. LEAHY], and the Senator from Iowa [Mr. GRASSLEY] were added as cosponsors of Senate Concurrent Resolution 147, a concurrent resolution to express the sense of the Congress that the monkeys known as the "Silver Spring Monkeys" should be transferred from the National Institutes of Health to the custody of Primarily Primates, Inc., animal sanctuary in San Antonio, TX.

SENATE CONCURRENT RESOLUTION 154

At the request of Mr. D'AMATO, the names of the Senator from Massachusetts [Mr. KERRY], the Senator from Maryland [Mr. SARBANES], the Senator from Florida [Mrs. HAWKINS], the Senator from Indiana [Mr. QUAYLE], the Senator from Connecticut [Mr. DODD], and the Senator from Pennsylvania [Mr. HEINZ] were added as cosponsors of Senate Concurrent Resolution 154, a concurrent resolution concerning the Soviet Union's persecution of members of the Ukrainian and other public Helsinki monitoring groups.

SENATE RESOLUTION 420

At the request of Mr. CHILES, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of Senate Resolution 420, a resolution to express the sense of the Senate regarding payment of Medicare claims.

AMENDMENT NO. 2226

At the request of Mr. GRAMM, the names of the Senator from New Hampshire [Mr. HUMPHREY], the Senator from North Carolina [Mr. HELMS], the Senator from Idaho [Mr. SYMMS], and the Senator from Minnesota [Mr. BOSCHWITZ] were added as cosponsors of amendment No. 2226 proposed to House Joint Resolution 668, a joint resolution increasing the statutory limit on the public debt.

SENATE CONCURRENT RESOLUTION 155—RELATIVE TO DEMOCRACY IN PARAGUAY

Mr. SIMON (for himself and Mrs. KASSEBAUM) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 155

Whereas Paraguay has been ruled for 32 years by an authoritarian government which has imposed a state of siege characterized by restrictions on civil liberties;

Whereas Paraguayans who desire to participate peacefully in the political process in Paraguay have been denied entry into Paraguay;

Whereas there is in Paraguay a National Accord which is a coalition of all opposition political parties that seek a restoration of full political freedom in Paraguay;

Whereas the Roman Catholic bishops of Paraguay have called for a national dialogue to lead to a transition to democracy in Paraguay;

Whereas there have been demonstrations by university students, trade unionists, and opposition political parties which reflect the overwhelming desire of the Paraguayan people for democratic rule; and

Whereas the United States has supported the return to democracy of the neighboring states of Argentina, Uruguay, and Brazil: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress hereby—

(1) supports the efforts of democratic forces in Paraguay to achieve a peaceful return to democratic government;

(2) believes that all segments of Paraguayan society should be allowed to participate in the political process;

(3) calls upon the Government of Paraguay and the leaders of all sectors of Paraguayan society to demonstrate their commitment to a genuine transition to democratic government by heeding the call of the Catholic bishops for national dialogue and negotiation; and

(4) commends the United States Ambassador to Paraguay for implementing a policy of support for human rights and political freedom in Paraguay.

● Mr. SIMON. Mr. President, today, on behalf of my colleague Senator KASSEBAUM and myself, I am submitting a concurrent resolution in support of the National Accord in Paraguay. The National Accord is a group of opposition political parties in Paraguay who support a transition to democratic rule.

Paraguay has been ruled for the last 32 years by Gen. Alfredo Stroessner. It is one of the few remaining dicatorships in Latin America. Recently, there have been signs of increased political activity and dissent in Paraguay. That dissent has been met with repression by the Government. Not only have demonstrations been suppressed but recently a prominent political leader, Domingo Laino, was savagely beaten by Paraguayan forces when he attempted to reenter Paraguay to participate peacefully in the political process there.

The Reagan administration has strongly associated itself with the return to democracy in the neighboring states of Argentina, Uruguay, and Brazil and has maintained contact with the democratic opposition in Paraguay, including the Catholic Church. This concurrent resolution commends our Ambassador in Paraguay and expresses congressional support for the National Accord.

The United States currently has a $10,000 military training program with Paraguay and also supports loans in the World Bank to Paraguay. In the future we may want to reconsider the utility of training the military in Paraguay if they are going to use that training to suppress dissent in their own country and we may want to reconsider our support for World Bank loans since American foreign assistance law specifically prohibits support for loans to countries which systematically violate human rights. In the future I believe we should look seriously at our relationship with Paraguay.

In the meantime, this concurrent resolution demonstrates American support for democratic forces abroad and is consistent with American policy objectives in Paraguay. I hope that it be given full consideration by the Senate.●

AMENDMENTS SUBMITTED

INCREASING THE STATUTORY LIMIT ON THE PUBLIC DEBT

DIXON AMENDMENT NO. 2228

(Ordered to lie on the table.)

Mr. DIXON submitted an amendment intended to be proposed by him to the joint resolution (H.J. Res. 668) increasing the statutory limit on the public debt; as follows:

At the end of the , insert the following new section:

SEC. . VETERANS' ADMINISTRATION DETERMINATIONS RELATING TO A CERTAIN RADIOGENIC DISEASE.

(A) IN GENERAL.—Section 2(5) of the Veterans' Dioxin and Radiation Exposure Compensation Standards Act (Public Law 98-542; 98 Stat. 2725) is amended by striking out "female".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect with respect to claims submitted to the Veterans' Administration before, on, or after the date of the enactment of this joint resolution.

D'AMATO (AND OTHERS) AMENDMENT NO. 2229

(Ordered to lie on the table.)

Mr. D'AMATO (for himself, Mr. MOYNIHAN, Mr. WEICKER, and Mr. KENNEDY) proposed an amendment to the joint resolution (H.J. Res. 668), supra; as follows:

At the appropriate place in the joint resolution insert the following new section:

SEC. . ANTI-APARTHEID AMENDMENTS.

(a)(1) Notwithstanding any other provision of law and subject to paragraph (2)—

(A) the eligibility of a State or a political subdivision of a State to receive funds under any Federal law; and

(B) the amount of funds which a State or a political subdivision of a State is eligible to receive under any Federal law, shall not be affected by the application of any anti-apartheid law of the State or political subdivision to a contract entered into by the State or political subdivision which is funded in whole, or in part, with funds provided by the Federal Government.

(2) The Federal Government shall not be responsible for the payment of the amount of any increase in the cost of any contract entered into by a State or political subdivision of an anti-apartheid law of that State or political subdivision.

(b) For purpose of this section—

(1) the term "anti-apartheid law" means a law which requires a State or a political subdivision of a State to include in contracts entered into by such State or political subdivision provisions and conditions relating to the contractor's business relationship in South Africa or to limit or condition the award of contracts on the basis of such relationships or to take such relationships into consideration in the award of contracts; or a law which prohibits or restricts the purchase of goods originating in South Africa; and

(2) the term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands.

NOTICES OF HEARINGS

SUBCOMMITTEE ON PUBLIC LANDS, RESERVED WATER, AND RESOURCE CONSERVATION

Mr. WALLOP. Mr. President, I would like to announce for the information of the Senate and the public that testimony will be received on two additional measures at the hearing previously scheduled before the Subcommittee on Public Lands, Reserved Water, and Resource Conservation of the Committee on Energy and Natural Resources on Thursday, July 31, 1986, at 9:30 a.m. in room SD-366 of the Senate Dirksen Office Building, Washington, DC.

The additional measures are House Joint Resolution 666, expressing the sense of Congress in support of a commemorative structure within the National Park System dedicated to the promotion of understanding, knowledge, opportunity, and equality for all people; and S. 767, to direct the Secretary of the Interior to permit access across certain Federal lands in the State of Arkansas, and for other purposes.

Those wishing to testify should contact the Subcommittee on Public Lands, Reserved Water, and Resource Conservation of the Committee on Energy and Natural Resources, room SD-308, Dirksen Senate Office Building, Washington, DC 20510. Oral testimony may be limited to 3 minutes per witness. Written statements may be longer. Witnesses may be placed in panels, and are requested to submit 25 copies of their testimony 24 hours in advance of the hearing, and 50 copies on the day of the hearing. For further information, please contact Patty Kennedy or Tony Bevinetto of the subcommittee staff at (202) 224-0613.

AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON NATURAL RESOURCES DEVELOPMENT AND PRODUCTION

Mr. HEINZ. Mr. President, I ask unanimous consent that the Subcommittee on Natural Resources Development and Production of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, July 24, 1986, to hold a hearing on S. 1026, to direct the cooperation of certain Federal entities in the implementation of the Continental Scientific Drilling Program.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. HEINZ. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet during the session of

the Senate on Thursday, July 24, 1986, in order to conduct a hearing on the nomination of John Suda to be associate judge in the D.C. Superior Court.

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

COMMITTEE ON SMALL BUSINESS

Mr. HEINZ. Mr. President, I ask unanimous consent that the Committee on Small Business be authorized to meet during the session of the Senate on Thursday, July 24, 1986, in order to conduct a business meeting to mark up legislation in order to meet reconciliation instruction.

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

SUBCOMMITTEE ON INTERGOVERNMENTAL RELATIONS

Mr. HEINZ. Mr. President, I ask unanimous consent that the Subcommittee on Intergovernmental Relations of the Committee on Governmental Affairs be authorized to meet during the session of the Senate on Thursday, July 24, 1986, to hold a hearing on targeting Federal aid.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. HEINZ. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Thursday, July 24, 1986, in order to conduct a business meeting, in order to consider legislation on its legislative and administrative agenda.

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

SUBCOMMITTEE ON MERCHANT MARINE

Mr. HEINZ. Mr. President, I ask unanimous consent that the Subcommittee on Merchant Marine of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Thursday, July 24, 1986, to conduct a hearing on the Operating Differential Subsidy Programs Reform.

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

ADDITIONAL STATEMENTS

1986 TEACHER INTERN PROGRAM

● Mr. PRYOR. Mr. President, I'd like to tell my colleagues about a program I initiated this summer for junior high and high school teachers of civics, history, and related subjects. Teachers from my State of Arkansas were invited to apply for a 2-week internship to better acquaint themselves with the workings of the three branches of the Federal Government. Four teachers—one from each congressional district—were selected from the more than 30 applications received, and are now completing the second week of the program.

I was very impressed with the caliber of the applications, as well as the number of teachers willing to give up 2 weeks of their summer vacations for this type of activity.

The 1986 Pryor teacher interns are as follows:

Mrs. Lorraine Jones of Marianna. Lorraine is chairman of the Social Studies Department at Lee Senior High, and has taught for 30 years. One of the most active faculty members at her school, Lorraine serves as student government sponsor, implemented the Honors Awards Day, and established a Peace Links chapter at Lee High. She is also the mother of three children, one of whom is a prominent Little Rock attorney.

Mrs. Sandy Furrer of Little Rock. Sandy teaches 9th and 10th grades at the Alexander High Youth Service Center in Alexander. Her teaching experience is rather unique in that all of her students are teenagers who have been convicted of criminal activities. Sandy is also a licensed social worker, and as such, brings an extra dimension to her civics and American history courses.

Mr. Larry Cochran of Fort Smith. A ninth grade civics teacher at Ramsey Junior High, Larry is very active in the Arkansas affiliate of the National Education Association [NEA]. He is also working on a compilation of a slide and memorabilia collection of Presidential birthplaces, homes, and libraries that he plans to use to enrich his classroom discussions.

Mr. Bill Nipper of Hot Springs. Bill teaches ninth grade civics at Southwest Junior High, and also serves as director of the Hot Springs Teacher Center. The teacher center offers workshops, graduate courses, and community resources for educators in the Hot Springs School District. Bill has developed a special travel program for students, and each spring for the past 8 years his group of 46 students makes a journey from Hot Springs to Washington and New York City.

A number of organizations agreed to participate in our program this summer, and I extend my sincere appreciation to each of them. Those groups include: the U.S. Department of Education, National Education Association, American Federation of Teachers, Congressional Research Service at the Library of Congress, Supreme Court public affairs division, Senate Committee on Labor and Human Resources, National Endowment for the Humanities, Kennedy Center, National Geographic, Smithsonian Institution, and the Washington Post.

Mr. President, meeting with such dedicated teachers during these past 2 weeks has renewed my faith in our country's educational system. I am proud that my State can claim such outstanding educators, and wish them the very best for the upcoming school year.●

DEATH OF DR. REX HANCOCK

● Mr. PRYOR. Mr. President, recently with the death of Dr. Rex Hancock of Stuttgart, AR, we lost one of our champions for conservation and environmental preservation. For more than a decade Dr. Hancock successfully led citizen conservationists in an effort to preserve the waterfowl habitat in the Cache River Basin.

This year a new wildlife refuge in the Cache River Basin has been initiated by the Migratory Bird Commission, of which I am pleased to be a member. Earlier this week, the Commission met and I presented a resolution from the Arkansas Game and Fish Commission urging that this new refuge be named in memory of Rex Hancock. I heartily endorse this designation which will be voted upon at the next Commission meeting.

I would like, at this point in the RECORD, to place the text of the Game and Fish Commission resolution, as well as an article from the Arkansas Gazette which pays tribute to the work of this distinguished Arkansan.

The material follows:

ARKANSAS GAME AND FISH COMMISSION, LITTLE ROCK, AR

RESOLUTION

Whereas, Rex Hancock has, for more than a decade, successfully led citizen conservationists in an effort to preserve Cache-Bayou DeView waterfowl habitat and halt the authorized channelization project; and

Whereas, he was successful in attracting nationwide attention concerning the significance to migratory waterfowl of Arkansas' bottomland hardwood wetland habitat; and

Whereas, until his death on July 8, 1986, he devoted much of his own time and money to the difficult task of causing agencies and individuals to rethink their commitment to single purpose channelization of the Cache-Bayou DeView; and

Whereas, the unique Cache River waterfowl habitat preservation project now underway would not have been an option without his efforts; Now, therefore, be it

Resolved, That the new National Wildlife Refuge should be named after Rex Hancock and this recommendation is hereby made to Donald P. Hodel, Secretary, Department of the Interior.

[From the Arkansas Gazette, July 15, 1986]

REX HANCOCK: A DEVOUT CONSERVATIONIST WHO GOT RESULTS

(Joe Mosby)

All Arkansas lost a friend and champion with the death of Rex Hancock of Stuttgart last week.

To mention that he was a dentist who successfully led the long battle to save the Cache River from channelizaiton, ditching, is to oversummarize Dr. Hancock's life.

He was a conservationist all right, but he was an effective, successful conservationist. He got results, and there's a vast difference from many self-avowed conservationists whose activity is mainly making noise and

waxing eloquently on what ought to be done. Dr. Rex Hancock got things done.

My acquaintance with Dr. Hancock came rather late, after he had led the battle against the Army Engineers on the Cache. I knew of him, and he had written and phoned me a few times. Bowhunting mutual friends had passed along tales of Dr. Hancock's exploits against large and ferocious beasts of the North American continent and the world with a bow, not a gun.

LONG, INTERESTING VISIT

We had a long and interesting visit that first meeting, when he asked me to come to Stuttgart and help with some work on the start of the Arkansas state duck stamp and print program.

We talked in his den, a large room cluttered with mounted animals, including an 11-foot upright bear, and his paperwork, which was considerable. Five active youngsters and a busy wife bustled in and out of the house on the northern edge of Stuttgart with dogs, horses, cats part of the environment.

Dr. Hancock teamed with renowned wildlife artist Lee LeBlanc of Michigan to publish that first stamp and print for the 1981-82 hunting season. There were rough spots along the way, and Dr. Hancock received some criticism from mixups in orders, errors in giving print purchasers the numbers they wanted and the like. Some top officials with the state Game and Fish Commission said, privately, "We ought to just sell stamps and forget the prints."

But Dr. Hancock was firm on two points in my first meeting with him, which led to news articles about the duck stamp program. One was that selection of a nationally prominent artist was more desirable than a contest limited to Arkansas artists, and the second was the sale of prints would bring the Commission more revenue than the sale of stamps required for waterfowl hunting.

RIGHT ON BOTH POINTS

He proved right on both points, although it took a while for me to realize it.

Dr. Hancock should be remembered too, for his roll in the discovery of dioxin polluting Bayou Meto and the source of it. He had some tense, hairy times, perhaps even narrow escapes, when he and companions slipped on to the grounds of the Jacksonville chemical plant and met armed guards, along with deny-it-all company officials.

A complex, busy man, Dr. Hancock compiled a mass of photographs and information about trophy deer killed in Arkansas over the years, and he talked of publishing this in book form. He took up the research project when he found there wasn't a single Arkansas deer listed in Boone and Crockett Club records.

Dr. Hancock's research, phone calls, letters and visits around the state turned this omission around. Arkansas now has more trophy deer in the B and C records than any other state, we're told.

He took a leading role in both the fundraising and the operating of the Stuttgart Youth Center.

The Cache River is preserved, thanks to Dr. Rex Hancock, who was talented in knowing who to talk to on conservation issues. The "who" in such complex, fiercely-fought battles is usually more important than the "what" or the "why."

MONIES EARMARKED

A sizable chunk of the Arkansas farming community plus a strong congressman and the supposedly omnipotent Engineers were on the opposite side of the Cache battlefield from Dr. Hancock. Before it was over, he had the wildlife agency of Minnesota in the middle of the fight, along with dozens of other state, regional and national organizations. Just weeks ago, Dr. Hancock and other Cache supporters learned the federal government had earmarked $3.1 million in federal duck stamp monies for buying land for the new Cache River National Wildlife Refuge.

Interestingly, two of the very few battles the Engineers have ever lost in this nation were in Arkansas in conservation fights spearheaded by a physician (Dr. Neil Compton—Buffalo River) and a dentist (Dr. Hancock—Cache River).

A wise soul once said, "If you want a job done, call on a busy man."

Phone conversations with Dr. Hancock often took place while he was in his dental office, leaving you to wonder if he was talking to you for 30 minutes while a patient was laid back with jaw propped open. The conversation usually ended with Dr. Hancock telling you, "Hey, come on down and we'll go fishing."

They've already named a Game and Fish Commission wildlife management area, on the Cache River, of course, for Dr. Hancock. His ashes are to be placed there and a monument erected.

His family asked that memorials be made in the form of contributions to the Arkansas Game and Fish Foundation, the nonprofit fund-raising auxiliary of the state agency. Dr. Hancock had served on the Foundation.

It would be appropriate and fitting that such memorials provide the catalyst to get the Foundation into a meaningful, functional role in providing endowments for capital conservation projects.

Thanks, Rex Hancock. We're better off in Arkansas for your having passed this way.

TRANSITION RULES IN THE TAX REFORM BILL

● Mr. CHILES. Mr. President, 3 weeks ago, the Senate passed its version of a tax reform bill. That legislation makes sweeping changes in the Tax Code that are long overdue. If enacted, the law would reduce the tax burden for millions of middle income taxpayers while bringing many wealthy individuals and large corporations onto the tax rolls. In addition, several million poor families would no longer be required to pay taxes from income already below the poverty level.

I commend the Finance Committee chairman and ranking member for their outstanding efforts in crafting the Senate version of a tax reform package, and successfully seeing it through to passage on the Senate floor. Although I believe there is still room for improvement, I support the Senate tax overhaul plan and look forward to many of my concerns being addressed in the House-Senate conference.

Mr. President, one aspect of the Senate-passed tax plan that I find particularly troubling is the way in which it affects many types of investment decisions in a retroactive manner. Although the committee granted special transition rules for numerous projects, including many in my State of Florida, numerous activities remain unprotected.

In Florida, a number of bond-financed projects which have been underway for some time, are threatened by the provisions of the Senate tax proposal and, thus, are in need of transition relief. As I read H.R. 3838 as passed by the Senate, I note that several similar projects have been granted transition relief. Some of the projects granted special treatment were started more recently than the Florida projects with which I am concerned.

For example, since 1983, the Lakeland, FL, Downtown Development Authority has actively pursued a rehabilitation project. On June 6, 1983, the authority adopted an inducement resolution for the bond issue. The city of Lakeland has also been involved in a wastewater treatment project for which the city commission enacted a bond ordinance and sold bonds in September, 1985. With respect to another project, the Housing Finance Authority in Polk County, FL, has been actively pursuing a bond-financed multifamily housing development since early 1985. And, since 1983, a baseball colliseum in Tampa Bay has been officially underway with more than $2.5 million already expended toward the project.

Mr. President, these Florida projects and others like them are similar to projects that already have been granted transition rules in the Senate bill. In some cases, these Florida projects are more justifiable in terms of the length of time that the project has been underway, and with respect to the amount of money already committed to their undertaking. I understand that the Finance Committee chairman and ranking member will try to accommodate requests for transition rules in the House-Senate conference. I only ask that these and other Florida projects receive the same treatment as similarly situated bond-financed projects which have been or will be granted transition relief. I should mention that transition rules for the Lakeland and Polk County projects were requested long before the Finance Committee reported its tax reform package out of committee.

In addition, Mr. President, for more than 3 years, the city of St. Petersburg, FL, and the Pinellas Sports Authority have actively been pursuing a sports stadium project. A substantial commitment of time and money has been spent on this stadium project. This has been a joint public-private effort. In order to continue this progress, it is extremely important that Pinellas Sports Authority and the city of St. Petersburg preserve the ability to involve private investment.

This project has a long history. In December 1983, the Pinellas Sports

Authority and the St. Petersburg City Council issued bond anticipation notes in the amount of $61 million to finance a sports facility in St. Petersburg. Site acquisition, demolition, engineering plans and feasibility studies commenced in 1983. In 1984, the city council and sports authority approved the sale of revenue bonds to refund the original notes and to provide permanent financing for stadium construction. Since 1983, approximately $10 million has been expended.

The St. Petersburg stadium is expected to have a substantial positive economic impact, not only locally, but also on a statewide basis. Current projections indicate that the stadium project would provide roughly 210 new construction jobs and contribute as much as $3.7 million in annual wages, and more than $95 million in revenue to the local economy during the construction period alone. It is estimated that once open, the direct and secondary impacts of the stadium project would result in the creation of more than 1,200 new full-time jobs, and generate almost $5 million a year in State sales taxes.

In addition to boosting the Pinellas/St. Petersburg economy and providing additional revenues to the State, the stadium would revitalize a section of St. Petersburg that, at one time, was one of the worst blighted areas in the region.

As passed by the Senate, tax reform would require four changes in current law which will seriously threaten the Pinellas/St. Petersburg project. As a result, transition relief relating to sections 1518(d), 1411, 1401 and 1101 of the Senate-passed tax reform bill is necessary.

Mr. President, I am aware of other transition rules already in the bill that would continue current law with respect to similarly situated projects. I only ask that this project be treated fairly, and in the same manner as those other projects. Thus, as the House-Senate conference committee deliberates on these matters, I request that the conference committee include transition rules for the Pinellas Sports Authority/St. Petersburg stadium project. Similar to the case for three bond related Florida projects already mentioned, special treatment for the Pinellas/St. Petersburg stadium was requested while the Finance Committee was still in the process of marking up a tax reform proposal.●

ALLEN-EDMONDS' SUCCESS: STEPS IN THE RIGHT DIRECTION

● Mr. KASTEN. Mr. President, I rise today to bring to my colleagues' attention a recent article featured in the July 14, 1986, issue of Business Week. The article entitled "Gucci and Bally Don't Scare John Stollenwerk," is a fitting tribute to the president of the Allen-Edmonds Shoe Corp., who is internationally recognized for taking a small domestic shoe factory and transforming it into an American leader in the foreign footwear market.

Six years ago, Stollenwerk and his partners bought the shoe company, which is now located in Port Washington, WI. At that time the company was losing $100,000 a week. Since then Stollenwerk has been able to turn the business around. Because Allen-Edmonds designs the very best in men's footwear, the sales needed to be limited to only top scale stores across the country. Stollenwerk made that necessary change by guaranteeing the highest quality, as well as significantly increasing the advertising budget to get the word out on—at that time—Belgium, WI's, best kept secret.

Stollenwerk's refurbishing of Allen-Edmonds paid off with exports bringing in 10 percent of the company's revenue. Last year that number accounted for $22 million. Stollenwerk continues to press on with powerful production even after his plant in Belgium burned down 2 years ago. Now, his new modern facility continues this mark in excellence by producing the same quality footwear.

A man like Stollenwerk helps to demonstrate that an American industry can not only dominate a niche in the American market but can also gain a strong foothold in the foreign market.

Mr. President, I ask that the article which appeared in Business Week be printed in the RECORD.

The article follows:

[From Business Week, July 14, 1986]

GUCCI AND BALLY DON'T SCARE JOHN STOLLENWERK

Shyness has never been much of a problem for John J. Stollenwerk. On a recent flight from Milwaukee to Kansas City, Mo., Stollenwerk talked a fellow passenger into lending him his shoes. As the president of Allen-Edmonds Shoe Corp., Stollenwerk says he had good reason: "I wanted to show the style to a couple of my salesmen."

Stollenwerk, 46, has parlayed such boldness into a footwear fortune. When he and two boyhood buddies from Milwaukee bought the Port Washington (Wis.) shoe company six years ago, it was losing $100,000 a week. The problem wasn't the product—top-of-the-line men's shoes selling for more than $150—but weak marketing. Since then, Stollenwerk has revitalized the company by limiting sales to upscale stores, while boosting the advertising budget from $40,000 to $2 million. As the U.S. footwear industry tries to fend off a flood of imports, Stollenwerk has put the shoe on the other foot. Relying on his experience in the animal-feed export business, he has tackled foreign markets by exporting Allen-Edmonds shoes.

As a result, exports—mostly to Europe—now account for 10% of the company's revenues, which last year totaled $22 million. And Stollenwerk boasts that sales are up 40% this year. "We're the leader in the top one-half of 1% of the men's shoe market," he says. "It's a very, very small market, but we've defined our niche."

Stollenwerk intends to hold on to that niche. When the Allen-Edmonds shoe plant went up in flames two years ago, Stollenwerk refused to shut down operations, working instead from a rented warehouse. He kept the company going and picked up a lot of good press, as well. Today, with the efficiencies of a new plant, Stollenwerk is considering expanding into women's shoes. But he may have to polish his approach to get female airline passengers to lend him their shoes.●

THE ENERGY POLICY AND SECURITY ACT OF 1986

● Mr. WALLOP. Mr. President, I am pleased to once again join the distinguished Senator from Texas [Mr. BENTSEN] in introducing what will be our third effort to improve the energy policy and security of our country.

The essential aspect of S. 2678, the Energy Policy and Security Act of 1986, requires that action be taken by our Government whenever foreign oil and petroleum imports are projected to exceed 50 percent of consumption. Once that level exceeded, the President must submit an energy plan to Congress containing steps to prevent oil dependence over 50 percent. Those steps may include an oil import fee, energy conservation measures, expansion of the strategic petroleum reserve to maintain a 90-day cushion and production incentives for domestic oil and gas including tax and other incentives for stripper wells, offshore, frontier and other oil produced with tertiary recovery techniques.

Mr. President, I believe this proposal is a very positive first step in attempting to deal with our rising level of imported energy products. Quite frankly, I would like to explore broadening the category of crude and other petroleum products to include imported coal, natural gas and even electricity because we would reach that 50 percent cutoff level much sonner if that were the case.

But as it is, this proposal is a far sight better than any programs we have available to us because, Mr. President, as of now we simply have nothing to defend ourselves against the growing strength of OPEC and the rising tide of imported energy. Once again this Nation has allowed itself to be victimized by OPEC because we still have not developed an energy policy even after the 1973 and 1978 oil crises.

Now, we truly have entered what is shaping up to be our third energy crisis—a crisis caused by cheap, abundant foreign oil. If any of my colleagues should doubt this to be the case, I would invite each and every one to my home State of Wyoming to see the impact that cheap oil is having on America's ability to continue its exploration and production efforts. Allow me to provide a tally of what has hap-

pened in Wyoming just since the bottom fell out of the price of oil earlier this year.

While the rig count in other oil producing States has increased slightly, it continues to dwindle in Wyoming. Estimates now range from 26 to 18 rigs presently operating in Wyoming—during the peak of the oil States' boom in 1981 there were 188 operating wells. A recent Wyoming average first purchase price was $11.97 a barrel, down 52.1 percent from December. Only 1 other State in the lower 48 States, South Dakota, had a lower first purchase price than did Wyoming.

I fear this third oil crisis is destroying our Nation's energy infrastructure. And before it is too late, this Congress and this administration must realize that we are teetering on the edge of real economic havoc if some action is not taken soon.

Again, I can recite what is becoming a rather extensive Wyoming list to illustrate this point firsthand. On July 17 Pacific Power and Light [PP&L] announced that it would layoff 100 Wyoming coal miners and reduce power generation at two coal-fired electric plants in Wyoming as part of its response to sharply declining oil prices and reduced electricity sales. The worst part of this decision lies in the fact that PP&L officials said that the lost generation will be replaced by raising output at less efficient plants.

On July 11 Marathon oil announced that 50 of its workers in Wyoming would lose their jobs as a result of a companywide reduction in staff because of slumping oil prices. On June 20 Questar Corp. announced that it would layoff 50 oil exploration employees because of depressed oil prices, and particularly stressed the curtailment of its wildcat exploration efforts. On June 19 AMOCO cut its Wyoming workforce by 132 employees, and was forced to shutdown 27 wells in the region as a result of the decline of the price of oil.

On June 12 Chevron announced the closure of its Casper office and the resulting transfer or layoff of 150 employees from this Wyoming city because of falling oil prices. On June 10 Shell told the Japanese Electric Power Industry that it was going to withdraw from a proposed joint project to develop coal in Wyoming because falling crude and coal prices made the project "economically unviable." The aim had been to produce 20 million tons a year starting in 1990 for shipment to the Pacific Rim countries.

Mr. President, falling oil prices are like a stick shoved between the spokes of our economic and energy drive wheel. The final effect, I am afraid, will begin spreading to all sectors of our economy. We have avoided dealing with this issue because consumers like cheap gas. But, how much longer can we continue to justify our inaction by hiding behind the veil of "cheap gas?" Cheap gas will do precious little good if our entire energy infrastructure is weakened as a result.

Again, to further highlight this point, let me relate that drilling for new natural gas fields in Wyoming has stopped dead cold, as has much of the interest in pursuing innovative technologies such as the use of CO_2 for enhanced oil recovery. It simply is not worthwhile now. Already coal production in Wyoming, America's second largest producer, is down 10 percent from last year because of cheap oil. In recent years, the State of Wyoming, like other energy producing States, has struggled with bank failures. Mr. President, in the last 4 years, 12 banks have failed, which is 12 more than failed in all the years from the Great Depression to 1982.

Times are tough in America, Mr. President, and it is about time that we recognize this fact and establish once and for all an energy policy that permits us to walk free of the reappearing OPEC puppeteer. As a country, we are now back to relying on imported oil for 31 percent of our energy needs, and out of that we have allowed ourselves to be seduced back into the arms of OPEC for almost half of those foreign supplies.

Increases in production of Middle Eastern oil translates beyond just growing numbers of imported barrels of oil. It also equates into decreased domestic exploration efforts and increased numbers of jobs lost, not just in Wyoming, but nationwide. A recent American Petroleum study, based on a survey of 21 of its largest members, projected that sliding prices could eliminate over 140,000 oil industry jobs by the end of this year alone. By 1991, $15 barrel oil could cut almost 300,000 jobs from the 1.6 million the industry provided in 1985, and $10 a barrel oil could cost us 407,000 jobs in just the industry. This does not include suppliers ranging from machinery and steel manufacturers.

Mr. President, the writing is on the wall. We may be reading it, but we have yet to comprehend it or do anything about it. The result is that we are precariously close to being snared once more in the OPEC trap. The trap has a different trip wire this time in the form of strategic flooding of the world market, but it is working all the same. It is the strategy outlined by Mohammed Akacem, an economist at the Saudi Fund for Development in Riyadh, which appeared in the Wall Street Journal, November 11, 1985.

I encourage all my colleagues to read that article, and I call upon this body to join Senator BENTSEN and me in exercising our responsibility in providing for America's future energy security. Most importantly it is time for America to develop a national energy policy. We cannot and must not put this off any longer. I put the challenge to my colleagues to help us in reaching that goal.●

DISASTER RELIEF REGULATIONS

● Mr. D'AMATO. Mr. President, I support S. 2573, introduced by my distinguished colleague from Pennsylvania, Senator HEINZ. I share his concerns regarding the new disaster relief regulations proposed by the Federal Emergency Management Agency [FEMA] on April 18, and I commend him for his leadership on this issue.

Mr. President, I believe that FEMA's proposed disaster regulations could themselves be a disaster. If these regulations are adopted, we will see situation after situation where local areas which would normally qualify for Federal disaster aid will get nothing from the Federal Government. This would be devastating for many State and local governments which depend upon these programs.

The bill I am cosponsoring today would prevent FEMA from implementing these regulations.

At the heart of these changes, aimed at reducing the Federal Government's share in disaster relief, is a proposed "potential ability to pay" formula. This formula, which uses a State's population and per capita income as its two variables, produces a State's "capacity indicator," which would represent the minimum damage in dollar terms a disaster would have to inflict for a State to qualify for Federal aid.

So, for example, if a State's capacity indicator is $10 million, the State will always pay the first $10 million, and a portion of the costs exceeding $10 million. The percentage of the costs paid by the Federal Government beyond the capacity indicator would be either 90 percent, 75 percent, or none at all. That would be dependent upon the total damages per capita. An area with a disaster causing in excess of $10 per capita would receive 90-percent reimbursement from the Government past the capacity indicator. From $2.50 to $10 per capita in damages would qualify an area for 75-percent Federal reimbursement. Less than $2.50 in damages would receive no Federal aid beyond the capacity indicator.

I have serious concerns with this formula. It is clearly unfair to propose a system where a damage assessment in one State could qualify it for aid, while an identical damage assessment in another State would make it ineligible for public assistance. I believe it is overly simplistic to think that population and per capita income are sufficient indicators of a State's true ability to withstand the costs of a disaster. Also, no provision is made for a State which suffers relatively large numbers

of individual disasters not reaching the minimum dollar amount.

It is disturbing to think what would have happened in New York over the past year if the proposed regulations had been in effect. Of the five most recent disasters, only one would have been declared as such and received any funding. The areas damaged during that disaster, Hurricane Gloria, would have received only 70 percent of the funding received under the current regulations. However, the erosion and flooding most of lower New York suffered during March 29-30 and April 5-6 would not have received a penny, despite the $9.9 million in damages suffered.

Taxpayers throughout America pay for, and depend upon, FEMA's emergency aid funds. It is the most basic mission of FEMA to provide disaster assistance to the public. I urge prompt passage of this legislation to fully protect this right.●

GOLD MEDALS FOR SAKHAROV AND BONNER

● Mr. D'AMATO. Mr. President, I am a cosponsor of S. 2496, legislation authorizing the President to award Congressional Gold Medals to Doctors Andrei Sakharov and Yelena Bonner. Issuance of these medals would serve to demonstrate our continued concern for this remarkable couple. As outspoken advocates of human rights and world peace, Sakharov and Bonner have become the subject of a coordinated campaign of harassment orchestrated by the Soviet authorities and carried out by the KGB.

A Nobel Prize laureate, Sakharov was banished to the closed city of Gorky in 1980, shortly after the Soviet invasion of Afghanistan. Sakharov's human rights activism can be traced back to the late 1960's when he wrote "Progress, Coexistence and Intellectual Freedom," a delineation of his social philosophy. He later built upon this treatise, expanding it to embrace all oppressed, particularly Soviet Jews.

Elena Bonner, a founding member of the Moscow Helsinki Group, has been a driving force among Soviet dissidents. In 1984, she was arrested and charged with "slandering the Soviet state." Bonner was convicted and sentenced to 5 years' internal exile for her human rights activities. She recently rejoined Sakharov in Gorky where the Soviet authorities have attempted to isolate the couple from contact with the West.

Prior to her departure from Moscow for Gorky, Dr. Bonner indicated that she would request permission to return to the Soviet capital on June 15. More than 1 month has passed since that date and there has been no word regarding their well-being. It is imperative that we continue to speak out on behalf of Sakharov and Bonner and press for their release from exile.

As Chairman of the Commission of Security and Cooperation in Europe, I am very much aware of the price which Sakharov and Bonner have paid for their steadfast dedication to the principles embodied in the Helsinki Final Act. Accordingly, I am pleased to support the adoption of S. 2496 to again emphasize my concern for these genuine champions of human rights.

Mr. President, I ask that articles on Sakharov and Bonner's plight which appeared in U.S. News & World Report be included in the RECORD.

The article follows:

MY KGB ORDEAL—ANDREI SAKHAROV, IN SMUGGLED LETTERS, DISCLOSES HIS TORMENT

Andrei Sakharov, the Nobel Prize-winning scientist cut off from the world by Soviet authorities, has been enduring physical and mental torment at the hands of the KGB—the Soviet secret police. Sakharov himself gives vivid testimony of his secret ordeal in letters he has had smuggled out of Russia. "What happened to me in a Gorky hospital in the summer of 1984," he writes in his own hand, "is strikingly reminiscent of [George] Orwell's famous anti-Utopian novel, even down to the remarkable coincidence of the book's title—1984."

In this issue and the next, Sakharov's letters are being published exclusively in North America by *U.S. News & World Report* by arrangement with Sakharov's relatives in the U.S. and the *London Observer.* On succeeding pages is a full-text translation of a letter Sakharov wrote to the president of the U.S.S.R. Academy of Sciences on Oct. 15, 1984. For the first time it provides evidence in his own words of what happened to Sakharov when he and his wife Yelena Bonner were isolated in the closed city of Gorky, 400 miles from Moscow, in May, 1984. His version is far different from that of the Soviets. Sakharov's exile began in 1980, when he was arrested following his denunciation of the Soviet invasion of Afghanistan. Until May, 1984, the pain of exile—without charge, trial or sentence—had been relieved by his wife's freedom to go to Moscow and keep him in touch with fellow scientists and world opinion. But in May she was arrested, and Sakharov, as he puts it, was "Seized by KGB men disguised in doctors' white coats. They. . . tormented me for four months."

Sakharov's testimony is contained in packets of documents that were sent to the Newton, Mass., home of Yelena's daughter, Tatiana, and son-in-law, Yefrem Yankelevich. Mr. Yankelevich said: "The papers arrived here very recently in two batches—in plain envelopes and through the ordinary mail, sent from a Western country. How they were got out of the Soviet Union I cannot say, but I know the source and the source is reliable. They have been carefully examined by the whole family, and we are convinced of their authenticity."

Part of Sakharov's letters is a passionate appeal for the Soviets to allow Yelena to visit the West for urgent medical treatment for her eyes and heart. In October, 1985, shortly before the Reagan-Gorbachev summit, she was given a 90-day visa—it expires on February 28—on condition that she not speak to the press. She is in Newton recovering from surgery and has asked the Soviets to let her stay longer. But Sakharov's testimony has importance beyond the accomplishment of his immediate objective. It documents a KGB "disinformation" campaign, including the forgery of telegrams and the doctoring of postcards, to suggest that Sakharov was well and living without problems. It puts into perspective the recent release of human-rights activist Anatoly Shcharansky and, above all, the recent statement by Gorbachev that Sakharov has been living in Gorky "in normal conditions."

AN APPEAL IN HIS WIFE'S BEHALF

GORKY, October 15, 1984.

ANATOLY ALEXANDROV,
President, U.S.S.R. Academy of Sciences; Members of the Presidium, U.S.S.R. Academy of Sciences.

DEAR ANATOLY PETROVICH: I appeal to you at the most tragic moment of my life. I ask you to support my wife Yelena Bonner's request for permission to travel abroad to visit her mother, her children and her grandchildren and to receive medical treatment for her eyes and her heart. I shall explain why this trip has become an absolute necessity for us. Our unprecedented situation, our isolation, the lies and slander regarding us compel me to write in detail. Please forgive me for the length of this letter.

The authorities have been greatly annoyed by my public activities—my defense of prisoners of conscience and my articles and books on peace, the open society and human rights. (My fundamental ideas are contained in *Progress, Coexistence and Intellectual Freedom,* 1968; *My Country and the World,* 1975, and "The Danger of Thermonuclear War," 1983.)

"THE KGB ADOPTED A SLY AND CRUEL PLAN"

I do not intend to defend or explain my position here. What I wish to make clear is that I alone am responsible for all my actions, which are the result of convictions formed over a lifetime. As soon as Yelena Bonner married me in 1971, the KGB adopted a sly and cruel plan to solve the "Sakharov problem." They have tried to shift responsibility for my actions onto her, to destroy her morally and physically. They hope to break and bridle me, while portraying me as the innocent victim of the intrigues of my wife—a "CIA agent," a "Zionist," a "mercenary adventuress," etc. Any remaining doubts about this have been dispelled by the mass campaign of slander mounted against my wife in 1983 (attacks against her were printed in publications with a circulation of 11 million copies); by the two 1984 articles about her in *Izvestia,* and especially by the KGB's treatment of us in 1984, which I describe below.

My wife Yelena Bonner was born in 1923. Her parents, who were active participants in the Revolution and the civil war, became victims of repression in 1937. Her father, the first secretary of the Armenian Bolshevik Party's central committee and a member of the Comintern's executive committee, perished. Her mother spent many years in labor camps and in exile as a "relative of a traitor to the motherland."

My wife served in the armed forces from the outbreak of World War II until August, 1945. She began as a first-aid instructor. After she was wounded and suffered a concussion, she became the head nurse on a hospital train. The concussion severely damaged her eyes. My wife is classified as a disabled veteran because of her loss of vision. She has been seriously ill ever since the war, but she has managed to lead a productive life—first studying, then working as a physician and teacher, raising a family, helping

friends and strangers in need, sustaining her associates with respect and affection.

Her situation changed drastically after our paths merged, Tatiana and Alexei, my wife's children—whom I consider my own—and our grandchildren were forced to emigrate to the United States in 1977 and 1978 after five years of harassment and death threats. They had in fact become hostages. The pain of this tragic separation has been compounded by the absence of normal mail, cable and phone communications. My wife's 84-year-old mother has been living in the United States since 1980. It is the inalienable right of all human beings to see their families—and that includes my wife!

As long ago as 1974 many events convinced us that no effective medical treatment was possible for my wife in the U.S.S.R. and, moreover, that such treatment would be *dangerous* because of inevitable KGB interference. Now the organized campaign of slander against her is an added complication. These misgivings relate to my wife's medical treatment and not to my own, but they were reinforced by what physicians under KGB command did to me during my four-month confinement in a Gorky hospital. More about this later.

In 1975, with the support of world public opinion (and I assume on Brezhnev's order), my wife was allowed to travel to Italy to receive treatment for her eyes. My wife visited Italy in 1975, 1977 and 1979 for eye care. In Siena, Dr. Frezotti twice operated on her for glaucoma, which could not be controlled by medication. Naturally, the same doctor should continue to treat her. Another visit became necessary in 1982. She submitted her application in September, 1982. Such applications are reviewed within five months—and usually within a few weeks. Two years have passed, and my wife is still waiting for a reply.

In April, 1983, my wife Yelena Bonner suffered a massive heart attack, as confirmed by a report of the academy's medical department issued in response to an inquiry from the procurator's office. Her condition has not yet returned to normal. She has had recurrent attacks. (Some of these attacks have been confirmed by academy physicians who have examined her; one examination took place in March, 1984.) Her most recent major attack occurred in August, 1984.

"I BEGAN THE HUNGER STRIKE"

In November, 1983, I addressed an appeal to Comrade Yuri Andropov [General Secretary, 1982 to Feb. 9, 1984], and I addressed a similar appeal to Comrade Konstantin Chernenko [General Secretary at the time this letter was written] in February, 1984. I asked them to issue instructions permitting my wife to travel. I wrote: "A trip . . . to see her mother, children and grandchildren and . . . to receive medical treatment has become a matter of life and death for us. The trip has no other purpose. I assure you of that."

By September, 1983, I realized that the question of my wife's trip would be resolved only if I conducted a hunger strike (as in the earlier case of our daughter-in-law Liza Alexeeva's departure to join Alexei). My wife understood how difficult it was for me to do nothing. Nevertheless, she kept putting off the hunger strike. And, in point of fact, I began the hunger strike only in direct response to actions of the authorities.

On March 30, 1984, I was summoned to the Gorky province visa office. A representative there announced: "On behalf of the visa department of the U.S.S.R., I inform you that your statement is under consideration. The reply will be communicated to you after May 1."

My wife was to fly to Moscow on May 2. I watched through the airport window as she was detained by the aircraft and taken away in a police car. I immediately returned to the apartment and took a laxative, thereby beginning my hunger strike for my wife to be allowed to travel.

Two hours later my wife returned, accompanied by the KGB province chief, who delivered a threatening speech in the course of which he called my wife a CIA agent. My wife had been subjected to a body search at the airport and charged under Article 190-1 [of the Russian Socialist Federal Soviet Republic (RSFSR) Criminal Code]. They also made her sign a promise not to leave the city. So this was my promised reply to my declaration about my wife's trip abroad.

EXILE "WAS CAMOUFLAGED MURDER"

During the months that followed, my wife was called in for interrogation three or four times a week. She was tried on August 9-10 and sentenced to five years' exile. On September 7 a picked group from the RSFSR Supreme Court made a special trip to Gorky to hear her appeal. They confirmed the sentence. Gorky was designated her place of exile so that she could remain with me, thereby creating a semblance of humanity. In fact, however, it was camouflaged murder.

The KGB managed the whole enterprise—from the charges to the sentence—in order to block my wife's travel abroad. The indictment and the verdict are typical for Article 190-1 cases, although particularly flagrant examples of the arbitrariness and injustice involved. Article 190-1 makes it a crime to disseminate slanderous fabrications known to be false that defame the Soviet state and social system. (Article 190-1 refers to statements that the defendant knows are *false*. In my experience, and that includes my wife's case, the defendants believed their statements to be *true* beyond a doubt. The real issue was their *opinions*.)

Most of the eight counts in my wife's indictment involve her repetition of statements made by me. (To make matters worse, they have been taken out of context.) All the statements concern secondary issues. For example, in *My Country and the World*, I explain what "certificates" are, noting that two or more types of money exist in the U.S.S.R. My wife repeated this indisputable statement at a press conference in Italy in 1975, and she was charged with slander because of it. I—and not my wife—should be charged with statements made by me. My wife acted as my representative in keeping with her own beliefs.

"THEY ARE TRYING TO KILL US"

One charge in the indictment exploits an emotional outburst of my wife during the unexpected visit of a French correspondent on May 18, 1983, *three days after her massive myocardial infarct had been diagnosed.* (As you know, in 1983 we requested, without successs, that we be admitted together to the academy's hospital.) The correspondent asked, "What will happen to you?" My wife exclaimed: "I don't know. I think they are trying to kill us." She was clearly not referring to being killed by a pistol or knife. But she had more than enough grounds to speak of indirect murder (at least of herself).

My wife's alleged drafting and circulation of a Moscow Helsinki Group document was a key point in the indictment. It was based on patently false testimony and was completely refuted by defense counsel's examination of the chronology of events. A witness testified at the trial that he had been told by a member of the Helsinki Group that my wife had taken one of the group's documents with her when she left the country in 1977. But the witness had been arrested on Aug. 16, 1977, and my wife left for Italy on September 5. Thus he could not have met anyone "from outside" after my wife's departure. Under questioning, the witness replied that he had learned of the document's being carried out of the country in July or August—that is, before my wife's trip.

Moreover, no proof that the document had been written prior to my wife's departure was presented in the indictment or during the trial. (The document was undated. That alone was enough to deprive it of any juridical significance.)

The only "evidence" corroborating the witness's unsubstantiated allegation was the statement of a person who had emigrated in 1977. In defiance of logic this count was included in the verdict and in the decision of the appellate proceeding. If the appellate court had eliminated that count, it would have had to annul the verdict—in part because the only directly incriminating testimony would be lost, in part because of the dated and inconsequential nature of the 1975 episode. Most important of all, none of the charges bore the slightest juridical relation to Article 190-1, which presupposes international slander.

In practice my wife's exile has led to restrictions much more severe than those stipulated in the law: The loss of all communication with her mother and children; complete isolation from her friends; still less opportunity for medical care; the virtual confiscation of property left in our Moscow apartment—which is now inaccessible to us—and the potential loss of the apartment itself. (The apartment was given to my wife's mother in 1956 after she was rehabilitated and after her husband was rehabilitated posthumously.)

SIMPLY SLANDER FOR PUBLIC CONSUMPTION

There was no mention during my wife's trial of the accusations made in the press—her alleged past crimes, her "immoral character," her "links" with foreign intelligence agencies. That is all simply slander for public consumption—for the "sheep" held in such contempt by the KGB directors of the campaign. The most recent article of this sort appeared in *Izvestia* on May 21. The article pushes the idea that my wife has always wanted to leave the U.S.S.R., "even over her husband's dead body." The article claims that as long ago as 1979 she wanted to remain in the United States but had been persuaded to leave. (The context implies that American intelligence agents did the persuading.)

My wife's tragic and heroic life with me, which has brought her so much suffering, refutes this insinuation. Before marrying me, my wife made several trips abroad. She worked for a year in Iraq on a vaccination project. She visited Poland and France. The idea of defecting never entered her mind. It is the KGB that wants my wife to abandon me: It would provide the best demonstration that their slander had been true. But they were hardly hoping for that. They are "psychologists." They carefully hid the May 21 [*Izvestia*] article from me. They did not want to strengthen my resolve to win my goal before seeing my wife. I wanted to protect her from responsibility for my hunger strike.

For four months—from May 7 to September 8—my wife and I were separated from each other and completely isolated from the outside world. My wife alone in our apartment. Her "guards" were increased. Apart from the usual policeman at the entrance to our apartment, observation posts operated around the clock, and van with KGB agents on duty was parked beneath our terrace. Outside the house she was followed by two cars of KGB agents who prevented the most innocent contact with anyone. She was not allowed into the regional hospital when I was confined there.

On May 7, while accompanying my wife to the prosecutor's office for her next bout of questioning, I was seized by KGB men disguised in doctor's white coats. They took me by force to Gorky Regional Hospital, kept me there by force and tormented me for four months. My attempts to flee the hospital were always blocked by KGB men, who were on duty round-the-clock to bar all means of escape.

AN "EXCRUCIATING PROCESS"

From May 11 to May 27 I was subjected to the excruciating and degrading process of force-feeding. The doctors hypocritically called it "saving my life," but in fact they were acting under orders from the KGB to create conditions in which my demand for my wife to be allowed to travel would not have to be fulfilled. They kept changing the method of force-feeding. They wanted to maximize my distress in order to make me give up the hunger strike.

From May 11 to May 15 intravenous feeding was tried. Orderlies would throw me onto the bed, tie my hands and feet and then hold my shoulders down while the needle was inserted into a vein. On May 11, the first day this was attempted one of the hospital aides sat on my legs while some substance was injected with a small syringe. I passed out and involuntarily urinated. When I came to, the orderlies had left my bedside. Their bodies seemed strangely distorted as on a television screen affected by strong interference. I found out later that this sort of optical illusion is symptomatic of a spasm in a cerebral hemorrhage or stroke.

I have retained drafts of the letters I wrote to my wife from the hospital. (Hardly any of the letters, apart from those that were quite empty of information, were actually delivered to my wife. The same is true with respect to the notes and books she sent me.)

In my first letter written (May 20) after force-feeding began and in another draft written at that time, my writing wavers and is remarkably deformed. Letters are repeated two or three times in many words (mainly vowels, as in "haaand"). This is another typical symptom of a cerebral spasm or stroke and can be used as objective, documentary evidence in attempting a diagnosis. The repetition of letters does not occur in later drafts, but the symptoms of trembling persist. My letter of May 10 (the ninth day of my hunger strike but prior to force-feeding) is entirely normal. My recollections from the period of force-feeding are confused, in contrast to my memory of events from May 2 to May 10. My letter dated May 20 states: "I can barely walk. I am trying to learn." The spasm or stroke I suffered on May 11 was not an accident; it was a direct result of the medical measures taken in my case on orders from the KGB.

From May 16 to May 24 a new means of force-feeding was employed: A tube was inserted through my nose. This was discontinued on May 25 supposedly because sores were developing along the nasal passages and esophagus. I believe it was stopped because this method is bearable, if painful. In labor camps it is used for months—even years—at a time.

"MY JAWS WERE PRIED OPEN"

From May 25 to May 27 the most excruciating, degrading and barbarous method was used. I was again pushed down onto the bed without a pillow, and my hands and feet were tied. A tight clamp was placed on my nose so that I could breathe only through my mouth. Whenever I opened my mouth to take a breath, a spoonful of nutriment or a broth containing strained meat would be poured into my mouth. Sometimes my jaws were pried open by a lever. They would hold my mouth shut until I swallowed so that I could not spit out the food. When I managed to do so, it only prolonged the agony. I experienced a continuing feeling of suffocation, aggravated by the position of my body and head. I had to gasp for breath. I could feel the veins bulging on my forehead. They seemed on the verge of bursting.

On May 27 I asked that the clamp be removed. I promised to swallow voluntarily. Unfortunately this meant that my hunger strike was over, although I did not realize it at the time. I intended to resume my hunger strike some time later—in July or August—but kept postponing it. It was psychologically difficult to condemn myself to another indefinite period of torture by suffocation. It is easier to continue the struggle than to resume it.

Much of my strength that summer was dissipated in tedious and futile "discussions" with other patients in the semiprivate room where I was never left alone. This, too, was part of the KGB's elaborate tactics. Different patients occupied the other bed, but each of them tried to convince me what a navie fool I am—a political ignoramus—although they flattered my scientific ability.

I suffered terrible insomnia from the overstimulation of these conversations, from my realization of our tragic situation, from self-reproach for my mistakes and weakness and from anxiety for my seriously ill wife, who was alone and, by ordinary standards, bedridden or almost bedridden much of the time. In June and July, after the spasm or stroke, I experienced severe headaches.

I could not bring myself to resume the hunger strike, partly from fear that I would be unable to bring it to a victorious conclusion and would only delay seeing my wife again. I never would have believed that our separation would last four months, in any case.

In June I noticed that my hands were trembling severely. A neurologist told me that it was Parkinson's disease. The doctors tried to convince me that if I resumed my hunger strike there would be a rapid and catastrophic development of Parkinson's disease. A doctor gave me a book containing a clinical description of the disease's final stages. This, too, was a method of exerting psychological pressure on me. The head doctor, O.A. Obukhov, explained: "We won't allow you to die. I'll get the women's team out again to feed you with the clamp. We've got another method up our sleeve as well. However, you will become a helpless invalid." Another doctor added by way of explanation. "You'll be incapable of putting on your own trousers." Obukhov intimated that this would suit the KGB, since it would escape all blame: Parkinson's disease cannot be artificially induced.

What happened to me in a Gorky hospital in the summer of 1984 is strikingly reminiscent of Orwell's famous antiUtopian novel, even down to the remarkable coincidence of the book's title—1984. In the novel and in real life the torturers sought to make a man betray the woman he loves. The part played by the threat of the cage full of rats in Orwell's book was played for me in real life by Parkinson's disease.

"HER DEATH WOULD BE MINE AS WELL"

I was able to bring myself to resume the hunger strike only on September 7. On September 8 I was hastily discharged from the hospital. I was faced with a difficult choice: End the hunger strike in order to see my wife after a four-month separation or continue for as long as my strength held out, thereby indefinitely prolonging our separation and our complete ignorance of each other's fate. I could not continue.

Now, however, I am tormented by the thought that I may have lost a chance to save my wife. It was only after our reunion that I first learned about her trial and she learned about my painful force-feeding.

I am very concerned about my wife's health. I believe that a timely trip abroad is the only chance of saving her life. Her death would be mine as well.

I hope for your help, for your appeal to the highest levels seeking permission for my wife's trip. I am asking for help from the presidium of the U.S.S.R. Academy of Sciences and from you personally, as president of the academy and as a man who has known me for many years.

Since my wife has been sentenced to exile, her trip will probably require a decree of the Supreme Soviet's Presidium suspending her sentence for the period of her travel. (Precedents for this exist both in Poland and, quite recently, in the U.S.S.R.) The Supreme Soviet's Presidium or another body could repeal her sentence altogether on the grounds that my wife is a disabled veteran of World War II, that she recently suffered a massive myocardial infarct, that she has no prior convictions and that she has an irreproachable work record of 32 years. Those arguments should suffice for the Presidium of the Supreme Soviet. I will add, for your information, that my wife was unjustly and illegally convicted even from a purely formal point of view. In reality she was convicted for being my wife and to prevent her from traveling abroad.

I repeat my assurance that her trip has no purpose other than to seek medical treatment and to visit her mother, children and grandchildren; it is not intended to effect any change in my situation. My wife can supply the appropriate pledges herself. She may also pledge not to disclose the details of my confinement in the hospital if that is made a condition for her departure.

"MY SITUATION IS UNBEARABLE"

I am the only academician in the history of the Academy of Sciences of the U.S.S.R. and Russia whose wife has been convicted as a criminal, subjected to a malicious, vile campaign of public slander and deprived of all communication with her mother, children and grandchildren. I am the only academician whose responsibility for his actions and opinions has been shifted onto his wife. That is my situation, and it is unbearable for me. I hope you will help.

If you and the academy's presidium do not find it possible to support me in this tragic matter, which is so vital for me, or if your intervention and other efforts do not lead to resolution of the problem before March 1,

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1985, *I ask that this letter be regarded as my resignation from the U.S.S.R. Academy of Sciences.* I will renounce my title of full member of the academy—a proud title for me in other circumstances. I will renounce all my rights and privileges connected with that title, including my salary as an academician—a significant step since I have no savings.

If my wife is not allowed to travel abroad, I cannot remain a member of the Academy of Sciences. I will not and should not participate in a great international deceit in which my academy membership would play a part.

I repeat: I am counting on your help.

Respectfully,

A. SAKHAROV.

P.S. If this letter is intercepted by the KGB, *I will still resign from the academy* and the KGB will be responsible. I should mention that I sent you four telegrams and a letter during my hunger strike. [He did not resign.]

P.P.S. This letter is written by hand since my typewriter (together with books, diaries, manuscripts, cameras, a tape recorder and a radio) was seized during a search.

P.P.P.S. I ask you to confirm receipt of this letter.

FROM HERO TO OUTCAST—MILESTONES ALONG THE WAY

(Andrei Dmitrievich Sakharov, born in 1921 the son of a physics teacher, became a star of the Soviet scientific elite before emerging as a dissident. Exempted from military duty, he graduated with honors in physics from Moscow University in 1942 and received a doctorate in 1947. Key dates tell the rest).

1948: Joins crash program to build thermonuclear bomb.

1953: With his research supplying the key, the Soviet Union detonates its first hydrogen bomb. Three months later, at 32, he becomes the youngest full member ever of the Soviet Academy of Sciences.

1956: Receives second award as Hero of Socialist Labor. Adds second Order of Lenin to earlier Stalin Prize.

1957: Warns in scientific journal that atmospheric testing of nuclear weapons could cause genetic harm.

1958: Criticizes Premier Khrushchev's plan to send students to factories and farms.

1961: Urges Khrushchev to halt nuclear tests. Such decisions, Khrushchev replies, should not concern scientists. "After that," Sakharov later said, "I was a different man."

1965: Shifts research from nuclear physics to theories concerning structure of the universe.

1966: Signs letter with other intellectuals warning against a revival of Stalinsm.

1967: Decries the industrial pollution of Siberia's Lake Baikal.

1968: Becomes world famous with U.S. publication of 10,000-word "manifesto," *Progress Coexistence, and Intellectual Freedom,* calling for Moscow to join the West in a campaign against pollution, starvation and war. Kremlin terminates his security clearance.

1970: Organizes Moscow Committee on Human Rights. Calls for democratic rule. Meets Yelena Bonner, pediatrician from Leningrad and fellow dissident.

1971: Marries Bonner.

1973: Steps up criticisim of Soviet oppression despite warning from authorities. Fellow academy members denounce him as "tool of enemy propaganda."

1975: Becomes the Soviets' first winner of the Nobel Peace Prize. Kremlin denies him a visa to travel to Oslo. Bonner accepts the award for him, and at the presentation ceremonies reads his appeal for an open Soviet society.

1980: Sakharov condemns the Soviet Union's invasion of Afghanistan, backs boycott of Moscow's Olympics. KGB agents seize him on Moscow street. Without a trial he is exiled to Gorky.

1981: Joins Bonner in 16-day hunger strike. They win visa for her son's wife to join husband in U.S.

1982: Sakharov is denied treatment for heart ailment at special center for academy members.

1984: Sakharov starts second hunger strike, demanding that Bonner be allowed to receive medical treatment abroad. Five days later Sakharov is removed to hospital, where he suffers a possible stroke while being force-fed.

1985: Leaves hospital, returns to apartment.

1986: Mikhail Gorbachev says that Sakharov knows military secrets and must remain in Soviet Union.

YELENA BONNER—BOLSHEVIKS' DAUGHTER

Key events in her life:

1923: Born in Moscow. Her father, Gevorg Alikhanov, was a Bolshevik in 1917 Revolution and later a Communist Party leader. Her mother, Ruf Bonner, also was a Communist.

1937: Parents are arrested in Stalin's purge—father as a traitor, mother as the wife of a traitor. Her father is executed. Yelena moves to Leningrad to live with her grandmother.

1938: Works as janitor and clerk, joins Komsomol—the Young Communist League.

1940: Studies Russian literature in night school.

1941: Joins Red Army as nurse, suffers concussion on battlefront, leading to loss of vision in one eye and progressive blindness in other

1945: Ends war as lieutenant on hospital train.

1947: Begins classes at medical school in Leningrad.

1949: Marries medical student Ivan Semenov.

1950: Her first child, Tatiana, is born.

1954: Completes medical school, begins career as pediatrician, lecturer, medical writer.

1956: Her son, Alexei, is born.

1964: Joins Communist Party.

1965: Marriage breaks up.

1970: Meets Sakharov, a widower, at vigil outside a dissident's trial.

1971: Marries Sakharov.

1972: Quits Communist Party.

1975: Helps set up group to monitor Soviet compliance with Helsinki human-rights accord. Her trip to Oslo to accept her husband's Nobel Peace Prize is also first of several trips to the West to receive medical treatment.

1980: With Sakharov exiled, she travels between Gorky and Moscow relaying his appeals and maintaining their ties with friends and Western journalists. Soviet media accuse her of turning her husband into a traitor.

1983: Suffers first of several heart attacks. Press attacks continue, including charges that she seduced Sakharov for his money.

1984: Is arrested for slandering Soviet state and deprived of traveling privileges.

1985: Gets permission to go abroad for treatment, joins daughter's family near Boston on December 8.

1986: Undergoes heart-bypass surgery on January 13.

DR. KGB'S BEDSIDE MANNER

Andrei Sakharov's harrowing account of a doctor's threatening to turn him into an invalid is a vivid example of the KGB at work.

The Soviets long have used doctors, particularly psychiatrists, to bring dissidents to heel. Amnesty International reports that from 1975 to 1983 almost 200 persons were confined to Soviet psychiatric hospitals for political reasons. When other means of persuasion fail, the KGB often turns to potent—and frequently damaging—drugs.

Kevin Close, former Moscow correspondent of the Washington Post, interviewed a dissident coal miner. Alexei Nikitin, who spent four years locked in the Special Hospital for the Criminally Insane. A series of drugs were used to make him more tractable. Among them were sulfizine—a purified sulphur that brings fever, excruciating pain, convulsions and disorientation—and the drugs chlorpromazine and haloperidol, which disrupt normal body movement. Nikitin's crime was defending workers' rights.

The KGB makes special use of doctors in its ranks, according to Walter Reich of the Woodrow Wilson Center for Scholars. "They represent a select population," he says. "They are trusted and have no qualms about carrying out KGB orders, particularly if they are not asked to kill a man, but to keep him alive." Instead of the Hippocratic oath, which focuses on individual needs. Soviet doctors swear to be "guided by the principle of Communist morality."

TORTURE BY CLAMP AND SPOON

When a hunger strike risks a prisoner's life—whether in the Soviet Union or the West—the next step is often force-feeding. However, a procedure used to save life can also be employed to torture.

In Sakharov's case, the Soviets employed the most punishing of methods, leading critics to suspect that the purpose was torture.

After using an intravenous fluid, they switched to injecting nutrients through a nasal tube—both of which he could tolerate—then resorted to the extreme of clamping Sakharov's nose while food was shoved down his throat.

This method, which induces intermittent suffocation, rarely fails to break the will of a prisoner. However, such treatment can also be fatal, as was the case with Soviet dissident chemist Juri Kukk, who died in 1981.

Because the legality and ethics of force-feeding patients are controversial, some governments no longer permit it to be employed when prisoners are at issue.

Britain, which banned the practice in 1974, permitted Bobby Sands and nine other Irish Republican Army hunger strikers to perish in 1981. British authorities, who once fed hunger strikers by a tube to the stomach, halted it in the face of public protest over the force-feeding of two IRA sisters.

In the United States, where intravenous feeding prolongs life in hospitals and prisons, the courts have generally upheld it.

"THE WORLD MUST BE TOLD"

Q. Mr. Yankelevich, why are you releasing these letters now, when Mrs. Bonner is outside the Soviet Union and could be denied re-entry?

This is entirely my decision. I feel the world must be told what the situation is—what has happened to the Sakharovs, and what might happen to them in the future. We've always released everything, whether good or bad.

Q. Might any harm come to Mrs. Bonner or to Sakharov as a result of these letters being published?

No. To the contrary, I think the letters make it clear what the situation is for Dr. Sakharov in Gorky, which provides an incentive for the Soviets, and especially [Soviet leader Mikhail] Gorbachev, to change the situation for the better.

Q. Does Mrs. Bonner approve of your releasing this information, and is there a danger that the Soviets won't let her come home?

We told her we were going to do it. The only way to keep her from coming back would be to take away her Soviet citizenship. I don't believe—and she doesn't believe—that the Soviets would go as far as to separate husband and wife.

Q. Gorbachev said recently that Sakharov could not leave the Soviet Union because he knows military secrets. Does he?

My view is that 18-year-old secrets are not secret. Dr. Sakharov did write a statement for the KGB acknowledging the state's right not to let him go because he might know things considered military secrets. But this was signed under duress—it was made a condition for his wife to be allowed to go to the West for medical care.

Q. How is Sakharov's health now?

From what we've learned from Yelena Bonner, it seems he is recovered from the stroke or whatever he had in '84 and from a hunger strike in '85 with six months of force-feeding. His health is more or less satisfactory.

Q. Can the United States do anything to get Sakharov out of the Soviet Union?

The U.S. did find a price equivalent for Shcharansky. Why don't they find something to trade for Sakharov?

DOES SAKHAROV REALLY KNOW ANY SECRETS?

As Mikhail Gorbachev tells it, Andrei Sakharov cannot be permitted to leave the Soviet Union because he "has knowledge of secrets of special importance to the state." Does he? Or is what Gorbachev says a mere pretext to keep the dissident scientist in exile in Gorky?

The answer could be neither. One theory in the West is that Moscow is acting out of a national paranoia. Soviet society is obsessed with secrecy. Medical statistics are considered classified information. Telephone books are distributed only among a select few, even in Moscow, and local newspapers must not be transported from one district to another.

Soviet officials pulled Sakharov's security clearance in 1968. Since then, assert many American scientists, strides in nuclear physics and bomb design have dated his technical knowledge beyond usefulness. "It's hard to imagine any contemporary military relevance to Sakharov's knowledge of early bomb design," declares physicist John Holdren of the University of California, Berkeley, who meets regularly with Soviet scientists on prospects for arms control. "I doubt even the Soviets believe that."

Failing to convince most U.S. nuclear scientists that they could benefit from Sakharov's knowledge, the Kremlin has tried a new tack. In July Anatoly Petrovich Alexandrov, chairman of the Soviet Union Academy of Sciences—the man to whom Sakharov addressed the 1984 appeal printed here—told a visiting lawmaker that Sakharov's release would violate the 1970 Nuclear Nonproliferation Treaty signed by the U.S., U.S.S.R. and 122 other nations.

Alexandrov argued that if Sakharov were allowed to emigrate, he could relay to other countries or groups—even terrorists—his knowledge of nuclear-weapons design. In a cabled report of the meeting, one U.S. diplomat called the argument "ludicrous" and "bizarre." Stanford University physicist Wolfgang Panofsky said Sakharov's writings reveal a man deeply committed to keeping nuclear knowhow out of unsafe hands. "This has become a thoroughly political matter," scoffed Panofsky.

The Kremlin's unwillingness to release Sakharov seems to have deep emotional roots. "Sakharov was a prominent member of the elite and a hero of the Soviet nation, and he wants to leave," declares Mark Epstein, executive director of the Union of Councils for Soviet Jews. "The notion that that is a betrayal is very deep in their psyche. They will not let go."●

SOCIAL SECURITY AMENDMENT TO DEBT CEILING LEGISLATION

● Mr. D'AMATO. Mr. President, I rise today to encourage my colleagues to address a serious oversight of the Senate Finance Committee. This oversight affects payments to Social Security recipients throughout the country. It is my hope that the Senate will correct this serious flaw as the debt ceiling bill is debated on the floor.

During the Finance Committee markup of the debt ceiling bill, an amendment was submitted to prevent disinvestment of the Social Security trust funds. I fully support the intent of this amendment. However, I have serious reservations about the potential impact that this provision could have on Social Security recipients.

A total prevention of the disinvestment of Social Security trust funds could potentially result in a situation where recipients would not receive their monthly benefits. Although I strongly support protecting the trust funds, I do not believe that the senior citizens of this country, many of whom rely upon these payments to buy food and pay rent, should be subjected to a loss of a month's Social Security check.

Social Security payments represent a commitment made between an individual and the Federal Government. An individual contributes to the Social Security trust funds with the good faith that those contributions will be paid back during his or her retirement years. As a Senator from New York representing approximately 2.8 million Social Security recipients, I believe that I have an obligation to insure that these individuals receive their deserved benefits.

It is my understanding that members of the Finance Committee are addressing this issue right now. I encourage the committee to confirm its commitment to protecting the trust funds and to also take into account the commitment that this Nation has made to its Social Security recipients.●

NEWS DELAYED, JUSTICE DENIED

● Mr. SIMON. Mr. President, I read an editorial in the Bloomington Pantagraph, the other day, that triggered a response on my part. In more than 30 years of public life, I have seen too often where courts, legislative bodies, school boards, city councils, and public officials believe—and believe sincerely—that they are protecting the public by keeping information from the public. That rarely is the case.

The public generally can make the right decisions and the right determinations in a free society, if given access to the information.

The danger starts when that access gets sealed off.

The Bloomington Pantagraph refers to recent court decisions and urges judges not to interfere in the public's access to information.

But that editorial, which I ask to have printed in the RECORD, applies also to the Defense Department, Congress, and to everyone.

I urge my colleagues to read this editorial in the Bloomington Pantagraph. I believe they will find it instructive.

The article follows:

NEWS DELAYED, JUSTICE DENIED

Judges at a disturbing rate have been resorting to "gag" orders to restrict coverage of the judicial system. These orders are issued with little or no concern about constitutional requirements and the American traditions of open courts and a free press.

Worse yet, courts above them have failed to act speedily and decisively to end these unconstitutional restraints.

This has to stop.

The U.S. Supreme Court recognized in 1976 that "the element of time is not unimportant if press coverage is to fulfill its traditional function of bringing news to the public promptly."

Yet, when The Pantagraph fought a court gag order ultimately ruled unconstitutional, it took more than 1½ years from the time Circuit Judge Richard Baner issued the order until it was lifted.

The Illinois Supreme Court recently refused to hear an appeal of a series of orders issued by Circuit Judge Robert Nolan. The orders sealed records and barred attorneys from discussing outside of court the murder of a 10-year-old Naperville girl killed in 1983.

The gag orders were imposed after Brian Dugan, convicted in the kidnapping and slaying of a LaSalle County girl, said he killed Jeanine Nicarico. One man had already been convicted in the Nicarico case and another is awaiting trial.

The court's refusal to hear the gag order appeal sparked a sharp dissent from Justice Seymour Simon, who criticized other justices for their "willingness to make such short shrift of an important First Amendment standard."

He said gag orders "throw an unnecessary cloak of silence over matters of public im-

portance and thereby threaten core First Amendment values."

The latest battlefield is in New York, where the New York Daily News and Washington Post are fighting secret proceedings in the case against former Labor Secretary Raymond Donovan.

A gag order prohibited the two newspapers from reporting on their efforts to open the closed hearings.

The constitutional protections against secret court proceedings and restrictions on news coverage are rendered almost meaningless if judges are free to violate those guarantees without prompt reversal of their improper actions.

When judges become editors, news delayed is justice denied.●

NAUM AND INNA MEIMAN: EXAMPLE OF BRAVERY

● Mr. SIMON. Mr. President, Naum and Inna Meiman are an elderly, ailing couple who want desperately to leave the Soviet Union.

Inna is seriously ill with cancer and requires medical treatment Soviet technology cannot provide. Naum is 74 years old and he, too, is not in good health. The Meimans deserve to live out the rest of their lives together in peace and free of pain. They desire to emigrate to Israel. They have applied for exit visas several times, but the Soviets repeatedly refuse their requests.

The Meimans are one example of the tens of thousands of Jews who have been denied their passport to freedom. This denial by the Soviets is mockery of international law. The Meimans have been harassed, isolated, and persecuted. But they have demonstrated that they are among the bravest people in the world. They have indicated their desire to live as free Jews.

I urge the Soviet authorities to grant the Meimans the visas they honorably and legally requested.●

THE WORLD DEBT CRISIS

● Mr. BIDEN. Mr. President, 2 days ago, an important step was taken in efforts to alleviate the world debt crisis. A historic agreement between our friend and neighbor, the Republic of Mexico, and the International Monetary Fund provides the first crack in the huge wall of international debt that divides the world and threatens its economic health. We must pursue the opportunity that this breakthrough offers.

Under the agreement, Mexico will seek to increase its real growth to about 4 percent. It will seek to reduce its domestic budget deficit; reduce barriers to foreign trade; encourage foreign investment and lessen capital flight; and decrease the number of state industries and reduce commodity subsidies.

In return, the IMF, recognizing that Mexico cannot fully offset the negative effects upon its economy of the dramatic drop in oil prices, will agree to loans of $1.6 billion, paving the way for others to provide about $10.5 billion additional capital over the next year and a half. Should oil prices fall further, or growth be less than anticipated, more assistance can be made available.

The key to this agreement is its relative flexibility. It shows a willingness to give Mexico the room to improve its economic performance, and to assist it even further if necessary. Flexibility is a welcome new development in dealing with the debt situation and I congratulate the IMF for taking this approach. In my opinion, it is the only approach that can avoid stalemate. It is still too soon, of course, to pass final judgment, since the loan package is not final, but I hope that commercial lenders will be impressed with the agreement and will demonstrate a similar flexibility.

Innovation and flexibility must continue to be the watchwords as further answers to the world debt problem are developed. In particular, we ought to consider proposals made recently by Senator BILL BRADLEY. He states—very persuasively, in my opinion—that a new approach to world debt problems is needed to prevent piling more debt on debt, to avoid borrowing only to pay for earlier debt.

I may not agree with all of Senator BRADLEY's proposals. I do agree, however, that continuing the existing practice of simply refinancing existing debt can only compound the problem. He has recognized this and proposed solutions. I hope that his proposals will stimulate greater discussion of this issue and lead to positive action to relieve the debt burden on the world economy.

Senator BRADLEY's proposals have received much favorable comment. Among the more interesting of these is an article by Jeane Kirkpatrick published in the Washington Post on July 21. In it, Ambassador Kirkpatrick gets to the heart of his proposal, commenting:

> Bradley's approach reminds us that the United States has a permanent public interest in the democratic development and peace of the region, which is not identical to the private interests of any particular Americans, including bankers.

The world debt problem does not seem dramatic compared to some issues facing the United States today. However, its long term implications for global prosperity matches any other issue, and surpasses most. We must do better than move from crisis to crisis. We must enter into a partnership with the developing nations that will help them foster long term economic growth in ways best suited to their own needs. The signing of the agreement with the Republic of Mexico is a welcome development. Much more remains to be done.

I ask that the article by Jeane Kirkpatrick entitled "Consider the Bradley Plan" be printed in the RECORD.

The article follows:

CONSIDER THE BRADLEY PLAN

(By Jeane Kirkpatrick)

Not many of us are interested—really—in Third World debt. We're not even very interested in our own national debt unless someone demonstrates graphically how it affects our lives—personally, concretely. That's why deficits have so little impact on our elections. Even when we know Third World debt has reached more than $800 billion, half of which is owed by countries in this hemisphere, we don't much care. It all seems remote, abstract, dull.

Now Bill Bradley, a smart and courageous Democratic senator from New Jersey, is trying to explain why that debt—especially the Latin American debt—is more important to us than we think it is. He also has a proposal that merits the serious consideration of Congress and the White House.

"Debt is usually viewed as a bank problem," Bradley observed recently. "In fact it is a political and national problem." Bradley has been engaged this month in a major effort to raise public consciousness concerning the connection between debt, trade, jobs and democracy. He has sought to explain what the Latin American debt problem means to the United States, how a failure to find solutions would affect Latin America and the United States; and what the United States might do to help protect Latin countries and itself from some of the least desirable consequences of the approximately $400 billion in outstanding Latin debts.

"The debt situation in Latin America has already cost [the United States] about 1 million jobs," Bradley points out, 400,000 of which were lost as a consequence of diminishing markets for our agricultural products. Latin American debt, Bradley insists, has already imposed heavy burdens on U.S. farmers, contributed importantly to our trade deficit, slowed economic growth in most Latin countries and put heavy strains on the new Latin democracies. Various approaches tried thus far, Bradley notes, "haven't solved the problem."

In fact, things have been getting worse, not better.

To understand the complexity of the problem, one must look at some of the "solutions" that have been offered—solutions that have created more problems than they have solved.

Fidel Castro's solution has been default. He has notified creditors that Cuba will not be meeting its interest payment this quarter. Peruvian President Alan Garcia's solution has been barter. He has offered a lot of Peruvian products in partial payment of his nation's debts. The International Monetary Fund's solution, approved by a strong bipartisan majority of the U.S. Congress, called on Latin countries to slash imports and expand exports in exchange for more time to repay their loans and for new credits to keep their economies running. This program permitted Latin debtor nations to keep up their heavy interest payments to the banks. But it has also created big problems for American farmers, who saw their Latin American markets decline by 35 percent and who have faced stiffer competition from subsidized Latin American food products in other world markets.

Meanwhile, the conditions of debtor nations steadily worsened. For example, Mexi-

can debt rose from $85 billion to $98 billion in just two years.

To break out of the deepening crisis and stimulate economic growth in debtor nations, Treasury Secretary James A. Baker last October proposed a new program. To stimulate growth, the so-called Baker Plan calls for increased lending over a three-year period by private banks (some $20 billion) and by multilateral development banks (some $9 billion). To make growth self-sustaining, the plan makes credit conditional on adoption of structural reforms and free-market strategies, including deregulation, privatization and opening the country to foreign investment.

The Baker Plan, however, provides no debt relief and proposes no protection for debtors. It invites countries already drowning in debt to borrow more. From the point of view of Latin governments, it provides too little time and too little credit to address their needs, and too much conditionality to be acceptable to proud people. A counterproposal, the so-called Cartagena Consensus offered by 11 Latin nations, was not acceptable to the U.S. administration.

By now the Baker Plan has enjoyed so little success that, according to Washington gossip, Baker is quietly seeking to get his name dropped from the proposal.

Now comes the Bradley Plan, which starts from some different assumptions and reaches some substantially different conclusions. Bradley believes that more than a debt program is required. A partnership is needed to help Latin nations fight poverty and increase their standards of living. A program is needed to take the strain off the new Latin democracies and give them a chance to grow firm roots, not to be destablized by inherited debt and demagogic opposition groups.

Bradley believes a program must be as bold as the problem is serious. He therefore proposed cutting interest rates on all commercial and official bilateral debts of 15 Latin debtors by 3 percentage points for a three-year period, and forgiving 3 percent of the loan principal a year for the same three-year period. This would provide $42 billion in debt relief from commercial banks and $15 billion in debt relief from bilateral loans by governments. The Bradley Plan provides no strict conditionality, but rather asks Latin countries to devise their own programs for liberalizing trade and promoting growth through proven strategies.

Bradley is too realistic to promise success. But his plan tries to take into account the seriousness of the problem, its importance to the United States and the risks to the international financial system posed by current conditions. Bradley's approach reminds us that the United States has a permanent public interest in the democratic development and peace of the region, which is not identical to the private interests of any particular Americans, including bankers.

Above all, Bradley asks us to understand that the stakes are very high for the Latins and for us. One hopes the administration and the Congress will give his proposal the careful consideration it clearly deserves.●

S. 2129, RISK RETENTION AMENDMENTS

● Mr. DURENBERGER. Mr. President, I would like to add my voice to the swell of support this body is showing for finding meaningful ways to solve the growing liability insurance crisis that is now imperiling the practice of so many professional groups, businesses, and others. I commend my colleague from Wisconsin, Senator KASTEN, for his leadership in focusing our attention here on the importance of amending the 1981 Product Liability Risk Retention Act to make it easier for those facing a liability insurance crisis to form collective purchasing groups and self-insurance groups for general liability coverage.

As chairman of the Senate Finance Health Subcommittee, I am particularly enthusiastic about this legislation because of the promise it holds for nurse midwives to obtain malpractice insurance coverage they so desperately need.

As you know, Mr. President, over a year ago, nurse midwives were abruptly informed by their essentially sole insurer that they would no longer be covered for malpractice. And ever since then their professional livelihoods have been hanging by a thread. This situation has been unbearable for both them and their patients who have put their trust and faith in these practitioners.

Nurse midwives provide high quality services for thousands of pregnant women in this country. Their practice is based on caring for the whole patient, which means not only monitoring the progress of the pregnancy and observing for complicating conditions, but also offering education about nutrition, exercise, and other healthy behaviors critical to having a successful birth outcome.

Only 6 percent have ever had a lawsuit brought against nurse midwives, which I might add is much less than obstetricians. Even though nurse midwives do not care for high-risk pregnancies that would more likely result in lawsuits than uncomplicated pregnancies, I'm sure we all would agree that such a record does not merit the treatment nurse midwives have received by insurers across this country.

As chairman of the Senate Finance Health Subcommittee, I have long promoted consumer choice as a vital component of reforming our country's health care system that over the past few decades became expensive and sluggish. The opportunity to choose which health care practitioner an individual prefers is important in making the health care system more responsive to the needs and desires of individuals buying that care.

Nurse midwives provide an important health care service, and their role is well-established among health care providers. We must do what we can to ensure their participation in the health care marketplace, and this legislation is one important step in that regard. I commend the Senator from Wisconsin for his leadership in focusing this body on the need for this legislation. I look forward to seeing it also receive quick approval by the House and endorsement by the President.●

ORDER FOR RECESS UNTIL 9:30 A.M. TOMORROW

Mr. DOLE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 9:30 a.m. on Friday, July 25.

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

ORDERS FOR FRIDAY

RECOGNITION OF SENATORS PROXMIRE AND KASTEN

Mr. DOLE. Mr. President, I ask unanimous consent that following the recognition of the two leaders under the standing order there be special orders in favor of Senators PROXMIRE and KASTEN for not to exceed 5 minutes each.

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

PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. DOLE. Mr. President, following those special orders just identified, I ask unanimous consent that there be a period for the transaction of routine morning business not to extend beyond the hour of 10 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. At the conclusion of routine morning business, the Senate will resume consideration of House Joint Resolution 688, the debt limit extension measure, or items on the Legislative or Executive Calendar.

This could change the program a bit for tomorrow morning. I shall be in contact with the principals involved with the other amendment. It may be that we can debate the amendment of the Senator from Nebraska. It may be that others will want to amend it. But hopefully—that might replace what we might plan to do on the Executive Calendar, but I shall advise everyone as quickly as I can tomorrow morning.

Mr. BYRD. Mr. President, if the distinguished majority leader will yield, I have just listened to what he said and at the close of his remarks, he indicated that he might not proceed to the Executive Calendar tomorrow. That was the rollcall vote which he had indicated earlier the Senate would probably have. Although the motion to recommit with instructions is open to amendments in two degrees, and I assume there would be some amendments around to fill those two spots, does the majority leader still feel that

he will make the motion to move us into executive session tomorrow morning? I assume that if there are amendments offered to the motion to recommit with instructions, they will probably be offered fairly early on. Whether or not there will be votes thereon, I have my doubts at this point. However, the distinguished majority leader may see it otherwise.

If, however, that should be the case, is it the intention of the majority leader that he will have that one rollcall vote in executive session tomorrow?

Mr. DOLE. That is the intention of the majority leader.

Mr. BYRD. I thank the majority leader.

Mr. President, before the majority leader goes out this evening, I would like to make a few comments as in morning business, if I may, at his convenience.

ROUTINE MORNING BUSINESS

Mr. DOLE. I ask unanimous consent that there now be a period for the transaction of routine morning business not to extend beyond the hour of 6:45 p.m.

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

Mr. BYRD. Mr. President, I ask unanimous consent that I may speak in morning business for not to exceed 5 minutes.

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

FARM AND ENERGY CRISES

Mr. BYRD. Mr. President, I wish to call the attention of my colleagues to an excellent article that the senior Senator from Oklahoma wrote for the July 11, 1986, issue of the Washington Post.

Senator BOREN succinctly details the economic and personal tragedies plaguing our Southwestern States. Hit hard by both farm and energy crises, these States are, he points out, "Suffering through an economic downturn that rivals that of the 1930's." In Oklahoma, State revenues have fallen drastically, banks are collapsing, and personal bankruptcies are soaring at a devastating rate—a 52-percent increase since 1981.

The article also reminds us that it is not only foolish, but outright dangerous for this Nation to allow itself again to become so dependent upon foreign energy. Twice during the 1970's, Americans learned that dependency upon foreign energy poses grave threats, not only to our economic security, but to the safety and security of the United States. National security has little meaning without energy security.

Domestic sources of energy must be developed and preserved—they must be protected from unfair and ruinous competition.

I commend Senator BOREN for his thoughtful article and I urge my colleagues to read it.

Mr. President, I ask that Senator BOREN's article from the Washington Post be reprinted in the RECORD at this point.

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

OILMEN GET NO RESPECT—BUT THEY'RE SUFFERING

(By David L. Boren)

Oil is not a four-letter word. It is a commodity vital to our national security, and consumers and producers alike will suffer if we continue to base our oil and gas policy on prejudices fueled by TV melodramas.

All across the handful of southwestern states where energy is produced, people are suffering through an economic downturn that rivals that of the '30s. Many of these states are experiencing a farm depression at the same time.

In Oklahoma, for instance, state revenue collections have fallen by 40 percent, forcing tax rates to skyrocket. Twenty-one Oklahoma banks have failed in the past two years, and the personal bankruptcy rate has increased by 52 percent since 1981. It is not at all unusual for communities in oil-producing areas to lose 10 percent of their population in a year.

If these were the effects of a downturn in the steel, textile or shoe industries, a great wave of sympathy would spread across the more prosperous parts of the country. But mention the fact that those who are suffering are in the oil business, and compassion is transformed into a feeling that approaches smug satisfaction.

The Saudis and others openly admit to manipulating oil prices, throwing thousands of American oil workers out of jobs. Yet Congress bitterly debates providing the same unemployment benefits to oil workers that it provides for all others who have lost their jobs through international trade developments.

Oil workers perform very hazardous jobs but are not paid significantly more than others workers. They have house payments to make, medical bills to pay and children to educate just like other Americans, but for some reason oil workers are considered less virtuous and less deserving.

Sometimes, to cool my own anger at this unfair double standard, I have to remind myself that much of America has had a very different experience with the oil business than I have had in my hometown in Oklahoma.

The media portrays oilmen as clones of J.R. Ewing, who rule far-flung empires from the television sets of "Dynasty" and "Dallas" to chisel the rest of us.

In contrast, in my home town, the biggest operators had three or four drilling rigs. They constantly had their ups and downs, but when they had money in their pockets, most were usually generous to the community, its students and its needy. The few scoundrels among them didn't last long in a town where many agreements were sealed with a handshake.

But understanding the differences in perception doesn't ease the frustration for oil-state senators when our credibility on energy issues is also questioned because of our proximity to the industry. On most issues, experience with a particular sector of the economy increases credibility, but not when it comes to oil.

Our warnings that national security is endangered by the current energy crisis, for instance, have been largely ignored. Last week, the number of rigs exploring for oil and gas in the United States fell to 686, the lowest number ever recorded since the records were started in 1940.

Just four years ago, more than 4,000 rigs were in operation. Now, 86 percent of all American rigs are idle, their workers unemployed, and the supply and service industry is devastated. The longer the rig count stays down, more and more segments of the domestic industry will be permanently dismantled.

It is clearly not in the best interest of American consumers to shut down domestic production and leave themselves totally at the mercy of foreign producers. The last time that we became overly dependent on foreign sources—in the 1970s—oil prices made their fastest climb in history.

Why aren't those who are concerned about long-term consumer interests rushing to do something? Why aren't the guardians of national security springing into action with an emergency plan?

Meanwhile, we are also in danger of losing hundreds of thousands of barrels of daily production from the premature abandonment of existing wells.

Eighteen months ago, America's 450,000 stripper wells, wells that produce fewer than 10 barrels of oil per day, delivered more than one million barrels of crude daily. But today, the price of oil is considerably below the cost of production, including taxes and oil royalty payments, for most stripper wells.

When the price of oil is $15 per barrel, almost 22 percent of the wells will be prematurely plugged. At $10, over 40 percent become unprofitable, representing 2.6 billion barrels of proven reserves. These potentially wasted reserves would supply total U.S. energy needs for five months.

A plugged stripper well cannot be reopened. The finding costs and environmental costs of these wells to the nation have already been paid, and yet we have begun to throw away this precious resource. Where are the conservationists to shout a warning about this senseless waste?

Instead, the ailing oil industry gets pistol-whipped during the debate on the tax reform bill. There was even an effort to change the tax code so that full partners in drilling an oil well with an independent producer—partners who risk far more than their original investment and must accept liability for safety and environmental hazards—couldn't fully deduct their losses from even a dry hole.

This change would destroy small independent producers. Unlike the large international oil companies, independents must attract outside capital to operate—capital that would disappear without the deduction allowance, because of the high risk involved in drilling. With the independents gone, a few major companies will have the field to themselves.

Where are the journalists, writing that the debate on the oil tax amendment is really a debate about the structure of the industry? Where are the consumer groups, complaining about the destruction of competition in the industry?

It is clearly time to put aside our Hollywood-generated prejudices and build an energy policy based upon the facts.

A RETURN TO SOCIAL POLICY

Mr. BYRD, Mr. President, the senior Senator from New York, Mr. MOYNIHAN, recently delivered an important, thought-provoking commentary on social policy to the Democratic Leadership Council. In his address, Senator MOYNIHAN urged the formulation, and acceptance, of new social policies to meet this Nation's current social problems.

American social policies of the early 20th century, Senator MOYNIHAN pointed out, were adaptations of those already in existence in Europe. But, as he proceeds to note:

> The issues of social policy the United States faces today have no European counterpart nor any European model of a viable solution. They are American problems, and we Americans are going to have to think them through by ourselves.

These social problems include what the distinguished senior Senator from New York labels the "misery and madness in the modern city".

The self-reliance promoted by this administration is good, but it will not solve America's massive social ills, nor will they cure themselves. Therefore, Senator MOYNIHAN explained, social policies are needed, but the task of formulating them will be exceedingly difficult because this administration's fiscal policies have severely limited the moneys to develop the necessary programs.

A major step in formulating these social policies, he cogently argued, will be to shed the "belief bordering on prejudice that the social ills of the present are the consequence of misguided Democratic social policies of the past two generations."

Mr. President, this thoughtful commentary is what I have come to expect from this scholar and Senator who has served the public with distinction in the past, and who continues that tradition for the people of New York and the rest of the United States in this Chamber.

This is a valuable essay, not only for members and leaders of the Democratic Party, but for all Americans.

Mr. President, I ask that Senator MOYNIHAN's essay be reprinted in the RECORD at this point.

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

A RETURN TO SOCIAL POLICY

(Daniel Patrick Moynihan)

Governor Robb has asked me to present, and I quote from his letter, "the historical perspective on social policy" and to do so in fourteen minutes.

Which was good advice, given our attention span on such matters. But this occasion is even so different from so many others of recent years. After almost two decades we see in our panels a return of social scientists to our counsels, which may indeed herald a return to social policy.

Which can only be a good thing for Democrats. At this moment, we are in perhaps the worst shape nationally then we've been since the immediate aftermath of the Civil War.

The parallel is not perfect. The Copperhead Democrats of the Civil War never repented. The veterans and inheritors of the New Deal and the Great Society do little else.

There is a singular aspect of our recent malaise (!) with respect to social policy. We don't deserve it, but we think we do.

It has become a belief bordering on prejudice that the social ills of the present are the consequence of misguided Democratic social policies of the past two generations. None hold to this belief more guiltily, if furtively, than Democrats themselves, or at least some Democrats. Consider the issue of welfare dependency. There is scarcely a Democratic forum in the nation in which it is not proclaimed as a matter of revealed truth that the social welfare policies of the New Deal and the Great Society are the root causes of this cluster of problems.

The origins of this view are many. I think, for example, of Edward C. Banfield's "The Unheavenly City," a reasoned exposition of the limits of certain types of government intervention, elements of which appeared toward the end of the 1960's. Much mutated, the message is now proclaimed by that peculiar genus which has been described as "Flower Child Turned Social Darwinist". One of the many unanticipated consequences of that "slum of a decade" to use Dick Hofstadter's term.[1]

The evidence, in the main, is otherwise. Ellwood and Summers put it succinctly in the current issue of "The Public Interest": * * * given the resources devoted to fighting poverty, the policies have done as well as we could have hoped."[2]

But evidence has little influence in the early stages of debating new propositions, and that is where we are just now, as I will come to shortly.

First let us go briefly through that history of social policy.

Political scientists, following T.H. Marshall, divide aspects of citizenship into three clusters of rights and corresponding obligations: Civil, Political, and Social. In Western societies these have been enhanced in a recognizable progression. To oversimplify, but to explain: first the right to a trial by jury; then the right to vote; next the right to, well, schooling. And, informally for a century and a half or so, and by statute for half a century, the right to a subsistence living.

Up until just about now the United States has based most of its policies in each of these areas on European models. I will not disparage our own embellishments and singular generosity, but the individual legal rights of our Common Law are clearly British in origin, the political rights set forth in the Constitution are British and French in origin whilst the legislative social rights which we associate with the New Deal, are mostly British, and German in origin. (Public schools being the possible exception.)

Early in the 20th century American social reformers began pressing for the adoption here of social policies already in place in Europe. Bismarck had introduced social security, Churchill unemployment insurance. The models security, Churchill unemployment insurance. The models were explicit, and in just about a six-month period in 1935, they were enacted here, in the Social Security Act of that year.

The only major changes since have been health insurance (a British import) for the aged and indigent enacted in 1965, together with various provisions for the disabled adopted in that and the previous decade. Again the models were in the main European, as were those of smaller ventures such as public housing.

Now to a large point. The issues of social policy the United States faces today have no European counterpart nor any European model of a viable solution. They are American problems, and we Americans are going to have to think them through by ourselves.

In many if not most of our major cities we are facing something very like social regression. Or does that term libel the past? Perhaps our condition is post-modern. Whatever, it is defined by extraordinary levels of self-destructive behavior, inter-personal violence, and social class separation intensive in some groups, extensive in others. I think post-modern may be the more accurate term.[3] In any event it makes for a combination of misery and madness in the modern city.

I spent a part of my youth in a neighborhood not ten blocks from here known then as "Hell's Kitchen". By today's reckoning it was a kind of peaceable kingdom. The violence of New York City today simply has no equivalent in the past, and show no sign of diminishing in the future.

Further, we have become the first society in history in which children are the single worst off group in the populace. Not just a few children: by eighteen, perhaps half. Not long ago in a searing commencement address at Keuka College Judy Woodruff gave a single instance which will suffice: "* * * we are, in fact, the only major western nation, other than South Africa, without a national child care policy."[4]

We have no social policy for this situation, and few social programs. The only thing we can be said to know is that the social problems which trouble us and baffle us at this time are exceedingly unlikely to cure themselves. A huge social effort will be required: something akin to social mobilization. Whatever else this will be, it will first of all be hand work. And second of all it will require the support of government. But that should be obvious. What is equally obvious is that we are grievously short of specific ideas.

At the base of social policy there must be ideas. But for about two decades now we have been a party fiercely opposed to ideas. This is the pattern of many establishments in decline, and of course that is what has been taking place.

Part of such a pattern is not being aware of being opposed by ideas.

A particular incident comes to mind. At the beginning of the present Administration there came to power, a small but hugely influential group of people, who had a simple, powerful idea. They would put an end to social policy, as Democrats had defined it,

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[1] Alan Brinkley notes that a corresponding doctrine of the limits of growth—The Club of Rome—sprang up on the political left at about the same time. Some decade! In any event, both schools seem to be reaching limits of their own!

[2] David T. Ellwood and Lawrence H. Summers, "Is Welfare Really the Problem." "The Public Interest." (No. 83 Spring 1986) p. 57.

[3] Victorian Britain had its share of "urban" problems, and some responses such as the temperance movement and the YMCA (later the Boy Scouts) soon appeared here. But our present problems of social control seem new to me.

[4] Judy Woodruff, Commencement Address to Keuka College, Keuka Park, N.Y. May 25, 1986.

simply by so dismantling the finances of the Federal Government. Thereafter there would be no way to pay for social programs; indeed it would become necessary to dismantle many if not most.

This was not a complicated idea. At its least sophisticated level, in the White House shorthand of the time, it was nothing more than "Prop Thirteen". The simple injunction, "Starve the Beast", was about as much elaboration as was deemed necessary.

In the person of David Stockman, the exercise became considerably more sophisticated. By September of 1980, he had realized the GOP tax program would lead to horrendous, devastating deficits. At first dismayed, all of a sudden he grew near to triumphant. I quote: "The success of the Reagan Revolution depended upon the willingness of the politicians to turn against their own handiwork—the bloated budget of the American welfare state. Why would they do this? Because they had to! In the final analysis, I had made fiscal necessity the mother of political invention."[5]

Now all this was not very hard to follow once in place. In September of 1981, at a meeting of the New York State Business Council, I pleaded that new data showed the 1981 tax cut to have been much too large. I asked, "Do we really want a decade, in which the issue of public discourse, over and over and over, will be how to prevent the deficit from being even bigger? Surely larger, more noble purposes ought to engage us.[6]

Well * * * none did.

We chose not to understand that we were up against a deliberate strategy to put an end to social policy as it had been understood during half a century of Democratic hegemony.

One argued the case. One was disbelieved, even by the few who would listen.

This was nothing new. In the mid-1960's, even as a moment of great opportunity for social initiatives arose, there also appeared a considerable body of research arguing that we should not exaggerate what we knew or what would come of what we undertook. In the main, this research was rejected, and those who stood up for it were, well, knocked down.

This is called shooting the messenger. Twenty years later much the same thing happened, albeit more gently. Anyone who spoke up to say the Reagan administration was deliberately disabling the finances of the Federal Government was simply ignored by those who should have been paying attention.

Let me then summarize the outcome:

As of 1985 the operating revenues of the Federal Government have declined to 12.9 percent of GNP. This compares with 18.0 percent in 1965. (Operating revenues are distinct from the income of the Social Security tax, which, of course, become dedicated funds.)

Of 12.9 percent in operating revenues available in this fiscal year, 6.3 percent go to defense, and 3.4 percent to interest.

This leaves 3.2 percent of GNP for all the other activities of the Federal Government, from space shuttles to subway cars.

The deficits will not go away. We face a protracted fiscal crisis for the next two or three Presidencies. Probably until the next century. We have sold out this generation of children, and have not even begun to think of the next. The only amends we can make is to begin to think.

In addition to the strategic coup which has so disabled us, we face an equally perplexing long range economic decline. The great growth of productivity of the post-war United States has simply ceased. Hourly wages today are what they were in 1968.[7] Median family income today is what it was in 1970. There cannot have been this long a period of economic stagnation—from the point of view of individuals and families—in the past three centuries.

This argues for both an active social policy and militates against one. It militates against in two senses: There is no money in the Federal fisc, but just as importantly, the social space, if I may use that term, which one could feel in an economically booming decade such as that of the 1960's, is just not here in the flat 1980's. Or so I believe.

Even so, the one sure thing is to learn to use our heads again. By all means let us go on about self-reliance, gumption, and go-gettingness. Nothing the matter with any of the above. But if that is all there is to be by way of social policy, no one needs Democrats. And if that is all the social policy there is to be, Democrats shall have deserved their eclipse.

[5] David Stockman, "*The Triumph of Politics; Why the Reagan Revolution Failed*" (New York: Harper and Row, Inc., 1986), p. 135.

[6] Remarks delivered to the Business Council of New York State, 1981 Annual Conference, September 13, 1981, Kiamesha Lake, New York.

[7] The Bureau of Labor Statistics publishes data on average wages in "Non-Agricultural" industries. But this encompasses 99.2 percent of all wages.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. DOLE. Mr. President, there being no further business to come before the Senate, I move that the Senate stand in recess until 9:30 a.m. tomorrow, July 25, 1986.

The motion was agreed to, and at 6:31 p.m., the Senate recessed until tomorrow, Friday, July 25, 1986, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 24, 1986:

DEPARTMENT OF AGRICULTURE

Kenneth A. Gilles, of Virginia, to be an Assistant Secretary of Agriculture.

Kenneth A. Gilles, of Virginia, to be a member of the board of directors of the Commodity Credit Corporation.

COMMODITY FUTURES TRADING COMMISSION

Kalo A. Hineman, of Kansas, to be a Commissioner of the Commodity Futures Trading Commission for the term expiring June 19, 1991.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Rear Adm. Francis D. Moran, National Oceanic and Atmospheric Administration, to be Director of the Commissioned Officer Corps, National Oceanic and Atmospheric Administration.

FEDERAL EMERGENCY MANAGEMENT AGENCY

George Woloshyn, of Virginia, to be an Associate Director of the Federal Emergency Management Agency.

The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Air Force nominations beginning Benjamin P. Graham, and ending Patricia H. Sanner, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 16, 1986.

Air Force nominations beginning Kenneth Klint, and ending Bemjamin P. Graham, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 16, 1986.

Air Force nominations beginning Lewis J. Abrahams, and ending Alfred M. Zimmerman, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 16, 1986.

Air Force nominations beginning Gary A. Anderson, and ending Bujung Zen, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 16, 1986.

Air Force nominations beginning Steven W. Abbott, and ending Kenneth A. Zollo, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 16, 1986.

Air Force nominations beginning Michael F. Adames, and ending Cindy L. Ziegler, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 16, 1986.

IN THE ARMY

Army nominations beginning Thomas N. Bolton, and ending Thomas G. Latour, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 14, 1986.

Army nominations beginning William R. Anderson, and ending Margaret O. Stock, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 16, 1986.

IN THE COAST GUARD

Coast Guard nominations beginning Howard F. Wirt, and ending Billy L. Heath, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 14, 1986.

IN THE NAVY

Navy nominations beginning John P. Abenstein, and ending Nicholas Francis Zoeli, Jr., which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of July 15, 1986.

HOUSE OF REPRESENTATIVES—*Thursday, July 24, 1986*

The House met at 10 a.m.

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

Our prayers reach out to You, O God, in grateful appreciation for Your mighty acts of grace. We also reach out with prayer to those who are in special need of body, mind, or spirit. May Your healing spirit bless, protect, and comfort those who are ill or troubled or who are uncertain about the future. May Your grace be sufficient for all Your people, now and evermore. Amen.

THE JOURNAL

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

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a bill, joint resolution, and concurrent resolution of the House of the following titles:

H.R. 2991. An act for the relief of Betsy L. Randall;

H.J. Res. 623. Joint resolution to authorize the designation of a calendar week in 1986 and 1987 as National Infection Control Week; and

H. Con. Res. 371. Concurrent resolution to correct technical errors in the enrollment of the bill H.R. 3511.

The message also announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 4510. An act to amend the Export-Import Bank Act of 1945, and for other purposes.

PERMISSION FOR COMMITTEE ON ARMED SERVICES TO HAVE UNTIL 5 P.M. FRIDAY, JULY 25, 1986, TO FILE A REPORT ON H.R. 4428, DEPARTMENT OF DEFENSE AUTHORIZATION ACT

Mr. FOGLIETTA. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services may have until 5 p.m. on Friday, July 25, 1986, to file its report on H.R. 4428, the Department of Defense Authorization Act.

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

There was no objection.

WHAT IS THE PRESIDENT'S TROUBLE IN DEALING WITH THE SOUTH AFRICAN SITUATION?

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

Mr. LEVIN of Michigan. Mr. Speaker, as I listened to President Reagan's South African speech on Tuesday, the more I heard, the more concerned I became.

Why is the President having so much trouble going beyond rhetoric about apartheid? Why is a person who acted in Lebanon, Grenada, and Libya so musclebound on South Africa? Is it the recent actions by the South African Government which offers hope that that Government will soon see the light? That that Government has enacted a state of emergency that is plunging South Africa further into darkness?

Is it the fear that the alternative to Botha is a Communist takeover? As the chairman of the Foreign Relations Committee in the other body said Tuesday, it is the Reagan approach which is likely to throw black leadership toward the arms of the Soviet Union.

Is it the strategic minerals resting in the South African soil? Perhaps, but how could a South Africa in increasing turbulence and bloody civil war be a source of vital minerals?

Is it that, as the President said, "Capitalism is the natural enemy of such feudal institutions as apartheid, but free enterprise in the South Africa context is propping up the minority government in sustaining apartheid."

After listening to the President's speech, Bishop Tutu said, "The President sits there like the great big white chief of old who can tell us black people that we don't know what's good for us."

Once again, we need to listen to the words and frustrations of Bishop Tutu.

RESTORING GRAMM-RUDMAN TO FULL AUTHORITY

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

Mr. MOORE. Mr. Speaker, on July 7, the Supreme Court invalidated the Gramm-Rudman law's portion that deals with the automatic cutting mechanism. I have come to believe very strongly in the need for that cutting mechanism.

The Supreme Court found that the Congress unconsitutionally gave that automatic cutting power to the Comptroller General of the GAO and the Director of the Congressional Budget Office, both of which are creations and creatures of the legislative branch of Government.

The Supreme Court said that was unconstitutional; that power should rest in the executive branch of the Government.

Therefore, today, Mr. Speaker, I am introducing legislation that does precisely that. It will correct this constitutional flaw, it will restore Gramm-Rudman to its full authority by giving that power to the Director of the Office of Management and Budget in the executive branch of Government.

Therefore we will still have that automatic cutting feature in the law if this legislation is adopted.

Mr. Speaker, we have got to balance the budget. If we do, we will have permanent interest rates of 7 percent by 1991, as we have been told by the economists. This is important. This legislation needs to be passed.

HOUSE-SUPPORTED SANCTIONS ARE THE WAY TO GO IN SOUTH AFRICA, MR. PRESIDENT

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

Mr. RICHARDSON. Mr. Speaker, the President's speech on South Africa was a complete failure and a dud. Predictably, white South Africans are rejoicing, and they will continue to hang tough. Black South Africans, however, are crestfallen, and may lose hope, possibly escalating the violence there.

Constructive engagement, Mr. Speaker, should be buried alongside this Nation's greatest foreign policy failures. It has only strengthened South Africa's intransigence for the past 6 years. It has also strengthened elements in South Africa that are Marxist and want violence.

However, there is that great mass of black South Africans that will start losing hope and might make irreversible decisions to fight for political participation and freedom.

In answer to the daily violence of apartheid, they will regrettably go for

guns and violence which might lead to a large-scale guerrilla conflict.

Mr. Speaker, the Congress of the United States is the last hope for a constructive policy in this country. Let us support the sanctions supported by the House. Hopefully, the other body will do the same. The Congress is the last hope for freedom and democracy in South Africa.

TAX REFORM THIS TIME WILL NOT PRODUCE TAX SIMPLIFICATION

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

Mr. MONSON. Mr. Speaker, I am happy to see that politicians in Washington are finally pulling together to reform our tax system. However, I'm afraid we're getting so caught up in the momentum behind the emerging measures that we're not taking the time to evaluate their true merits and flaws. One flaw is that it may not be any simpler than our current Tax Code.

A recent Business Week article noted that there has never been an income tax change that actually shrank the number of rules and regulations—and this one is no exception. Tax experts say that the Internal Revenue Code will grow from 1,700 to about 2,000 pages, and surely there will be mass confusion as we convert to the new system.

We may think we're making it simpler by increasing the standard deductions and the deduction for exemptions. But, most taxpayers will still file their returns just as they always have—and may face a few more complications.

One of the most talked about simplifications is the rate structure in replacing 14 existing brackets with 2. The fact is we could have 100 tax brackets, 14 or just 2 and we wouldn't be simplifying anything. The method for computing our taxes will not be easier—in fact it could be more confusing.

I fail to see how the tax reform measures we are now touting as the most sweeping in years are better alternatives to our present tangled system of taxation. I urge my colleagues to take the time to look at the substance of these measures before getting caught up in their false momentum.

REAGAN AND SOUTH AFRICA: NO SURPRISES

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

Mr. CROCKETT. Mr. Speaker, many leaders, both here and abroad, have expressed abject disappointment over Tuesday's speech by President Reagan. But this morning's Washington Post headlines "South African Officials Elated by Reagan Speech."

Those of us in and out of Congress who have been actively concerned with the worldwide struggle for human rights found no surprises in the President's speech.

He never identifies with the liberation struggles of nonwhite people. He has a mindset about the Soviet Union and communism that prevents him from realizing that the primary issue in South Africa, as in Central America, the Philippines, Angola, and the Middle East, is the political and economic struggle of the common people for freedom from the lingering vestiges of colonialism and foreign exploitation—a struggle that has only a tangential relationship to the ideological conflict between communism and capitalism.

Two years ago, this House without objection urged the President to call for the release of the great South African leader, Nelson Mandela. Only now, 2 years later, has he publicly heeded our request.

There is pending now, in the Foreign Affairs Committee, a resolution (H. Res. 373) sponsored by 105 Members of the House, urging the President to publicly call for negotiations with black African leaders, including the African National Congress.

We hope that, upon passage of this resolution, the President will act more expeditiously than he did with respect to the Mandela freedom resolution.

□ 1010

A TRIBUTE TO WALTER BUNCH

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

Mr. ROBERTS. Mr. Speaker, several months ago, Walter Bunch, a longtime employee of the Department of Agriculture and a friend of many of our colleagues, passed away at the age of 68. I want to take this occasion to pay tribute to Walt. I regret these remarks have been delayed, but our sense of personal loss and Walt's memory and example are in many ways timeless.

Mr. Speaker, then Acting Secretary of Agriculture, Frank Naylor, truly summed up the feelings of so many when he made the following remarks at Walt's memorial services:

Walter Bunch was one of those special individuals who gave richly to every person that he touched. Walt had a quiet sureness about him, an inner strength that those of us who needed help could turn to and draw upon without a word of request and for which thanks was not expected. It was an inner strength of giving us reassurance and the ability to go on when things became difficult because we knew we had a friend who would always support us. It was a unique form of giving because it was always quiet, always subtle, always at the right moment.

Walt was a master of words, written and spoken, to pass on the wisdom that he possessed. He often did it under a pen name without claiming acknowledgment. As such, his words will be an important part of our history.

Walt was a friend, a neighbor, an associate to whom we looked for guidance and support, an active leader in his church and in his community—as well as someone who influenced the agricultural policies of our Nation.

I first met Walt as he took a young "whipper-snapper" under his arm in 1969 and began to school him in the ways of government and politics. It was a teaching experience that never ended. Former Secretaries of Agriculture have described Walt as one of the finest employees with whom they have been associated. But, for me, and for many others, Walt took on the added function of our surrogate father within the USDA.

The evidence of the greatness of this man is that he will be sorely missed and lovingly remembered, not only by his peers, but also by an entire new generation whose work will be easier and whose lives are made better by his efforts.

Mr. Speaker, I echo those sentiments of Frank Naylor, and as a Member of this body, want to stress they ring true for us as well. There is an old truism that says there are no self-made men in public office, that it is your friends who make you what you are. In this regard, a great many of us owe a debt of gratitude to Walt Bunch. Thank you, Walt, and to his wife, Boots, and his family, our sympathies and warmest personal regards.

ENSURE PENSION SECURITY

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

Mr. DONNELLY. Mr. Speaker, an employee works for a company for 44 years, and for each of those 44 years, he contributes to the company's pension plan. Yet when he retires, he finds there is no money in the pension fund.

This sort of horror story was supposed to end with the ERISA Act of 1974, the Employee Retirement Income Security Act of 1974. But the case I cited is recent, the victim is a constituent of mine.

His retirement income is not secure because the IRS failed to enforce the law. It has known since 1978 that the company was not adequately funding its pension program, but the IRS took no action against the company and it failed to warn the employees their pensions were in jeopardy. Every Member of this body may have constituents heading for the same disaster.

Today, I am introducing legislation to require the IRS to notify all pension plan participants if their compa-

ny applies for a waiver of the minimum funding standards and to hold a public hearing before the waiver can be granted.

I urge my colleagues to cosponsor this bill before more workers are robbed of the retirement income they have earned and ERISA is supposed to guarantee.

THE BEST PLAN IS TO PROFIT BY THE FOLLY OF OTHERS

(Mr. DANNEMEYER asked and was given permission to revise and extend his remarks.)

Mr. DANNEMEYER. Mr. Speaker, Treasury Secretary Baker testified before the Senate Foreign Relations Committee that he believes Canada is deliberately keeping her dollar weak against the United States dollar, implying that Canada's trade surplus with the United States is due to an unfair and self-serving exchange rate policy. Mr. Baker's comments, however, missed the fundamental point which has just begun to dawn on the Canadians themselves; by beating down the value of her dollar, Canada inflicted a far greater damage on her economy than the value of ephemeral trade advantages.

This should move Mr. Baker to admit that his widely advertised policy of self-inflicted currency depreciation has been a mistake and a failure. Otherwise we shall pay a dear price for ignoring the admonition of Pliny the Elder: "The best plan is to profit by the folly of others."

QUEEN OF ENGLAND UNDERSTANDS SOUTH AFRICA BETTER THAN PRESIDENT REAGAN DOES

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

Mrs. SCHROEDER. Mr. Speaker, as I read the morning paper I thought there was some incredible irony there. No. 1, we saw that the whites in Pretoria were cheering the President's speech. They understood what he said. He said he has no intention of putting any pressure on that Government to change its incredible system that the rest of the world has spoken out against.

We also saw the royal wedding. It's no secret royalty is not elected. One would think royalty would be insensitive to problems in South Africa. Yet the Queen of England has been trying to get governments to move more toward putting pressure on South Africa. I find that incredible, that in the greatest democracy in the world, we have to admit the Queen of England is much more understanding of what is going on in South Africa than the President of the United States.

Not only that, she has got diamonds. So her support of sanctions does not make any sense either from the Don Regan view.

I really hope that soon our elected President will understand how silly his position looks to the world and that President Reagan will turn around his position. It is certainly incredible to have the Queen of England leading him into a more democratic mode.

PRESIDENT TAKES THE LEAD IN THE WAR ON CRIME AND THE WAR ON DRUGS

(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, from the very first moment, it seems, that President Reagan took office, he declared war on crime, and since then a great number of things have been accomplished by the administration and by the Congress in support of the administration in this vital field. Not only in the general terms of the comprehensive crime package that this Congress enacted and was signed into law, but specifically in the war on drugs.

More recently we have seen concrete evidence of the administration's leadership in this regard in the dispatch of American troops to South America to go to the source of the illegal, illicit drugs that so plague our country.

We in the Congress commend the President and also the First Lady for her moral leadership in the war on drug usage and abuse, and we will continue with a wide front of different pieces of legislation to continue the war on drugs.

The American public recognizes the crisis; the American public demands continued action on that crisis, and we have a responsibility to meet that crisis head on.

PERSONAL EXPLANATION

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

Mr. AKAKA. Mr. Speaker, on Tuesday, July 22, 1986, I was unavoidably detained in my district on official business.

Mr. Speaker, had I been here, I would have voted "yes" on rollcall No. 234, the Judge Claiborne impeachment; and "yes" on rollcall No. 235, the Social Security Administrative and Investment Reform Act.

CUT THE BUDGET NOW OR PAY A VERY HIGH PRICE LATER

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

Mr. DELAY. Mr. Speaker, my constituents sent me—in fact the majority of all our constituents—sent us to Congress in 1984 to start to accomplish one goal above all, to get this country on the road to a balanced budget by cutting spending. With appropriations bills now before us—this must be our first priority—it is my first priority.

We've all been called upon by those who first say how they understand how bad the deficit problem is—but—of course their program is deserving of funds because of the gravity of their situation or the importance of their program. In other words—let's cut the budget, but please, not my piece.

We now have before us legislation that is the result of years and years of Congress giving in to almost all those who would have us spend. The time has come for Congress to gather the political strength to say—we just can't continue to have the Federal Government intruding into every perceived problem by throwing money and a program at it. If we want to avoid everything being cut—that's bad as well as good programs—we have to make that decision.

I urge all of my colleagues to consider this as we review these spending bills—if we don't do this now we will certainly pay a very high price, very soon.

SOVIET "GOOD NEIGHBORLY RELATIONS," A MOCKERY

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

Mr. COURTER. Mr. Speaker, each year between July 20 and July 26, Americans pay their respects to the millions of people living under communism by observing "Captive Nations Week." And each year on May 1 the Soviets mark the endurance and expansion of their empire with festivities and military parades. They publish a list of approved slogans for the occasion, lest spontaneity or unorthodoxy soil the celebrations. Among the 40 promulgated this year was the following:

> Peoples of the world! Struggle resolutely against the imperialist policy of aggression and violence!

Here is another:

> Peoples of Europe! Struggle for peaceful cooperation and good-neighborly relations among states * * *.

The bitter irony in such May Day sloganeering was bared at the recent summit between Mikhail Gorbachev, the Soviet dictator, and his favorite Polish general, the Red Army veteran Jaruzelski. The latter was praised for using "Poland's own resources" to crush Poland's nonviolent revolution with martial law in December 1981. The action, according to Gorbachev,

saved the Soviet Union from the kind of decision it had to make about Hungary in 1956, Czechoslovakia in 1968, and Afghanistan in 1979.

Such is the meaning of "good neighborly relations" between the states of Europe. Such is the reality that the peoples of Europe face today.

Mr. Speaker, from Latvia to Laos, millions who never voted for communism live under its strictures. What is more, they are forced to fight abroad for the communization of still others, as do Cubans, Bulgarians, Soviets, and Vietnamese in places so far from home as Angola, Nicaragua, Afghanistan, and Cambodia.

This is the week that we set-aside as our symbol of their sufferings. And I salute the National Captive Nations Committee here in Washington for its continuing efforts on their behalf. What political cause do we know that is more worthy than that of freedom?

EFFECTIVE CONTROL OF OUTDOOR ADVERTISING

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

Mr. SHAW. Mr. Speaker, by now, you have probably heard quite a bit and should have received a great deal of information about highway beautification, the problems and abuses which have stemmed from existing Federal statutes and the need to amend our Nation's billboard laws.

Some of you may have concluded that this is all rhetoric and hype, but I can assure you this is not the case.

Yesterday, the Senate Environment and Public Works Committee, in bipartisan fashion, voted by more than 2 to 1 to curtail and control the proliferation of billboards along our Nation's highway.

The committee acted to turn this program back to the States; to allow, for the first time, the constitutionally recognized method of compensation known as amortization to be used to pay for the removal of nonconforming signs; and to prohibit the erection of any new signs along the interstate and primary highway system.

This first toward exercising effective control of outdoor advertising is one which I hope will continue next week when amendments are offered to delete numerous provisions regarding outdoor advertising in the Surface Transportation Assistance Act of 1986, H.R. 3129.

ESTABLISHING A PERMANENT BOUNDARY FOR ACADIA NATIONAL PARK

Mr. VENTO. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 720) to establish a permanent boundary for the Acadia National Park in the State of Maine, and for other purposes, with Senate amendments to the House amendment thereto, and concur in Senate amendments numbered 1, 2 and 3, and disagree with amendment numbered 4.

The Clerk read the title of the Senate bill.

The Clerk read the Senate amendments to the House amendment, as follows:

Page 1, line 9, of the House engrossed amendment, strike out "numbered 123-80010, and dated April 1986" and insert "numbered 123-80011, and dated May 1986".

Page 6, line 22, of the House engrossed amendment, strike out " "Schooner Head" " and insert " "Schooner Head", which is outside the boundary of the Park".

Page 9, line 1, of the House engrossed amendment, after "(4)" insert "(A)".

Page 9, line 6, of the House engrossed amendment, insert:

(B) The conveyance of any such interest in land in accordance with this subsection shall be deemed to further a Federal conservation policy and yield a significant public benefit for purposes of section 170(h) of the Internal Revenue Code of 1954.

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

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

There was no objection.

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

Mr. LAGOMARSINO. Mr. Speaker, reserving the right to object, I do so only to ask the gentleman from Minnesota to explain the amendment.

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

Mr. LAGOMARSINO. Mr. Speaker, under my reservation, I yield to the gentleman from Minnesota.

Mr. VENTO. I thank the gentleman for yielding.

Mr. Speaker, the change proposed by the House to S. 720 has the approval of the interested parties and will expedite final action on this measure. Basically, the House would concur in the Senate language on the Schooner Head area of the park, and move to delete the Senate's conservation easement language.

It is the understanding between the sponsors of the legislation and the committees of jurisdiction that the provision on the tax treatment of conservation easements can be most appropriately handled in the tax reform measure now in conference.

Mr. Speaker, as I mentioned earlier, S. 720, with the amendment proposed by the House has the support of all interested parties. I urge adoption of the measure.

Mr. LAGOMARSINO. Mr. Speaker, I rise in strong support of S. 720, which would resolve a longstanding controversy at Acadia National Park by establishing a permanent boundary.

This legislation has already been amended by both bodies of Congress several times. Therefore, I am pleased that it appears an agreement has been reached between all of the involved parties.

The bill before us today represents a great deal of negotiation and compromise. It proposes to change two provisions of the previously passed bill. It deletes the controversial Schooner Head area from the park and also removes language regarding tax deductions for conservation easements. The latter provision, I understand, will be included in other legislation.

I would like to commend the sponsor of the original House bill, the gentlelady from Maine [Ms. SNOWE] and the subcommittee chairman, Mr. VENTO, for their continued efforts to resolve the differences on this issue. I believe the bill before us today represents a significant compromise by the involved parties and I join them in lending my support. Furthermore, I urge all of my colleagues to support and vote for S. 720.

Mr. Speaker, further reserving the right to object, I yield to the gentlewoman from Maine [Ms. SNOWE].

Ms. SNOWE. I thank the gentleman for yielding.

Mr. Speaker, I thank the gentleman from Minnesota for yielding to me so I may indicate my support for this modification to S. 720, legislation offered by Maine's congressional delegation to establish a permanent boundary for Acadia National Park.

As we work to close the legislative process with respect to this bill, let me again commend the chairman of the Subcommittee on National Parks and Recreation, Mr. VENTO. I would also like to express my appreciation to the ranking member on the subcommittee, Mr. LAGOMARSINO. The strong interest they feel in maintaining a strong national park system is well evidenced by the attention and concern they have shown on this bill affecting Acadia National Park.

As anyone who has visited Acadia knows, this park is truly one of our Nation's great national treasures. Established by donations in the early part of the century. Acadia was created through a series of parcel additions. Without a legislative boundary, it has never been possible for the Park Service to solidify the park area. In turn, the 10 Maine communities which neighbor Acadia have been concerned about an eroding tax base as a result of donated lands which have been brought into the park's holdings.

This legislation, which has been carefully crafted, meets these concerns in a way which assures the long-

term visbility of this park and these communities.

This bill is, in every sense of the word, a compromise, and finding agreement on certain provisions in this bill has been difficult as it has been considered in the House and in the other body. However, I am satisfied that we have achieved a very significant result in completing the work on this bill.

As the chairman, who visited Acadia last summer, knows very well, many years of negotiating took place before this bill was introduced in the spring of 1985. It is all the more satisfying that we have been able to resolve the remaining issues of particular concern over the last several months.

Finally, Mr. Speaker, I wish to point out that Acadia has yet again attracted thousands of visitors over the July 4th weekend. As the second most visited park in the country, attracting over 4 million visitors annually, it is a major accomplishment to pass this legislation to preserve Acadia properly for future generations of Americans.

Again, I support this legislation as amended today, and I urge its adoption.

□ 1025

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

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

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the Senate bill just considered.

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

There was no objection.

PERMITTING REMOVAL OF CERTAIN MATERIAL FROM MOUNT RUSHMORE NATIONAL MEMORIAL

Mr. VENTO. Mr. Speaker, I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from further consideration of the bill (H.R. 5223) to permit the removal of certain material from the Mount Rushmore National Memorial, and ask for its immediate consideration.

The Clerk read the title of the bill.

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

Mr. LAGOMARSINO. Mr. Speaker, I reserve the right to object.

Mr. Speaker, under my reservation of objection, I yield to the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Speaker, this noncontroversial measure would permit the children of Lincoln Borglum to remove a small stone from the rubble pile adjacent to the Mount Rushmore sculpture, for use as a tombstone at the grave of Lincoln Borglum.

This unusual request appears to be altogether fitting, given Lincoln Borglum's long and unique association with the Mount Rushmore National Memorial. Lincoln was the son of Gutzlom Borglum, the artist who designed the memorial. Lincoln assisted in the selection of the site for the memorial, and spent his life sculpturing the Mount Rushmore Memorial. Additionally, when the Mount Rushmore site was made a national memorial, Lincoln served as the memorial's first superintendent.

Mr. Speaker, it is my understanding that the National Park Service is not opposed to this request. The legislation before us provides that the removal of a stone for Lincoln Borglum's grave will be done under the Park Service's supervision and at no expense to the Federal Government.

I urge adoption of this measure.

Mr. LAGOMARSINO. Mr. Speaker, further reserving the right to object, I yield to the gentleman from South Dakota [Mr. DASCHLE].

Mr. DASCHLE. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, this is, as the gentleman from Minnesota said, an unusual request, but one required if we are going to follow through.

Lincoln Borglum was with his father, Gutzon Borglum, when the monument was selected back more than 50 years ago.

In addition to that, he was the one to complete the project after his father, Gutzon Borglum, died, and happened to be the first superintendent of the memorial after his father died.

He was truly a great leader in this regard. He was one that carried on the vision of his father and without whom the project may not have been completed.

This is a very fitting tribute to him. It is a monument that I think all South Dakota would appreciate, and we are grateful for the kind of support and speedy action given this issue by the gentleman from Minnesota [Mr. VENTO].

Mr. LAGOMARSINO. Mr. Speaker, further reserving the right to object, I rise in support of H.R. 5223. As the chairman has explained, this noncontroversial measure would allow the removal of a stone from the Mount Rushmore Memorial rubble pile to be used as a tombstone at the grave of Lincoln Borglum.

Mr. Borglum played a unique role in the history of the Mount Rushmore National Memorial. As the son of the artist who designed the memorial, he spent a great deal of his life working on its creation. After it was completed and established as a national memorial, Mr. Borglum served as its first superintendent.

It is my understanding, Mr. Speaker, that there is no opposition to this unique request. The National Park Service will supervise the removal of the stone with no expense to the Federal Government. Therefore, I urge all of my colleagues to support H.R. 5223.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 5223

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REMOVAL OF STONE FROM MEMORIAL.

In recognition of the unique contributions of Lincoln Borglum to the Mount Rushmore National Memorial in South Dakota, the first Superintendent of the Memorial and the son of the artist who designed the memorial, the children of Lincoln Borglum shall be permitted to remove a stone from an appropriate area of the Mount Rushmore National Memorial to be used as a tombstone for Lincoln Borglum. Such removal shall be conducted under the supervision of the National Park Serice and at no expense to the United States.

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

GENERAL LEAVE

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

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

There was no objection.

WAIVING CERTAIN POINTS OF ORDER AGAINST THE CONFERENCE REPORT ON S. 415, HANDICAPPED CHILDREN'S PROTECTION ACT OF 1985

Mr. BEILENSON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 505 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 505

Resolved, That all points of order for failure to comply with the provisions of clause 3 of rule XXVIII are hereby waived against

the conference report on the bill (S. 415) to amend the Education of the Handicapped Act to authorize the award of reasonable attorney's fees to certain prevailing parties, and to clarify the effect of the Education of the Handicapped Act on rights, procedures, and remedies under other laws relating to the prohibition of discrimination.

The SPEAKER. The gentleman from California [Mr. BEILENSON] is recognized for 1 hour.

Mr. BEILENSON. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 505 waives clause 3 of rule XXVIII against the conference report which accompanies S. 415—the Handicapped Children's Protection Act of 1986. Clause 3 of rule XXVII prohibits conferees from including in their report issues that are not committed to conference by either House. This rule is known as the scope rule since it says, in essence, that the final work product of a conference committee may not address issues which are outside of the scope of the positions contained in the versions of the bill passed by the two Houses.

The waiver is necessary in order to allow for the disposition of the conference report because the conferees agreed to include clarifying language in the substitute amendment reported from conference which was not included in any form in either the House version or the Senate version of the legislation. The bill would restore the authority of courts to award fees for the services of attorneys—in addition to other costs awarded—to parents or guardians of children who are denied education services by school systems in violation of the Education to the Handicapped Act. Language agreed to by the conferees which clarifies and limits calculations for the amount which may be awarded for fees in a given case goes beyond the scope of the issues committed to the conference. I should note, however, that the House conferees unanimously supported the inclusion of this provision in the conference committee's recommended substitute. While other items contained in the substitute were contentious in some respects, the conference committee's recommendation is within the scope of the original difference in each such case.

S. 415 would overturn the decision of the Supreme Court in the case of Smith versus Robinson. That decision, which was handed down a year ago, rendered courts unable to award attorneys' fees to families who sue school districts which fail to provide appropriate educational opportunities for handicapped children. Up until the Supreme Court's ruling, parents and guardians who successfully sued under the Education for the Handicapped Act could be awarded attorney's fees under other civil rights statutes—most frequently under the Rehabilitation Act. The Supreme Court ruled, however, that attorneys' fees may no longer be awarded in cases brought under the Education for the Handicapped Act, since the act did not specifically so provide.

The conference report on S. 415 would restore the ability to recover attorneys' fees and ensure that benefits of this important civil rights law is available to all handicapped children, regardless of their ability to pay for the services of attorneys.

Adoption of the rule before the House would permit consideration of the conference report in the House, and subsequently of enactment of this important legislation.

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

Mr. Speaker, the gentleman from California has ably explained the provisions of the rule and it would be redundant for me to do the same.

This indeed is a very simple rule. The conference report it makes in order merely overturns the decision of the Supreme Court of 2 years ago by amending the Education of the Handicapped Act to authorize the award of reasonable attorney fees to prevailing parties who file suit under the act.

This rule should be passed. The measure should be passed swiftly when it comes to the floor for debate. It is a good conference report.

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

Mr. QUILLEN. I yield to the gentleman from Pennsylvania.

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

Mr. Speaker, I just want to clarify one point here. I understand the reason for the rule is to waive the scope problems.

I am just trying to make certain, though, what we are doing here. Are we in any way implying that the reasonable attorneys' fees to be awarded are to come out of auhorizations relative to the Education of the Handicapped Act, or in fact is what we are doing simply allowing within the normal court processes reasonable attorney's fees to be awarded? I think there is a difference of whether or not we are saying we are going to spend Federal money here or whether or not we are simply allowing the awarding of appropriate fees and waiving the scope of the conference in order that.

Can the gentleman give me some hint as to just what the long-term effect of this waiving of scope is going to be?

Mr. QUILLEN. To my knowledge, it will have no long-range effect. It is an important legal right, and passage of this conference report will make it less costly for people to pursue legal action to ensure that their rights are upheld.

With regard to the question whether or not it comes out of the educational funding or the legal fees are collected otherwise, I yield to the gentleman from California.

□ 1035

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

Mr. Speaker, to the best of the knowledge of this gentleman, none of these awards would come out of Federal funding. They would be given as a result of the suits brought against the school districts themselves.

Mr. WALKER. If the gentleman will yield further, then it would be my understanding that we are simply allowing parents of handicapped children the access to court to ensure then that if they bring a legitimate case that reasonable attorneys' fees can be awarded, and it does not go into a Federal spending question?

Mr. QUILLEN. That is my understanding.

Mr. WALKER. I thank the gentleman and I thank him for yielding.

Mr. QUILLEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BEILENSON. Mr. Speaker, I thank the gentleman from Tennessee for his support for the rule, and I urge adoption of the rule.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

WAIVING CERTAIN POINTS OF ORDER AGAINST CONSIDERATION OF H.R. 5177, AGRICULTURE, RURAL DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS, 1987

Mr. DERRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 504 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 504

Resolved, That during the consideration of the bill (H.R. 5177) making appropriations for Agriculture, Rural Development, and Related Agencies programs for the fiscal year ending September 30, 1987, and for other purposes, all points of order against the following provisions in the bill for failure to comply with the provisions of clause 2 of rule XXI are hereby waived: beginning on page 22, lines 1 through 13; beginning on page 30, line 4 through page 31, line 18; beginning on page 33, lines 15 through 18; beginning on page 48, lines 20 through page 50, line 18; beginning on page 51, lines 8 through 13; beginning on page 58, lines 8 through 16; and beginning on page 59, line 1 through page 66, line 13.

The SPEAKER. The gentleman from South Carolina [Mr. DERRICK] is recognized for 1 hour.

Mr. DERRICK. Mr. Speaker, I yield the customary 30 minutes to the gentleman from Tennessee [Mr. QUILLEN] for purposes of debate only, pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 504 waives points of order against specified provisions of H.R. 5177, the Department of Agriculture, rural development and related agencies appropriations bill for fiscal year 1987. The rule does not provide for the bill's consideration since general appropriation bills are privileged under the rules of the House. Provisions relating to time for general debate are also not included in the rule. Customarily, general debate is limited by a unanimous-consent request by the floor manager prior to consideration of the bill.

House Resolution 504 waives all points of order against specified provisions of the bill for failure to comply with clause 2 of rule XXI. Clause 2 of rule XXI prohibits unauthorized and legislative provisions in general appropriations bills. The specific provisions of the bill which have been granted waivers are detailed, by reference to page and line of the bill, in the rule.

The sections granted a waiver of clause 2 of rule XXI in titles I and III of the rule contain provisions dealing with the use of section 32 funds for the school lunch program which constitute legislation in an appropriations bill. Clause 2 of rule XXI waivers are also necessary to protect the mutual and self-help housing program and the section 515 rural rental assistance program. In title III, several component programs of the Child Nutrition Programs and the Women, Infants and Children Program have not yet been reauthorized. In title V, the Commodity Futures Trading Commission has not been reauthorized, necessitating the clause 2, rule XXI protection. The rule also contains waivers for the general provisions contained in title VI.

Mr. Speaker, H.R. 5177 is an important measure providing appropriations for a variety of programs from domestic nutrition programs, and Public Law 480, to measures that are urgently needed by the agricultural sector. It has broad bipartisan support.

House Resolution 504 provides for the expeditious consideration of H.R. 5177 and I urge its adoption.

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

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

Mr. Speaker, I am substituting for the gentleman from Missouri [Mr. TAYLOR] who supports strongly the rule and the passage of the measure as I do. Faced with a continuing decline in our farm economy, a rising trade deficit for our farm products and the persistent need to assist our Nation's farmers in conserving the land and developing rural America, the committee brings this bill to the floor at a spending level that is $74.7 million below the administration's request.

Not only has the committee managed to come in under the President's budget, which I am sure was not easy to do, it brings us a bill that is $3.1 billion below the discretionary spending allocations for agriculture programs called in our budget resolution.

Mr. Speaker, in addition to coming in under the budget, both the President's budget and congressional budget, they have held spending in fiscal year 1987 at or near last year's level for most of our farm and nutrition programs.

Mr. Speaker, these are significant achievements for the Committee on Appropriations and they are to be congratulated. I would remiss if I did not thank the gentleman from Mississippi, the chairman of the committee, Mr. WHITTEN, and the gentlewoman from Nebraska, Mrs. SMITH, the ranking Republican on the Subcommittee on Agriculture Appropriations for their fine work.

The 1987 appropriations level contained in H.R. 5177 for agriculture and related programs totals $45.2 billion of which $41.9 billion is new budget authority.

Mr. Speaker, this measure means more than I can put into words for the farming community. Certainly to Tennessee, certainly to Missouri, certainly to every State in the Union that is now suffering under a crunch and the devastating heat that has brought some crops to the ground.

I urge adoption of the rule and speedy consideration of the measure so that it can be enacted into law.

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

Mr. QUILLEN. I yield to the gentleman from Pennsylvania.

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

Mr. Speaker, I just want to clarify the money figures in the bill with the gentleman because, according to at least one analysis that we have been handed here on the floor today, the bill that we are considering under this rule would exceed the 1986 enacted level of spending by about $300 million, and exceeds the President's request for funding for agriculture by $1.7 billion, and is $6.9 billion over the President's request for credit activity.

I am wondering whether or not we can get some clarification here of where those figures may come from versus the figures cited by the gentleman a minute or so ago.

Mr. QUILLEN. This is the information that I have under a breakdown of H.R. 5177, agriculture appropriations for fiscal year 1987. H.R. 5177 provides $41.9 billion in new budget authority for agriculture, rural development, and related agencies in fiscal year 1987; $7.4 billion less than the fiscal year 1986 level, and $74.7 million below the President's request.

The bill provides appropriations, and it goes into detail. I agree that that is contrary to the statement of the administration and the administration's policy, but I go with the analysis as broken down by the committee, and I am sure when the bill is debated on the floor that the true facts will be assembled, but I go on the facts as broken down by the committee at this time.

Mr. WALKER. If the gentleman will yield further, I appreciate the gentleman's explanation. So, in other words, we do have a fairly severe disagreement here between the administration and the Appropriations Committee about the level of funding that is in this bill. The administration is claiming that the funding levels are far higher than the funding levels claimed by the committee, so therefore, exceed not only last year's spending but are also substantially above what the President requested, and so we do have a disagreement between the figures as provided by the committee and those figures as developed by the administration through OMB?

Mr. QUILLEN. We do have, as I explained, but I am sure that these will come to light when the measure is debated on the floor, and I go with the breakdown of the Appropriations Committee and I do not challenge the administration's position but I think that it will come into focus when the measure is debated.

Mr. WALKER. I thank the gentleman.

Mr. QUILLEN. Mr. Speaker, I yield to the gentleman from Ohio [Mr. LATTA].

□ 1045

Mr. LATTA. Mr. Speaker, I want to thank the gentleman for yielding.

Just let me say that I am pleased that the committee has rejected certain user fees that were placed on agriculture at a time when agriculture cannot take on any more burdens.

For example, the Food Safety and Inspection Service has been restored to $361,400,000; the Federal Grain Inspection Service to $6,697,000; the Packers and Stockyards Administration to $8,945,000; the Agricultural Cooperative Service to $4,469,000; the Agricultural Marketing Service to $30,945,000; and the Animal and Plant Health Inspection Service, with various programs, $21,000,000.

If these were not put back in this bill, they would have been placed in user fees and on the backs of the farmers at a time when they cannot take it. Agriculture is in deep trouble in this Nation, and we have got to help in any way we possibly can.

One of the things that was pointed out in the committee report indicates

the problems they have with farm exports. The exports of U.S. agricultural commodities have declined by over one-third during the past 5 years, from a high of $43.3 billion in 1981 to $29 billion in 1985 and a projected low of $28 billion in 1986.

By destination, the value of farm exports has decreased since 1981 as follows:

Western Europe, Japan, and Canada, by 30 percent; Africa and Latin America by 30 percent; Asia, excluding Japan and China, by 20 percent; the U.S.S.R. and Eastern Europe by 47 percent; and China by 91 percent.

The U.S. share of world trade fell from over 40 percent in 1980 to below 35 percent in 1984. In 1986 it is expected to be at its lowest level since the early 1970's.

The volume of major commodities exported has declined since 1981 as follows:

Wheat by 34 percent; corn by 31 percent; cotton by 33 percent; and soybeans and other products by 13 percent.

These figures point up a major share of the problem that we have in agriculture. We have got to be able to export more of our products. We are losing these markets, and we have got to reclaim them. We have got to tailor our bills more toward the export market so we will not have all these problems.

For example, I have heard statements in this Chamber during the last couple of days about the tremendous amount of corn we will have and no place even to store it. We are going to have to put it on the ground rather than export it.

We have got to come up with an export policy that will permit us to export these products once they are produced in this country. We have got to help the farmer. Right now, we do not have a policy, and we have got to get one.

Mr. QUILLEN. Mr. Speaker, I thank the gentleman from Ohio [Mr. LATTA], the ranking Republican on the Budget Committee. He has touched the meat of the coconut. We must do more exporting of our farm products.

We all know that our farmers are suffering, and we must get down to the business of correcting these problems. It is really a disgrace to grow corn and not be able to store it and let it be destroyed without a market to sell it. I believe we can develop those markets if we use good judgment. We can develop markets in not only corn but wheat and cotton and other products as well. The gentleman has touched on a sensitive point of this legislation, and I thank him for it.

Mr. Speaker, I yield such time as he may consume to the gentleman from Missouri [Mr. TAYLOR], who has at heart the problems of all the farmers involved.

Mr. TAYLOR. I thank the gentleman from Tennessee [Mr. QUILLEN] for being here in my stead, and for yielding this time to me.

Mr. Speaker, House Resolution 504 waives points of order against the consideration of an appropriations bill that represents a major financial investment in developing and improving this Nation's farming and rural areas.

This rule provides an orderly procedure for consideration of H.R. 5177, the Agriculture, rural development and related agencies appropriations bill for 1987.

Mr. Speaker, this appropriations legislation is vitally important to my State of Missouri, and I strongly support this rule.

The rule waives points of order that would otherwise lie against a few specified provisions of the bill for failure to comply with clause 2 of rule XXI.

Mr. Speaker, the gentleman from South Carolina [Mr. DERRICK] correctly described the purpose of this rule, which is to facilitate consideration of the bill.

Clause 2 of rule XXI prohibits appropriations for any expenditure not previously authorized by law and also prohibits legislation on an appropriations bill.

The Committee on Rules recommends the waiver because:

A few provisions of H.R. 5177 make appropriations for programs which are not yet authorized by law; and

The bill does contain language which is legislative in nature, language which the Appropriations Committee felt was necessary to continue efficient and economical operation of ongoing programs and projects.

Mr. Speaker, the various provisions of the bill to which the waiver applies are specified in the resolution.

Mr. Speaker, the gentleman from Tennessee said a moment ago that the Committee on Appropriations should be congratulated for its work. He is exactly right.

The Committee on Appropriations is faced with a continuing decline in our farm economy, and that decline affects our national economy a great deal.

The Commitee on Appropriations is very much aware of our rising trade deficit for farm products, and the real need to do something about that problem as was eloquently noted by the gentleman from Ohio [Mr. LATTA] a moment ago.

The Committee on Appropriations recognized the persistent need to assist and nurture our Nation's farmers as they seek to conserve the land and develop rural America.

The Committee on Appropriations has reported a bill that holds the fiscal 1987 spending level $74.4 million below the administration's request.

Mr. Speaker, not only has the committee produced a bill that is under the budget request, but its bill is also $3.1 billion below the discretionary spending allocations for agriculture programs called for in the first budget resolution.

Mr. Speaker, I support the bill and the protections that are contained for the bill in this rule, because the committee was able to hold spending in fiscal 1987 at or near this year's level for most of our farm and nutrition programs.

Mr. Speaker, the gentleman from Tennessee [Mr. QUILLEN] suggested a moment ago that these are significant achievements for the Committee on Appropriations. They are indeed significant, and I want to associate myself with the remarks of the gentleman from Tennessee [Mr. QUILLEN].

I want to add my personal thanks to the gentleman from Mississippi [Mr. WHITTEN], the chairman of the committee, and the gentlewoman from Nebraska [Mrs. SMITH], the ranking Republican member of the Subcommittee on Agriculture Appropriations.

The appropriations contained in H.R. 5177 set the fiscal 1987 level for agriculture and related programs at $45.2 billion, of which $41.9 is new budget authority.

Mr. Speaker, these are important figures to Missouri's farmers. Various budget estimates place my State's share of the agriculture budget at or near $745 million annually.

In Missouri, we are justifiably proud of our 117,000 farms, which represent nearly 20 percent of the total number of farms in this Nation.

In Missouri, our farming operations are highly diversified, and over half of our farms are run by farmers who devote themselves full time to their farming operations.

The provisions of this appropriations bill include the amounts restored by the committee for several highly important programs, such as rural housing, the Rural Electrification Administration, the Soil Conservation Service, and the Extension Service.

Mr. Speaker, I strongly support this rule and I strongly support the appropriations bill that will be considered under this rule.

Mr. QUILLEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. DERRICK. Mr. Speaker, I have no requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and the Speaker 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. 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 364, nays 48, not voting 18, as follows:

[Roll No. 246]

YEAS—364

Ackerman
Akaka
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Barnes
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
Breaux
Brooks
Broomfield
Brown (CA)
Bruce
Bryant
Burton (CA)
Burton (IN)
Bustamante
Byron
Carper
Carr
Chandler
Chapman
Chappell
Clay
Clinger
Coats
Coble
Coelho
Coleman (MO)
Coleman (TX)
Collins
Combest
Conte
Conyers
Cooper
Coughlin
Courter
Coyne
Crockett
Daniel
Darden
Daschle
Daub
Davis
de la Garza
Dellums
Derrick
DeWine
Dicks
Dingell
DioGuardi
Dixon
Donnelly
Dorgan (ND)
Dornan (CA)
Dowdy
Downey
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart (OH)
Edgar
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Evans (IA)
Evans (IL)
Fascell
Fazio
Feighan
Fiedler
Fish
Flippo
Florio
Foglietta
Foley
Ford (TN)
Frank
Franklin
Fuqua
Gallo
Garcia
Gaydos
Gejdenson
Gephardt
Gibbons
Gilman
Glickman
Gonzalez
Goodling
Gordon
Gradison
Gray (IL)
Gray (PA)
Green
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
Jacobs
Jeffords
Jenkins
Johnson
Jones (NC)
Jones (OK)
Kanjorski
Kaptur
Kasich
Kastenmeier
Kennelly
Kildee
Kindness
Kleczka
Kolbe
Kolter
Kostmayer
Kramer
LaFalce
Lagomarsino
Lantos
Latta
Leach (IA)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Loeffler
Long
Lott
Lowery (CA)
Lujan
Luken
Lundine
Madigan
Manton
Markey
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCain
McCloskey
McCurdy
McDade
McEwen
McGrath
McHugh
McKernan
McKinney
McMillan
Meyers
Mica
Michel
Mikulski
Miller (CA)
Miller (OH)
Mineta
Mitchell
Moakley
Molinari
Mollohan
Montgomery
Moody
Moore
Moorhead
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nichols
Nielson
Nowak
Oakar
Obey
Olin
Ortiz
Owens
Packard
Panetta
Parris
Pashayan
Pease
Penny
Pepper
Perkins
Petri
Price
Pursell
Quillen
Rahall
Rangel
Ray
Regula
Reid
Richardson
Rinaldo
Ritter
Roberts
Robinson
Rodino
Roe
Roemer
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland (CT)
Rowland (GA)
Roybal
Rudd
Russo
Sabo
Saxton
Schaefer
Scheuer
Schneider
Schroeder
Schuette
Seiberling
Sensenbrenner
Sharp
Shelby
Shuster
Sikorski
Siljander
Sisisky
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith, Robert (OR)
Snowe
Snyder
Solarz
Spratt
St Germain
Staggers
Stallings
Stangeland
Stark
Stokes
Stratton
Studds
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
Watkins
Waxman
Weaver
Weber
Weiss
Wheat
Whitehurst
Whitley
Whittaker
Whitten
Williams
Wilson
Wirth
Wise
Wolf
Wolpe
Wortley
Wright
Wyden
Wylie
Yates
Yatron
Young (FL)
Young (MO)
Zschau

NAYS—48

Archer
Armey
Badham
Barnard
Bartlett
Barton
Brown (CO)
Callahan
Cheney
Cobey
Craig
Crane
Dannemeyer
DeLay
Dickinson
Dreier
Eckert (NY)
Fawell
Fields
Frenzel
Gekas
Gingrich
Gregg
Hyde
Leath (TX)
Lowry (WA)
Lungren
Mack
MacKay
Marlenee
Martin (IL)
McCandless
McCollum
Miller (WA)
Monson
Oxley
Porter
Ridge
Shaw
Shumway
Smith, Denny (OR)
Smith, Robert (NH)
Solomon
Stenholm
Strang
Stump
Walker
Young (AK)

NOT VOTING—18

Campbell
Carney
Chappie
Ford (MI)
Fowler
Frost
Grotberg
Hartnett
Ireland
Jones (TN)
Kemp
Levine (CA)
Oberstar
Pickle
Savage
Schulze
Schumer
Spence

□ 1110

Messrs. MILLER of Washington, STENHOLM, and McCOLLUM changed their votes from "yea" to "nay."

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

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.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE A PRIVILEGED REPORT ON THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION AND RELATED AGENCIES APPROPRIATIONS BILL, 1987

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on a bill making appropriations for the Departments of Labor, Health and Human Services, and Education and related agencies for the fiscal year ending September 30, 1987, and for other purposes.

Mr. CONTE reserved all points of order on the bill.

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

There was no objection.

PERMISSION FOR COMMITTEE ON MERCHANT MARINE AND FISHERIES TO SIT ON TODAY DURING THE 5-MINUTE RULE

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries be permitted to sit today, Thursday, July 24, 1986, while the House is reading for amendment under the 5-minute rule.

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

There was no objection.

WAIVING CERTAIN POINTS OF ORDER AGAINST CONSIDERATION OF H.R. 5205, TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS, 1987

Mr. MOAKLEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 507 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 507

Resolved, That during the consideration of the bill (H.R. 5205) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1987, and for other purposes, all points of order against the following provisions in the bill for failure to comply with the provisions of clause 2 of rule XXI are hereby waived: beginning on page 2, line 4 through page 3, line 6; beginning on page 4, line 4 through page 5, line 18; beginning on page 6, lines 3 through 21; beginning on page 9, line 17 through page 11, line 5; beginning on page 11, line 19 through page 12, line 14; beginning on page 13, lines 6 through 15; beginning on page 15, line 18 through page 16, line 20; beginning on page 17, lines 3 through 12; beginning on page 18, lines 1 through 24; beginning on

page 19, line 15 through page 26, line 23; beginning on page 27, line 4 through page 29, line 20; beginning on page 30, line 9 through page 31, line 4; beginning on page 31, line 7 through page 32, line 5; beginning on page 32, line 15 through page 33, line 4; beginning on page 34, line 7 through page 35, line 6; beginning on page 35, line 13 through page 36, line 4; beginning on page 37, line 1 through page 38, line 20; beginning on page 41, line 23 through page 42, line 9; beginning on page 42, line 18 through page 44, line 22; beginning on page 45, line 6 through page 46, line 6; beginning on page 51, line 22 through page 52, line 24; and beginning on page 54, line 1 through page 60, line 22. The following amendment shall be considered to have been adopted in the House and in the Committee of the Whole: strike the colon and all that follows on page 23, line 19 through line 25 and insert in lieu thereof a period. It shall be in order to consider an amendment printed in section two of this resolution, if offered by Representative Molinari of New York, and all points of order against said amendment for failure to comply with the provisions of clause 2 of rule XXI are hereby waived.

SEC. 2. Page 60, lines 1 through 16, redesignate paragraphs (1), (2), and (3) of section 332(b) as paragraph (2), (3), and (4), respectively, and insert before paragraph (2), as so redesignated, the following new paragraph:

"(b)(1) Subject to the second sentence of subsection (a), the Secretary of Transportation shall take such action as may be necessary to ensure that, in each of fiscal years 1987 and 1988, at least 500 individuals described in subsection (a) are placed, either by appointment or reinstatement, in permanent, full-time positions as air traffic controllers. Individuals appointed or reinstated under this subsection shall be in addition to any individual appointed or reinstated before October 1, 1986".

□ 1120

The SPEAKER pro tempore. The gentleman from Massachusetts [Mr. MOAKLEY] is recognized for 1 hour.

Mr. MOAKLEY. Mr. Speaker, I yield the customary 30 minutes to the gentleman from Ohio [Mr. LATTA] and pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 507 is the rule waiving points of order during the consideration of the bill, H.R. 5205 the Department of Transportation and related agencies appropriation bill for fiscal year 1987.

Since general appropriation bills are privileged under the rules of the House, the rule does not provide for any special guidelines for the consideration of the bill. Provisions related to time for general debate are not included in the rule. Customarily, Mr. Speaker, general debate time is limited by a unanimous-consent request by the chairman of the Appropriations Subcommittee prior to the consideration of the bill.

Mr. SPEAKER, House Resolution 507 waives clause 2 of rule XXI, which prohibits unauthorized appropriations and legislative provisions in general appropriations bills against certain provisions in the bill.

The specified provisions which have been protected by this waiver are detailed in the rule, by reference to page and line of the Transportation appropriation bill. The rule also contains an amendment that is to be considered to have been adopted in the House and in the Committee of the Whole. The provision that this amendment refers to is also detailed in the rule by page and line of the bill.

Finally, Mr. Speaker, the rule makes in order an amendment offered by Representative MOLINARI of New York. This amendment is printed in section 2 of the rule. The rule waives points of order against the amendment under clause 2, of rule XXI, which as I stated earlier prohibits unauthorized appropriations and legislation in general appropriation bills.

Mr. Speaker, H.R. 5205 appropriates $10.3 billion for the Transportation Department and related agencies for fiscal year 1987. Included in this bill is funding for the Federal Aviation Administration, the Federal Highway Administration, the Federal Railroad Administration, and the Urban Mass Transportation Administration.

Also, the bill includes funding for other programs such as the National Transportation Safety Board, the Panama Canal Commission, and the U.S. Railways Association. Finally, Mr. Speaker, H.R. 5205 appropriates funding for over 37,000 military and 4,500 civilian positions in the U.S. Coast Guard.

This appropriation bill provides funding for highways, airports, waterways, and mass transit programs that effect the safety of travel across the country. Representative LEHMAN and his subcommittee should be commended for their efforts in ensuring that this country will continue providing a high quality of transportation services.

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

Mr. Speaker, there is one provision in this rule with which I cannot agree and was provided in the rule by a slim one-vote margin by the Committee on Rules. That is the provision making in order an amendment by the gentleman from New York [Mr. MOLINARI]. The Molinari amendment would force, and I emphasize that, the President to rehire a total of 1,000 air traffic controllers who were fired for striking in violation of the law 5 years ago.

Mr. Speaker, there were a number of arguments advanced in the Rules Committee to support the Molinari amendment which do not hold up if we look at the facts.

First, let me begin by noting what the relevant law provides. This is from title V of the United States Code, section 7311. Let me read for the RECORD what the statute says.

An individual may not accept or hold a position in the Government of the United States or the government of the District of Columbia if he—

And the third subsection says:

(3) participates in a strike or asserts the right to strike against the Government of the United States or the government of the District of Columbia.

Mr. Speaker, this is the statute. This is the law of the land. It is clear and straightforward.

The bill before us today contains a section to modify that statute as it applies to air traffic controllers who participated in an illegal 1981 strike. I might emphasize that they participated in this strike with full knowledge as to what the law says.

Section 332 of the Transportation appropriation bill provides that fired air traffic controllers may be rehired on a case-by-case basis, but does not require that they be rehired.

The Molinari amendment, on the other hand, would require that 1,000 air traffic controllers be rehired. The President would be forced to take an unwise action.

Mr. Speaker, if we are not going to follow the law which prohibits hiring individuals who participate in a strike against their Government, then maybe Congress should consider abolishing the law completely.

If air traffic controllers strike and get their jobs back, why should not other Government workers strike as well?

One of the justifications used by the gentleman from New York for his amendment was that safety has suffered. The gentleman argued that the number of midair collisions has been at a record level in the last 2 years, reaching an all-time high of 777 in 1985.

In checking the facts with the FAA, we find that in 1985, a new monitoring service was implemented which enhanced the reliability the FAA near midair collision reporting process. This enhancement has contributed to a rise in the number of midair collision reports, from 589 in 1984, to 758 in 1985. A more accurate reflection of what is happening in near midair collision statistics could be achieved by comparing the first 6 months of 1986 to the same period in 1985.

Based on preliminary figures, we find that the near midair collision rate per 100,000 flight-hours in the first 6 months of 1985 was 1.50. The near midair collision rate per 100,000 flight-hours in the first 6 months of 1986 was 1.51, a very insignificant difference.

An independent means to address near midair collision numbers is to use the NASA aviation safety reporting system. The NASA system shows no significant rise in near midair collisions over time, despite increases in aviation activity. The number of near midair collisions reported by the

NASA system in each year since 1979 is as follows: in 1979, 760; in 1980, 527; in 1981, 431; in 1982, 381; in 1983, 445; in 1984, 526; and in 1985, 530.

And based on the numbers so far in 1986, it is estimated that the total will be about 500.

Mr. Speaker, under this NASA system there is no clear upward trend. In fact, the 1985 number is lower than the 1979 number.

Mr. Speaker, rehiring air traffic controllers who stuck in 1981 would be counterproductive to the FAA's progress in increasing the controller work force.

Secretary of Transportation Dole and the FAA are already boosting air traffic controller ranks, with additions of 500 new positions in fisal year 1986 and again in fiscal year 1987.

Congress addressed the issue in last December's Department of Transportation Appropriations Act, directing the hiring of 14,806 controllers as quickly as feasible. We should not change direction now, and issue conflicting directions to the Department.

Mr. Speaker, the FAA's training facilities are operating at full speed. The number of controllers is rising steadily.

The FAA has also started a "cross-option" program that encourages controllers nationwide to volunteer for training and transfer to the busier facilities, the only locations where there is significant overtime being relied on now.

□ 1130

With all these efforts underway, FAA is already fully occupied and should not be saddled with the multiple new burdens that would be associated with rehiring the former strikers.

The largest problem may be forcing the loyal controllers who stuck by the FAA to accept the strikers back into the towers. There are a lot of hard feelings, and many would construe rehiring as a vindication for violating Federal law.

Mr. Speaker, it is virtually impossible to construct criteria for selective rehiring of controllers that would not be subject to constitutional challenge on "due process."

If a strike leader at one location is rehired but another is not at another FAA location, there is virtual certainty of litigation, and little likelihood FAA and the Office of Personnel Management could defend the rehiring criteria.

If some but not all members of an identical category of strikers are rehired, the U.S. Government would again find itself in an indefensible position. Thus, the FAA could be forced into rehiring all strikers who apply, whether or not it is in the interests of air traffic safety.

The strikers have not controlled aircraft for nearly 5 years. Complete retraining would be required, representing no savings in the time over new trainees.

Mr. Speaker, the FAA has enough on its hands at the moment without adding these unproductive administrative burdens. Mr. Speaker, I have no doubt that the gentleman from New York [Mr. MOLINARI] and his supporters mean well, but their amendment could increase tension among controllers by forcing controllers who remained loyal to their jobs to work alongside those who struck in violation of the law.

This increased tension in the towers, Mr. Speaker, could produce the very disaster that the supporters of the amendment are trying to avoid.

Now, Mr. Speaker, I yield to the gentleman from New York [Mr. MOLINARI].

Mr. MOLINARI. To begin with, Mr. Speaker, I did not expect that we would have a debate on the issue today when we are talking about the rule, but I would like to ask the gentleman first: Since you are quoting statistics on near midair collisions, does the gentleman have comparison of those that are listed in the category of critical; that is, those where a crash almost occurred?

Mr. LATTA. Let me say that the FAA has all the statistics that are available, and we would be glad to put them in the RECORD.

For the record the FAA provided the following information:

In 1985, there were 175 near midair collisions classified as critical.

In 1984, there were 127 near midair collisions classified as critical.

In 1983, there were 97 near midair collisions classified as critical.

The FAA notes that the increased number in 1985 results in large part from an improved reporting system instituted in that year.

The FAA further notes that only a small percentage of near midair collisions occur when the aircraft are in the air traffic control sytem.

Mr. MOLINARI. That is the point. I am referring to the very statistics that were furnished by FAA, indicating in that area, the area where near midair collisions almost occurred, they have increased substantially, sharply.

Those are the ones we should be most concerned about. I do not think we have the time; I would hope that when we get into the amendment we can debate all these issues, one by one, because you have raised a number here today.

The question of increasing tension—we can put that to bed very quickly. There are 550 who have already been brought back into the system through the appeals process. There is no increasing of tensions whatsoever.

There is only one issue here, and that is the issue of safety, the safety of the system. Today's Washington Post had an eye opener on the front page, and it talks about Chicago and the fact that they are limiting traffic now in and out of Chicago. Why? Because of the number of errors—this is FAA talking—because of the number of errors caused by controllers at that facility.

Mr. LATTA. Mr. Speaker, reclaiming my time, let me just say to the gentleman that we have read that story; the FAA has read that story, and here is their answer:

FAA RESPONSE TO THE WASHINGTON POST STORY

There are a number of important inaccurancies in the story. Specifically:

The article states that we have only 52 FPL's (full performance level controllers) out of an authorized workforce of 94. In fact, we have 80 FPLs out of an authorized FPL work force of 81. We have 109 controller workforce at O'Hara out of an authorized level of 97.

The article cites a 26% increase in traffic from 6/85 to 6/86. However, July 1985 was the period of the United Airlines strike. Therefore these numbers are very misleading. A more accurate indication of traffic increase is a comparision of the first 3 weeks in July of last year with the same period this year. That increase is 2.2%

The story indicated that safe separation involving particular incident near O'Hara was "3 miles and 1000 feet vertical." In fact, the safe separation is 3 miles or 1000 feet vertical.

The FAA has already taken a number of actions at O'Hara including increasing the required "overlap time" for controllers coming on duty to transition with controllers going off duty. (A high portion of operational errors have occurred during these transitional times).

We are not going to comment specifically on a possible NTSB recommendation that does not yet exist.

Nationally, operational errors (errors made by air traffic controllers) declined approximately 25% in 1985 as compared to 1984. In addition, operational errors to date in 1986 are 25%, below the comparable levels for 1985.

So I think that regardless of the arguments that will be made here, safety is being built into the system by people who know something about the law and respect the law. The law says you don't strike against the Government or you do not work for that Government. We are going to be putting people and are putting people back to work that we can rely on in those towers.

That is what it is all about; whether or not we are going to have people in those towers who respect the law. The law of the land comes first, and these individuals ought to know it. That is what the argument is all about.

I know there has been a tremendous campaign put on by these people across the country for the last 5 years. For 5 years they have been waging this campaign, saying "Well, we've suffered enough." Well, they have suffered; perhaps their families have suffered enough; but they ought to have

thought about their families when they violated the law of the land which says you do not work for the Government if you strike against your Government, and that is what the issue is.

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

Mr. LATTA. I yield to the gentleman from New York [Mr. McGRATH].

Mr. McGRATH. Mr. Speaker, this issue has been with us for 5 years, and through my other life on the Committee on Government Operations, the transportation subcommittee, we have studied this.

I would like to ask the gentleman from New York [Mr. MOLINARI], in his activities on Public Works and Transportation, whether or not the issue that was brought forth by the gentleman from Ohio [Mr. LATTA] regarding the tensions that could exist or perhaps might exist if we brought back some of these controllers really does exist.

It is my judgment and my information that they would welcome back some help because of the overload of work that they do. Is that your information?

Mr. LATTA. Mr. Speaker, I yield to the gentleman from New York [Mr. MOLINARI].

Mr. MOLINARI. Mr. Speaker, basically the answer to that question would depend upon the facility that you are talking to. If you are talking to tower facilities; generally you are going to see them say "No, we don't need additional help."

Go to the en route centers. The 20 en route centers that we have in this country, eight of which are seriously understaffed today, and ask them, and they are going to tell you, "Yes; we were opposed to it in the beginning but we are opposed to it no more."

Take New York center where the gentleman and I come from. They just issued a report which has not been made public, 4 months ago, saying that the people at that center, the controllers, have been working 6 day weeks for 5 years now, since the strike; and, according to FAA projections, they will be working 6 day weeks for the next 5 years and beyond.

How much can you expect people working the boards in bad weather can do before human capacity breaks down and we have tragedies? That is what we are trying to avoid by my amendment.

Mr. McGRATH. If the gentleman from Ohio [Mr. LATTA] will continue to yield to me, is it the gentleman from New York's understanding that the FAA 5 years ago made assertions that they would be able, through their own training, through their own academy, to fill the jobs of those who were displaced by this firing, which I agreed with at that time. Have they been able to do that, or are they seriously and woefully undermanned at this particular point in time?

□ 1140

Mr. MOLINARI. I thought the gentleman from New York was addressing his inquiry to the gentleman from Ohio.

Mr. McGRATH. Mr. Speaker, I had asked the gentleman from Ohio [Mr. LATTA] to yield to the gentleman from New York [Mr. MOLINARI] for a response to my question.

Mr. LATTA. Mr. Speaker, I yield to the gentleman from New York for the purpose of a response.

Mr. MOLINARI. Mr. Speaker, I am sorry I missed the question.

Mr. McGRATH. Regarding the manning that the FAA said they could keep up through the training at their Oklahoma City center, does the gentleman believe that they have been able to fullfill their expectations?

Mr. MOLINARI. Absolutely not, and let me answer briefly. At Oklahoma City the failure rate at the academy is 42 percent. Then when they graduate and go to the en route centers like New York center, Chicago center, Los Angeles center, the failure rate of those that graduate is 35 percent more. So they have never met their goals. They are far below.

That is why we have the problems out there today with our air traffic control system.

Mr. McGRATH. Just one further comment: I think perhaps this amendment during the debate is going to be one, during that appropriate period of time, which needs to be debated I look forward to the debate.

Mr. MOLINARI. And so do I.

Mr. LATTA. I would like to conclude by making a couple of comments.

Mr. Speaker, the bill itself provides for the selective rehiring of some of these individuals on case-by-case basis. It does not mandate that you take 1,000. As has already been pointed out, they have taken back some already after they took a look at each individual case. But to come along with a Molinari amendment saying you are going to take 1,000 of them, just blanket them in, causes problems.

Let me summarize the objections of the FAA to this amendment:

To rehire the strikers would break a moral contract with the loyal controllers who honored their oath not to strike in the face of severe harassment and abuse by the strikers;

A large number of our most senior and competent controllers will exercise their retirement option, thus negating any gain from rehiring strikers;

Every court that has ruled on these cases has upheld the legitimacy of the action taken by the executive branch against the strikers;

There are thousands of cases still before the court of appeals, and any rehiring is bound to affect this judicial process to the detriment of the Government;

Retraining these fired controllers after 5 years absence will take considerable time and interfere with the training of our new controllers;

Many strikers will come back and retire as soon as they are reinstated or as soon as they are eligible;

We can also expect many to attempt to claim disability based on air traffic control work and file workman's compensation claims and retire at great expense to the Government;

Any attempt to selectively rehire a limited number of strikers will result in the filing of discrimination complaints by those not rehired;

Studies have shown that age adversely affects a controller's performance, and many of the most experienced fired controllers are now in this age group;

Teamwork is critical to the safe control of air traffic and such teamwork will be severely undermined by the ill feeling and disruption any rehiring would create;

And last, the Supreme Court as late as June 23 refused to reverse the action taken against the strikers.

Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. FRENZEL].

Mr. FRENZEL. Mr. Speaker, when we began this series of appropriations bills, on the rule on the first one, State, Commerce and Justice, I complained very bitterly about the rules being issued to deal with these appropriations.

We have appropriations every year. The Congress knows exactly what categories in which we are going to have to appropriate. We are fully aware of most of the problems because we had them the year before. Very few are new or emergency problems requiring urgent action.

Therefore, there is no reason in the world why a House of Representatives, run under competent, business-like style of management needs to have a change in the rules in the way we handle our bills. Yet on every appropriations bill which has come before this House, we have had a waiver of the rules of the House.

In my judgment, this is inappropriate behavior and reflects incompetent management. It is, I think, outrageous to sit around and say, "Well, there are unusual circumstances to force us to have all of the waivers that we have in this bill either to provide for appropriating unappropriated sums or to make amendments like the gentleman from New York's, which clearly is out of order under the rules of this House, suddenly in order because it pleases our political whims."

A House that is out of order is a House that incurs disrespect among

the people of the United States and in its own membership.

I think that the way this House has handled these rules, has put in waivers, is outrageous. It is disappointing, and discouraging to the Members. It dishonors the traditions of the House.

I think we ought to defeat this rule. I know it is not going to happen, but I am going to continue to suggest that we do so every time we have these waivers of the regular routine.

I am not going to let the people who are responsible for constructing these rules and passing them forget what their real duties are and how the House should be organized and managed.

Mr. Speaker, I urge defeat of the rule, and I yield back the balance of my time.

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

Mr. Speaker, for the edification of the membership, this is an open rule. Any amendment, any germane amendment is in order. The gentleman from Minnesota, Mr. FRENZEL's amendment will be in order, Mr. MOLINARI's amendment will be in order. So there is a proper way to get at the subject of their amendments in the bill, and they do not have to defeat the rule to get their end results.

Mr. LATTA. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I have no further requests for 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. FRENZEL. Mr. Speaker, I object to the vote on the ground that a quroum 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 315, nays 98, not voting 17, as follows:

[Roll No. 247]

YEAS—315

Ackerman
Akaka
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Barnard
Barnes
Bates
Bedell
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Biaggi
Boehlert
Boggs
Boner (TN)
Bonior (MI)
Borski
Bosco
Boucher
Boxer
Breaux
Brooks
Broomfield
Brown (CA)
Bruce
Bryant
Burton (CA)
Burton (IN)
Bustamante
Byron
Carper
Carr
Chandler
Chapman
Chappell
Clay
Clinger
Coelho
Coleman (MO)
Coleman (TX)
Collins
Conte
Conyers
Cooper
Coughlin
Courter
Coyne
Crockett
Daniel
Darden
Daschle
Daub
Davis
de la Garza
Dellums
Derrick
Dicks
Dingell
DioGuardi
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart (OH)
Edgar
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Evans (IA)
Evans (IL)
Fascell
Fazio
Feighan
Fish
Flippo
Florio
Foglietta
Foley
Ford (TN)
Frank
Franklin
Frost
Fuqua
Gallo
Garcia
Gaydos
Gejdenson
Gekas
Gephardt
Gibbons
Gilman
Glickman
Gonzalez
Goodling
Gordon
Gray (IL)
Gray (PA)
Green
Guarini
Gunderson
Hall (OH)
Hamilton
Hammerschmidt
Hatcher
Hawkins
Hayes
Hefner
Hertel
Hillis
Hopkins
Horton
Howard
Hoyer
Hubbard
Hughes
Hutto
Jacobs
Jeffords
Jenkins
Johnson
Jones (NC)
Jones (OK)
Kanjorski
Kaptur
Kastenmeier
Kemp
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lantos
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lipinski
Livingston
Lloyd
Loeffler
Long
Lowery (CA)
Lujan
Luken
Lundine
Manton
Markey
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCurdy
McDade
McEwen
McGrath
McHugh
McKernan
McKinney
McMillan
Meyers
Mica
Michel
Mikulski
Miller (CA)
Miller (OH)
Mineta
Mitchell
Moakley
Molinari
Mollohan
Montgomery
Moody
Moore
Moorhead
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nichols
Nowak
Oakar
Obey
Olin
Ortiz
Owens
Packard
Panetta
Pease
Pepper
Perkins
Pickle
Price
Pursell
Quillen
Rahall
Rangel
Ray
Regula
Reid
Richardson
Ridge
Rinaldo
Ritter
Robinson
Rodino
Roe
Roemer
Rogers
Rose
Rostenkowski
Roukema
Rowland (CT)
Rowland (GA)
Roybal
Russo
Sabo
Savage
Saxton
Scheuer
Schneider
Schroeder
Schuette
Seiberling
Sharp
Shelby
Sikorski
Siljander
Sisisky
Skeen
Skelton
Slattery
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Snowe
Snyder
Solarz
Spratt
St Germain
Staggers
Stallings
Stangeland
Stark
Stenholm
Stokes
Studds
Swift
Synar
Tallon
Tauzin
Taylor
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Walgren
Watkins
Weaver
Weiss
Wheat
Whitley
Whittaker
Whitten
Williams
Wilson
Wirth
Wise
Wolf
Wolpe
Wortley
Wright
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (MO)

NAYS—98

Archer
Armey
Badham
Bartlett
Barton
Bateman
Bilirakis
Bliley
Boulter
Brown (CO)
Callahan
Cheney
Coats
Cobey
Coble
Combest
Craig
Crane
Dannemeyer
DeLay
DeWine
Dickinson
Dornan (CA)
Dreier
Eckert (NY)
Fawell
Fiedler
Fields
Frenzel
Gingrich
Gradison
Gregg
Hall, Ralph
Hansen
Hendon
Henry
Hiler
Holt
Huckaby
Hunter
Hyde
Kasich
Kindness
Kolbe
Kramer
Lagomarsino
Latta
Leach (IA)
Lewis (CA)
Lewis (FL)
Lightfoot
Lott
Lowry (WA)
Lungren
Mack
MacKay
Madigan
Marlenee
Martin (IL)
McCain
McCandless
McCollum
Miller (WA)
Monson
Nielson
Oxley
Parris
Pashayan
Penny
Petri
Porter
Roberts
Roth
Rudd
Schaefer
Sensenbrenner
Shaw
Shumway
Shuster
Slaughter
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Solomon
Strang
Stratton
Stump
Sundquist
Sweeney
Swindall
Tauke
Thomas (CA)
Vucanovich
Walker
Waxman
Weber
Whitehurst
Young (FL)

NOT VOTING—17

Boland
Bonker
Campbell
Carney
Chappie
Ford (MI)
Fowler
Grotberg
Hartnett
Ireland
Jones (TN)
McCloskey
Oberstar
Schulze
Schumer
Spence
Zschau

□ 1205

Messrs. COBEY, PARRIS, RUDD, BOULTER, and McCOLLUM changed their votes from "yea" to "nay."

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

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.

CONFERENCE REPORT ON S. 415, HANDICAPPED CHILDREN'S PROTECTION ACT OF 1986

Mr. WILLIAMS. Mr. Speaker, I call up the conference report on the Senate bill (S. 415) to amend the Education of the Handicapped Act to authorize the award of reasonable attorneys' fees to certain prevailing parties, and to clarify the effect of the Education of the Handicapped Act on rights, procedures, and remedies under other laws relating to the prohibition of discrimination.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of July 16, 1986.)

The SPEAKER pro tempore. The gentleman from Montana [Mr. WILLIAMS] will be recognized for 30 minutes and the gentleman from Vermont [Mr. JEFFORDS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Montana [Mr. WILLIAMS].

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

Mr. Speaker, I rise in support of the conference report concerning S. 415 and H.R. 1523, the Handicapped Children's Protection Act of 1986. A vote for the conference report is a vote for the protection of handicapped children. As ORRIN HATCH, the chairman of Committee on Labor and Human Resources and a conferee, stated on behalf of all the Senate conferees—WEICKER, NICKLES, KENNEDY, and KERRY—in a letter to the House:

> We urge you to endorse the proposed compromise so that handicapped children and their parents may once again be protected under the Education for All Handicapped Children Act.

The bill clarifies the intent of Congress that handicapped children and their parents have available to them the full range of remedies necessary to protect and defend both their right to be free from discrimination and their right to a free appropriate public education.

The full range of remedies includes the right to reimbursement of reasonable attorneys' fees in actions and proceedings in which they are declared the prevailing party. The right to reimbursement of reasonable attorneys' fees provided for in the conference report is exactly the same right that Congress has extended to other persons protected by fees statutes—no more and no less.

Thus, this conference report places handicapped children in the same position as others. A vote against this bill will disadvantage handicapped children. I know my colleagues do not want to add inequitable treatment by the Congress to the problems handicapped children and their parents already face.

The provisions in the conference report and the accompanying statement of managers are the result of protracted negotiations with the Senate conferees. We did not get everything we wanted and they didn't get everything they wanted. However, overall, I am pleased to report that the conference agreement contains most of the key provisions in the House bill and excludes the major provision in the Senate bill that was an anathema to the House.

Let me briefly describe the key provisions in the conference agreement.

First, with slightly different wording, both the Senate bill and the House amendment provide for the awarding of attorneys' fees in addition to costs to parents who prevail in any action or proceeding. Under the conference agreement, the Senate recedes to the House and the House recedes to the Senate with an amendment clarifying that the court in its discretion may award reasonable attorneys' fees to the prevailing parents as part of the costs of the action or proceeding.

Second, the Senate bill limits the amount of the fee award whenever a parent or legal representative is represented by a publicly funded organization that provides legal services. We, in the House, refer to this provision as the "double standard" provision. The House amendment provides that fee awards shall be based on rates prevailing in the community.

Under the conference agreement, the Senate recedes to the House and the House recedes to the Senate. Specifically, the Senate conferees agreed to drop the "double standard" provision and the House conferees agreed not to authorize the awarding of bonuses and multipliers in cases brought only under part B of the Education of the Handicapped Act [EHA].

With two modifications, the House and the Senate also agreed to include language in section 2 of the bill (section 615(e)(4) (C) through (G) of EHA) further clarifying the circumstances under which fees may be awarded to parents, consistent with applicable Supreme Court decisions interpreting 42 U.S.C. 1988; including interpretations of such concepts as the "prevailing market rate"; "prevailing" parent; and "reasonable" attorneys' fees. *See, for example, Hensley* v. *Eckerhart,* 461 U.S. 424 (1983); *Marek* v. *Chesny,* 87 L. Ed. 2d 1 (1985); and *Blum* v. *Stenson,* 104 S. Ct. 1541 (1984); and *Riverside* v. *Rivera,* No. 85-224 (June 27, 1986).

Thus, subject to the two modifications described below, determinations as to whether a parent is awarded fees and the amount of the award are governed by applicable decisions interpreting 42 U.S.C. 1988. The first modification concerns the inclusion of a "substantially justified" exception to the principle concerning settlement offers enunciated by the Supreme Court in *Marek* v. *Chesny,* 87 L. Ed. 2d 1. The statement of managers includes one example of what might constitute a "substantial justification" for rejecting a settlement offer. Another example would be the lack of adequate time to assess the strength of the claim and the reasonableness of the agency's offer.

The second modification renders inapplicable the criteria in section 615(e)(4)(F) of EHA when a public agency unreasonably protracts the final resolution of the action or proceeding or when a public agency violates section 615 of EHA.

I would also like to explain the intent of sections 615(e)(4) (B) and (D) of EHA, as amended by section 2 of the bill. First, consistent with the principles enunciated by the Supreme Court in Marek, a general offer should not be construed as being as favorable as a specific order. Second, courts should construe ambiguities in the offer against the offeror.

Third, an offer which is indefinite; contains promises without necessary commitments; or contains ambiguities or contingencies, is less favorable than a judgment that is definite and specific; mandates implementation; and is clear and does not contain contingencies. Fourth, a decision by the court regarding whether an offer is more favorable than a judgment ordinarily presents a question of fact reviewable under the clearly erroneous standard.

The Senate conferees also agreed to accept, with certain minor changes, the provision in the House bill calling for a GAO study of the impact of section 2 of the bill.

The conference agreement does not include the "sunset provision" which was included in the House bill. Under this provision, the authority of the court to award fees to parents prevailing at administrative hearings would be repealed in 4 years. This provision was particular concern to the House Republican conferees. On three separate occasions, all conferees from the other body rejected requests to include the "sunset" provision in the conference agreement.

Finally, the Senate agreed to include language in the statement of managers (taken verbatim from the House bill and report) that makes it clear that under current law, persons may not be retaliated against by public agencies for their actions relating to Public Law 94-142.

As Members know, the Congress has been working for many months on this legislation. Members and their staffs, on both sides of the aisle and in both bodies have been diligent in their efforts to resolve differences and put in place a solution that strikes the right balance of protections. I think we have succeeded. I especially want to express my appreciation to GUS HAWKINS, MARIO BIAGGI, JIM JEFFORDS, and STEVE BARTLETT for the significant role they and their staffs have played on this legislation.

I urge my colleagues to support this important legislation. Public Law 94-142, the landmark legislation that recently celebrated its 10th anniversary, entitles every handicapped child to a free appropriate public education. If we are going to make this statutory right a reality for all, we must adopt the Handicapped Children's Protection Act conference report.

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

Mr. JEFFORDS. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. BARTLETT].

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

Mr. Speaker, I support those provisions in the conference agreement that, in response to the Supreme Court decision in the case of Smith

versus Robinson, authorizes the awarding of reasonable attorneys' fees to parents who prevail in special education court cases. Unfortunately, the conference agreement goes well beyond a reasonable congressional response to Smith versus Robinson, and places our special education's hearing system at risk of becoming litigious and increasingly adversarial.

This has been a difficult piece of legislation. It concerns a particularly volatile issue—namely, attorneys' fees. Attorneys' fees litigation and issues surrounding the recovery of fees are crowding our judicial system's dockets. This should be a red flag to Congress. In this legislation, we have wrestled with the issue of attorneys' fees in a sensitive area—the education of handicapped children. It has taken 2 years to write a three-page bill. The process has been trying, and there are many of us who have been involved in that process who are not entirely satisfied with this legislation, but who feel that its benefits outweigh its potential limitations.

Those of us in Congress familiar with Public Law 94-142, our special education law, considered the Smith versus Robinson decision to be an erroneous interpretation of congressional intent. It wrongly cut off access to our judicial system by parents seeking to enforce their handicapped child's rights. We have, with this conference agreement, properly restored access to our judicial system, but, we have gone well beyond that. For the first time, we have authorized the awarding of fees at the due process hearing system level in disputes which do not go on to court on a substantive issue. I fear that this latter provision may prove to be a serious mistake which will make our special education due process system litigious, and adversarial, and not necessarily any better. If my worst fears are realized, then educational dollars will be wasted on lawyers' fees and court proceedings to no one's advantage, save the attorneys involved.

At the time the Smith versus Robinson decision was delivered, Public Law 94-142's due process system, which had been in place for 10 years, was not being criticized as unfair. Fees had never been recoverable at the hearing level without going to court on a substantive issue. The Education and Labor Committee was not considering amending Public Law 94-142 to allow recovery of hearing fees at the administrative level. Long after the Smith decision was delivered, several Members of the Education and Labor Committee bowed to pressure, and chose to impose a system of fee recovery on an administrative hearing system which was functioning fairly without such a system of fee recovery. Had a sufficient record been established which indicated that Public Law 94-142's hearing system was working improperly or unfairly, then amending the act to allow for such recovery would be justified. Such a record was never established. The issue before the Education and Labor Committee was the recovery of attorneys' fees at the court level. It unwisely chose to move beyond the task that the Supreme Court laid before it.

One does not have to look hard these days to find one social commentator or another bemoaning the litigious nature of contemporary American society. In essence, our civil judicial system is merely a formalized, stylized, and expensive set of procedures for resolving disputes. With our action today, we may be turning an informal system of conflict resolution, which has worked for over 10 years, into a potentially litigious and expensive mirror-image of our court's system.

This conference agreement contains a number of desirable provisions, and one major undesirable provision. In good conscience, I believe that the good outweighs the bad and for that reason, I shall vote for this conference agreement. I support authorizing courts to award a reasonable attorneys' fee to parents who prevail in Public Law 94-142 court actions to enforce their handicapped child's rights, and regret that with this conference agreement, we may have made Public Law 94-142's due process hearing system irrevocably litigious and adversarial.

□ 1215

Mr. WILLIAMS. Mr. Speaker, I yield such time as he may consume to a valued member of the Committee on Education and Labor, the gentleman from New York [Mr. BIAGGI], who has been a leader in this House on matters pertaining to handicapped people, those who have disabling conditions.

Mr. BIAGGI. Mr. Speaker, It is with a deep sense of pride and accomplishment that we are here today to consider the compromise conference report on S. 415 and H.R. 1523, the Handicapped Children's Protection Act. This compromise represents hundreds of hours spent by both Houses of this body to overcome the devastating impact of the Supreme Court's ruling in Smith versus Robinson. I firmly believe this conference report is an appropriate response to the July 5, 1984, decision which eliminated the ability of parents to secure the educational rights of their handicapped children.

Although we have arrived at this point, it was not without great difficulty. I wish to commend Chairman WILLIAMS for his contributions and leadership and also recognize the vital role of Chairman HAWKINS and his leadership as the House conference committee chair. His support and assistance have been essential to this process. And finally, I wish to acknowledge the contributions and efforts of all of the conferees, both House and Senate, in reaching this carefully crafted compromise.

Perhaps the Supreme Court Justices, in their dissenting opinion in Smith versus Robinson, best summarized the heart of this report. They stated:

> Congress will now have to take the time to revisit this matter. And until it does, the handicapped children of this country whose difficulties are compounded by discrimination and other deprivations of constitutional rights will have to pay the costs.

This conference report is a result of Congress indeed "revisiting the matter."

As one of the original authors of Public Law 94-142, I am proud to be here today to support this conference report. This legislation clearly supports the intent of Congress back in 1975 and corrects what I believe was a gross misinterpretation of the law. Attorneys' fees should be provided to those individuals who are being denied access to the educational system: access provided by Public Law 94-142. The issue here is simple—our Nation's 4 million handicapped children have the right to have access to school. It is a civil right. It is not to be denied, rather it should be enhanced in every way. And this issue is at the very core of this legislation.

Specifically, I want to comment on a number of provisions contained within this conference report, provisions I believe are of paramount importance in fully addressing the issue at hand. First of all, I wish to applaud the conference for eliminating the "double standard" provision, a dangerous precedent that would have placed a limit on attorneys' fees for publicly funded attorneys' but did not set the same limitations on attorneys' fees for privately funded attorneys. Such a provision would have seriously eroded the civil rights of the economically disadvantaged of this Nation. The conferees wisely recognized that it is a violation of rights to establish a standard for parents of handicapped children different from that of other individuals seeking similar relief. As the Disability Rights Education and Defense Fund stated in a letter to me:

> There can be no doubt that an attorneys fees provision for the EHA which reimburses prevailing parents for fees incurred in the administrative as well as judicial proceedings will be a critical tool for low-income parents seeking to secure Congress' guarantee of an appropriate education for their children. Without such a provision, they will continue to be powerless to challenge school-district decisions that are adverse to their children. A right without a remedy is no right at all.

By determining that fee awards shall be based on prevailing rates in the community, the conference has provided the low-income families of

this Nation with both the right, and the remedy, to ensure equal access to the educational system.

In addition, I was disheartened that the conference report itself does not explicitly contain an antiretaliation provision. This provision would guarantee that no adverse action is taken against any person as a result of their participation in a hearing, investigation, or related activity.

It would protect teachers and many others throughout the Nation who play a vital role in these proceedings. However, there is report language demonstrating that antiretaliation is clearly the intent of Congress and it is an important provision that I believe deserves special recognition.

And finally, I am pleased that this report contains a retroactivity provision. It is of paramount importance in insuring that actions and proceedings successfully resolved during the time between the Court's decision and enactment of this legislation will not arbitrarily be treated differently from those resolved either prior to the Supreme Court decision, or subsequent to this legislation. I commend my colleagues for including this retroactivity provision.

In sum, this conference agreement will ensure that parents of handicapped children are provided access to all avenues needed to ensure their children's right to a free and appropriate education. It will guarantee their civil rights and clarify the original intent of Public Law 94-142. As one of the original authors of Public Law 94-142 and one who has long championed the intent and purpose of this landmark law, I am proud to support this conference agreement today.

In closing, I would like to acknowledge Senator WEICKER, for his long standing leadership on this legislation. As author of S. 415, he demonstrated his commitment to this issue. In addition, I want to recognize the pivotal role of Senator HATCH during conference deliberations and his willingness to allow this legislation to move forward. And finally, I want to note the outstanding support and assistance we have received from many organizations since the outset of attorneys' fees legislation. Their contributions have been vital to the entire legislative process.

I want to insert into the RECORD parts of a letter I received from the consortium for citizens with development disabilities and publicly recognize the efforts of these organizations. I think they have perhaps summed up the need for this conference agreement best.

The delay in enacting this legislation continues to create undue hardships daily on parents and children. Two years is long enough to leave unprotected the rights of our Nation's most vulnerable population.

Mr. Speaker, I wish to include with my remarks a list of the organizations that have supported our efforts in producing this legislation. The list is as follows:

Alliance for Justice.
American Academy of Child Psychiatry.
American Association on Mental Deficiency.
American Association of University Affiliated Programs.
American Civil Liberties Union.
American Council of the Blind.
American Foundation of the Blind.
American Occupational Therapy Association.
American Physical Therapy Association.
ACLD, Inc. An Association for Children and Adults with Learning Disabilities.
Association for Retarded Citizens.
Center for Law and Education.
Center for Law and Social Policy.
Children's Defense Fund.
Closer Look/Parent's Campaign for Handicapped Children and Youth.
Disability Rights Center, Inc.
Disability Rights Education and Defense Fund.
Epilepsy Foundation of America.
Leadership Conference on Civil Rights.
Mental Health Law Project.
Mexican American Legal Defense and Educational Fund.
National Alliance for the Mentally Ill.
National Association of Development Disabilities Councils.
National Association of Protection & Advocacy Systems.
National Easter Seal Society.
National Head Injury Foundation.
National Mental Health Association.
National Recreation and Park Association.
National Society for Children and Adults with Autism.
Project on Equal Education Rights (PEER).
Spina Bifida Association of America.
The Association of Persons with Severe Handicaps.
United Cerebral Palsy Associations, Inc.

□ 1225

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

Mr. Speaker, I rise in support of the conference agreement but I also rise to express my disappointment and concern regarding the outcome of this conference which may be productive. Those who know me, know that I am a staunch supporter of the programs that provide our handicapped children the opportunity and access to a free and appropriate education. I am also an advocate of eliminating the barriers that parents may face in trying to assure such an education for their children. One specific barrier is the availability of resources to pay for the services of an attorney. That is what this bill is all about. Should the ability to pay for the services of an attorney determine which students have a better chance of receiving appropriate services and placement because they can afford an attorney to represent them at the various stages of administrative appeal and litigation?

I think we would all agree that the answer to that question is a resounding "no." Clearly, when the participation of an attorney in the process is appropriate, the ability to pay for such services should not determine who gets adequate resolution of their appeals. I believe though, that in addition to providing for reasonable attorneys' fees when parents prevail in court, this conference agreement will encourage the intervention of attorneys at a much earlier stage in the negotiations process.

In 1975 I worked with other Members of this body to develop an adequate due process procedure in the original legislation which became Public Law 94-142. At the time there was significant debate and discussion regarding what such a process should involve. During those discussions it was made clear that the intent was to guarantee that the proceedings would remain as informal as possible prior to the court appeal. Inherent in this premise is the belief that the process would not develop into a prolonged adversarial confrontation between the parents and the schools. The overriding determining factor was that the parents and the schools could be brought together in an informal way to work out a sound agreement regarding the appropriate education program for the child. The work that we did in 1975 was done to assure that parents would not have to incur extensive expense, that the proceedings would remain as informal as possible, and that the procedural safeguards were clarified and strengthened so that the legal rights of the child and the parent would be protected. It was also clear that we attempted to provide a complete remedy to the parents and assure that if necessary, a court review was available.

The critical issue in attempting to resolve the differences between H.R. 1523 and S. 415, was not whether attorneys' fees for court cases in which the parents prevail should be compensated, but whether such fees should be paid for work done at the administrative hearing level. By providing for attorneys' fees at the administrative level, I am convinced that we will be reversing our original intent and interfering with a procedure that is working. Instead of informality and cooperation, the process will become formal and adversarial. The process will be working against those very people it was established to protect.

The agreements reached in this conference report may very well draw attorneys into the due process procedures earlier than is the norm now. This action lends itself to making the procedures more formal and more adversarial. Additionally, it removes the parents from direct interaction with the schools, reversing the original intent of the law. Whereas now, 56 percent of the school districts surveyed never use an attorney, or only

one when the parent does, it will become the norm to have an attorney present. Whereas now, school districts are uncomfortable having to go to court to resolve special education suits, going to court will become routine. The resolution of special education disputes will become further detached from those who care most about the child, the parents and the schools. Instead of focusing on the child, we will be focusing on the process. I know this was not the intent when we originally worked on this law, particularly on the development of the due process procedures. I cannot believe that it is now what any of us want either.

I believe that the statistics bear out the original intent of the law and support my conviction that the law has worked well. In the development of most individualized education programs for handicapped children, disagreements are resolved informally. In the 1983-84 school year, 1,462 hearings were held, with only 56 going to court. This means that only 1 out of every 3,000 of the almost 4 million handicapped students served under the law was involved in a first-level hearing, and only 1 out of every 64,800 was the subject of litigation.

I was hopeful that we could retain some meaningful oversight regarding the provision of fees at the administrative proceedings level. For that reason, I was supportive of a provision in the House bill which called for a sunset of the provisions which provided for fees at the administrative level. Unless, after extensive study, there was considerable doubt regarding fees at the administrative level. I am sure that there would have been little difficulty reaffirming our support for such payment. Because we have received such conflicting and diverse information from the field regarding not only the cost, but the effect on the overall process, of providing for fees at the administrative level, I felt that we needed time to carefully review the results of allowing fees at that level. Unfortunately, the sunset provision did not prevail.

Getting this bill to this stage has been a long and trying process. There are some of us who are concerned about the outcomes and are not entirely satisfied with its provisions. None of us disputes the intent of this legislation. We all want to see the decision in Smith versus Robinson overturned. Payment of the attorneys' fees for parents who prevail in special education litigation should be authorized. I believe though, we may have tipped the scales too far in that direction by what is contained in this conference report. With this conference report though, I believe that we have moved beyond reversing the decision in the Smith versus Robinson case.

Even with these reservations, the benefit of this legislation outweigh its limitations. All children have the right to a free and appropriate education. Parents have the right and responsibility to protect these rights. We must act to retain these rights. I hope that in a few years I will be able to come back to this body and report that my concerns regarding this legislation were unfounded.

I support the provisions of this conference report that address the issues raised by the Supreme Court case, Smith versus Robinson. I do not support the one provision which provides open ended authority to pay attorney's fees at the administrative level. Despite this reservation, I will vote for the conference report and I urge my colleagues to do the same.

Mr. WILLIAMS. Mr. Speaker, I want to express my appreciation, of course, to the chairman of the full committee, Congressman HAWKINS, as well as the ranking minority member of the full committee, the gentleman from Vermont [Mr. JEFFORDS], whose work on this legislation was very, very important to bringing us to this point, and also to the ranking member of our subcommittee, the gentleman from Texas [Mr. BARTLETT], who spent many, many hours with this legislation.

The Congress is doing what is right today, because with this legislation we establish equity for handicapped children and their parents, equity with all other groups fully protected under America's civil rights statutes, so this is important legislation. I encourage my colleagues in the House to support it.

Mr. HAWKINS. Mr. Speaker, I would like to thank as well as congratulate the distinguished Congressman from Montana, PAT WILLIAMS, for his leadership effort to improve the Handicapped Children's Protection Act. I would like to thank also the Members, staff and those others who have been involved in this process.

Mr. Speaker, I rise in strong support of the pending conference report on S. 415, the Handicapped Children's Protection Act. This vital legislation reverses a U.S. Supreme Court decision, Smith versus Robinson, which has had a devastating effect on the ability of parents of handicapped children to take full advantage of the legal remedies available to them and which have been enacted into law to protect their handicapped children's educational rights. The conference report concludes many weeks of dedicated work on the part of Members and their staffs, resulting in an impressive initiative designed to enhance the opportunities for equality in education for persons with disabilities.

In Smith versus Robinson, the Supreme Court ruled that all handicapped educational cases were to be handled exclusively under Public Law 94-142, the Education of the Handicapped Act, thus precluding parents from bringing special educational cases under section 504 of the Rehabilitation Act of 1973, and, as a consequence, from recovering attorneys' fees under section 505 of the same act. In accepting the pending conference report, Congress is specifically rejecting the reasoning of the Supreme Court in Smith versus Robinson.

When Congress passed Public Law 94-142, their clear intent was to enhance the existing laws governing the rights of disabled citizens, including the Rehabilitation Act. By limiting the availability of reasonable attorneys' fees to parents and/or legal guardians who prevail in civil actions, the Court greatly misinterpreted the intent of Congress when it passed Public Law 94-142. Endorsing the conference report before us today will allow Congress to clarify its views in this regard and to reaffirm its commitment to ensuring that all handicapped children have a right to a public education, as well as to the equal protection of and access to the laws protecting that right. Indeed, this conference report represents a victory in protecting the educational rights of all handicapped children regardless of their economic situation. I commend my colleagues on the conference committee for their efforts.

In conclusion, I would like to address several matters which, in my view, warrant some clarification: First, the statute only allows the award of attorneys' fees to prevailing parents, whether plaintiff or defendant in an action or proceeding. (Compare 42 U.S.C. sec. 1988)

Second, under this bill, there is language making the Supreme Court's ruling *Merek* v *Chesny*, 87 L. Ed. 2d 1 (1985) applicable to both court actions and administrative proceedings. Thus, under the legislation, a prevailing parent who rejects an offer as favorable as the final award is not entitled to fees for work done after the offer is made, consistent with rule 68 of the Federal Rules of Civil Procedure. This provision, of course, is intended simply to be a limitation on the collection of fees by parents in such situations and does not authorize courts to require the prevailing parents to pay the school districts' attorneys' fees.

Third, the conference agreement provides fees when a parent prevails in an action or proceeding. I would note that success in a preliminary injunction is a substantive rather than merely a procedural matter and, as such, would come within the definition of prevailing for purposes of determining the right to recover fees.

Finally, the award under this legislation is to be determined by reference to the rate prevailing in the community for the kind and quality of services furnished. In order to avoid excessive reimbursement, the conference report bars the addition of a bonus or multiplier to that prevailing rate. Such bonuses or multipliers are to be distinguished from the range of factors which properly go in to ascertaining the prevailing rate in the first place. See Hensley versus Eckerhart, 461 U.S. 424, 430 n.3 (1983); Blum versus Stenson, 465 U.S. 886, 898-900 (1984); id., at 902-904 (Brennan, J., concurring); Senate Report No. 94-1011, p. 6 (1976); House Report No. 94-1558, p. 8 (1976). As the Court in Blum and Hensley recognized, such factors as the novelty and difficulty of the issues, the special skills required, the unpopularity of the case, its contingency

nature, and the quality of the representation should normally already be taken into account by the Court in establishing the market rate generally prevailing in the community for similar representation. Further, the timing of payment—whether compensation is delayed or it is made on an ongoing, current basis—can affect the prevailing market rate, and taking it into account should not be treated as a bonus or multiplier.

Again, I commend Mr. WILLIAMS and the conference committee for their commitment, perseverance, and diligence and urge its adoption by the House.

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

Mr. WILLIAMS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just agreed to.

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

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATION ACT, 1987

Mr. DIXON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5175) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1987, and for other purposes, and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 1 hour, the time to be equally divided and controlled by the gentleman from Pennsylvania [Mr. COUGHLIN] and myself.

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

There was no objection.

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

The motion was agreed to.

□ 1236

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. 5175, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

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

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

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

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

Mr. Chairman. I am pleased to bring to the House today the District of Columbia appropriation bill for fiscal year 1987.

Let me say at the outset, Mr. Chairman, that this bill has the written endorsement of the administration. In a letter dated July 15, Mr. Miller, Director of the Office of Management and Budget, states that the administration does not object to this bill. So I think it would be fair to say that this is a bipartisan bill.

Mr. Chairman. H.R. 5175 will provide a total of $2.9 billion in budget authority for the operation of the District of Columbia government during fiscal year 1987. This is $286 million above last year's level and consists of Federal funds of $541 million and local funds of $2.1 billion and long-term borrowings of $365 million to finance the city's construction program.

FEDERAL FUNDS

The Federal funds of $541 million we recommend in this bill consist of four items:

First, a Federal payment of $425 million, which is the same as last year's appropriation before the Gramm-Rudman sequestration, but $19.5 million below the budget request due to lack of authorizing legislation.

Second, our reimbursement to the District for water and sewer services furnished to Federal facilities totals $28.8 million and is $400,000 below last year's level.

Third, the Federal contributions to the police officers', firefighters', teachers', and judges' pension system is $52 million and reflects no change from the fiscal year 1986 appropriation.

Fourth, a Federal payment of $35 million for St. Elizabeths Hospital which is $11 million above last year's level as required by Public Law 98-621.

These four amounts total $541 million in Federal funds and reflect a net increase of $11 million above the fiscal 1986 Gramm-Rudman appropriation level, but $19.5 million below the President's budget.

We are also $20 million below our 302(b) allocation in terms of budget authority.

DISTRICT FUNDS

Mr. Chairman, the bill includes $2.9 billion in District funds of which $2.6 billion is for operating expenses and $365 million is for the city's construction program.

For those Members who are not familiar with the District's budget, I will take a moment and clarify what we mean when we refer to "District funds." This $2.6 billion operating budget is financed from two sources—

First, Federal funds of $541 million, and

Second, local revenues such as income taxes, property taxes, fines and fees of $2.1 billion collected by the city.

In other words, almost 80 percent of the city's operating budget is financed with its own revenues while the balance of 20 percent comes from the Federal payment and other Federal funds which we owe the District for such things as water and sewer services that the city provides to the Federal Government.

The construction program of $365 million will be financed in its entirety through long-term bonds, which the District has been able to issue since fiscal 1985 at interest rates lower than those it was paying when it had to borrow from the Federal Treasury.

BUDGET AMENDMENT

Mr. Chairman, the committee has not approved the language submitted in House Document 99-184 which designated $20 million of the $444.5 million Federal payment request as the amount appropriated in fiscal year 1986 for fiscal year 1987 costs of a new prison in the District.

Let me make it clear that the increase of $19.5 million in the Federal payment for fiscal year 1987, and the $20 million appropriated in fiscal year 1986 for prison construction are two separate and distinct matters. The increase of $19.5 million in the Federal payment is requested in the President's fiscal year 1987 budget but is not included in this bill. We have no quarrel with that request. In fact, I believe the increase is overdue since there was no increase in fiscal year 1986. The $20 million for prison construction was appropriated in fiscal year 1986 and became law in a bill signed by the President. We see no need to reappropriate that amount since the appropriation language states that it is to remain available until expended. The committee fully expects the $20 million appropriated in fiscal year 1986 to be made available to the District in accordance with the requirements set forth in the District of Columbia Appropriations Act for 1986 (H.R. 3067), as enacted by reference in section 101(c) of Public Law 99-190, signed by the President on December 19, 1985.

Mr. Chairman, before I get into the highlights of this budget, there are two issues I would like to address briefly. One deals with the District's

drinking age and the second has to do with the gypsy moth infestation problem.

DRINKING AGE

Mr. Chairman, the committee is deeply concerned that the District of Columbia has not raised its legal drinking age to 21 years. While the surrounding jurisdictions and 44 States have adopted 21 years as the minimum drinking age. The District's drinking age remains at 18, according to information received by the committee. The District remains the only jurisdiction in the United States that sells alcohol to 18-year-olds with the exception of Colorado where the more diluted 3.2-percent beer is sold.

If the District fails to adopt the 21-year drinking age, it stands to lose $2.5 million in Federal highway funds on October 1, 1986, and $5 million every year thereafter. However, it is not the dollars that are most important: it is the lives of both the young people who come to the District to drink and the innocent motorists of all ages who have the misfortune to encounter them on the area's highways and streets.

That is what we are concerned about.

We are pleased to note that just this past Tuesday, an advisory group to the Mayor recommended that he support raising the city's drinking age to 21. We agree, and we again call on the District to revisit this issue and act now to adopt a 21-year minimum drinking age.

GYPSY MOTH INFESTATION

I want to note here the serious effort made by the District to deal with the gypsy moth infestation problem that has affected hardwood trees in certain areas of the city and promises to get worse in the years ahead. It is apparent that a comprehensive public information program should be developed along with plans for regional spraying, including aerial spraying if necessary. In order for these efforts to be successful, cooperation is required by adjacent jurisdictions, including the National Park Service, and planning must begin now so that timely and effective action can be taken when the infestation reemerges next year. We have called on District officials, Mr. Chairman, to develop a comprehensive plan for gypsy moth eradication and control by January 31, 1987, for implementation at the appropriate time.

GOVERNMENTAL DIRECTION AND SUPPORT

The committee recommends a total of $108 million for the 23 departments and offices included in the governmental direction and support appropriation. The committee's recommendation reflects an increase of $11 million above last year's level and includes an increase of $720,000 and 13 research specialist positions for the District of Columbia Council, the city's legislative body.

For the D.C. Retirement Board, the bill includes $754,000 in District funds and $3,018,000 from investment income. The Board controls and manages the city's pension funds for police officers, firefighters, teachers, and judges. These funds totaled $833 million as of March 1986 and yielded 23.7 percent for the 6-months period that ended March 31, 1986.

ECONOMIC DEVELOPMENT AND REGULATION

The bill includes $129 million for the 14 agencies and items involved in economic development and regulation in the District. By far the largest percentage increase is for the Department of Housing and Community Development whose budget will total $40 million with an increase of $17 million over last year's level. Ten million dollars of this increase will be used to provide rental subsidies for eligible low-income and moderate-income residents while $3 million will be used to provide financial assistance to low-income residents for the purpose of enabling them to purchase houses in the District. An increase of $2 million is recommended for the new Urban Homesteading Program which will provide $10,000 for repair and renovations of tax delinquent properties sold to low- and moderate-income residents.

PUBLIC SAFETY AND JUSTICE

The committee recommends a total of $581 million, or an increase of $50 million for the city's various public safety activities. A total of $158 million is included for the Metropolitan Police Department. The committee has retained language carried in the bill for several years which requires the District to maintain an average strength of 3,880 uniformed officers for fiscal 1987. For the Fire Department, we recommend $68 million, an increase of $9 million above the fiscal 1986 appropriation level. We also recommend bill language requiring the D.C. Retirement Board to pay 23 former firefighters who retired between November 24, 1984 and March 28, 1985, a one-time lump sum bonus of 3 percent of their annuity by October 15, 1986. This payment results from an agreement entered into on March 27, 1985 between District officials and the collective bargaining unit for District firefighters.

Mr. Chairman, the committee continues to be concerned about fire protection in Ward 2, and once again directs that Engine Company No. 3 located at 439 New Jersey Avenue NW., remain open and fully staffed until the 91st day after the committee has approved the District's request to close or transfer the facility. We want to make it very clear that District officials should not assume that the city's request to close or transfer Engine Company No. 3 will be approved, and then based on that assumption move ahead to reduce the manning and phaseout the facility at its present location. Absolutely no action is to be taken which will lead to closing or transferring the facility until the 91st day after the request is approved by the committee. If the request is not approved, Engine Company No. 3 is to remain open and fully manned and staffed at its present location.

For the National Guard, we recommend $863,000. Our recommendation includes a one-time nonrecurring increase of $100,000 which will be matched with Federal funds for needed maintenance and upgrading in both troop and administrative areas at the D.C. Armory. The bill includes $609,000 for the citizens information and referral system designed to handle calls from citizens who do not require the emergency assistance of fire, police, or ambulance vehicles. District officials testified that the present 911 system receives over 1 million calls a year of which 450,000 are nonemergency calls that tie up the 911 system. This new system and the 911 system will work jointly to respond to all citizen requests for assistance.

Mr. Chairman, we once again call on the Mayor and council to approve legislation amending the D.C. Code to ensure appropriate liability coverage for judicial employees comparable to that provided for medical employees. We are hopeful that such legislation will be on the books prior to December 31, 1986, which is 18 months after the need for this legislation became evident.

DEPARTMENT OF CORRECTIONS

For the city's embattled Department of Corrections, we recommend the full budget request of $148 million which is an increase of $23 million or 18.7 percent above last year's level. Since fiscal 1976, the budget for this department has increased by 350 percent, from $42 million to $148 million recommended this year while the inmate population has almost doubled from 4,400 to 8,700. Mr. Chairman, the District's problems are a mirror of a national phenomenon, perhaps magnified by the District's unique territorial problems, high visibility and proximity to a local electorate. The District has the highest per capita incarceration rate in the country and there doesn't appear to be any easing of the situation in the immediate future. The overcrowding has resulted in court orders limiting the number of inmates housed in certain facilities. In last year's bill, the Congress provided $30 million for construction of a new prison within the city, and District officials are working with the Federal Government in a joint effort to resolve the overcrowding problems. The Mayor testified that drugs are driving the city's correctional system. He stated that PCP does not grow at 14th

and U Streets NW; it is being brought into the city and the enormous profits from drug sales are making the risks financially worthwhile to those involved in the drug trade.

But there is reason for hope. The Federal Government is becoming more involved in the war against drugs. Helicopters and pilots have been sent to assist Bolivian authorities in an effort to destroy the drugs at their source, and our military is participating more vigorously in drug interdiction activities with other Federal agencies.

Mr. Chairman, while the corrections situation is serious, it is under control, and we are recommending approval of every dollar and every position requested for the city's prison system.

We did some research on prison construction in the District and found that in 1972, a supplemental request was approved which provided $69.8 million to expand the capacity of the city's corrections system. For reasons that have not been shared with me, that expansion never took place. But we can't do anything about that now. We must move ahead, and that is what we are doing in this bill and that is what we did in last year's bill.

PUBLIC EDUCATION SYSTEM

We recommend a total of $541 million for the seven activities included under the public education system appropriation. This allowance is $37 million above last year's appropriation. For the Board of Education and the public school system, we recommend $394 million, which is $34 million more than the school system received last year and includes $8 million for roof replacements and various school safety and maintenance programs. Test scores are improving throughout the system, and for the first time in at least 20 years, the number of students in the District's public school system is expected to increase. School officials project the student population to total 88,128 for the 1986-87 school year, an increase of 1,036 students above the enrollment for 1985-86. There is no doubt in my mind that this dramatic turnaround—in higher test scores and an increased student population—is the direct result of the cooperation and leadership of the elected board and the superintendent whose first priority is the successful education of their students.

The committee fully supports the school system's early intervention dropout prevention pilot program funded with a special Federal paymen of $150,000 last year. We urge the Board to identify funds within the school's total fiscal year 1987 operating budget of $386 million to follow up and monitor the students involved in this program. I am still of the belief that many of our problems start with truancy and student dropouts, and the less truancy and fewer student dropouts there are, the less serious the problems should be in the future.

Mr. Chairman, we encourage the Board and superintendent to explore methods and options to address the serious problem of alcohol and drug use in the public school systems in the metropolitan area, and to consult with their counterparts in the surrounding jurisdictions as well as across the Nation.

For the Public Library, we recommend $16.6 million, an increase of $1.6 million above fiscal 1986. Included in our recommendation are increases to extend the hours of branch libraries which were reduced because of revenue problems a few years ago. We recommend $2.4 million for operating expenses and grants for the Commission on the Arts and Humanities. We also recommend to capital projects for the Commission to finance visual art in public places and to assist private efforts to provide space for arts and related groups in buildings involved in redevelopment or rehabilitation projects.

HUMAN SUPPORT SERVICES

The largest category of appropriations for the District is Human Support Services which totals $654.3 million and reflects an increase of $51.1 million above the fiscal 1986 level. These are the "People" programs which provide social, economic, and health support and other services for those in need including the elderly.

The largest of the 11 items under this appropriation is the Department of Human Services with a budget of $541.2 million for fiscal 1987, which is $38.7 million above the fiscal 1986 level. Included in our recommendation for the Department are $15.4 million for child day-care services and $1.7 million for increased efforts to reduce the spread of AIDS and improve services to victims of this fatal disease.

For Aid to Families with Dependent Children, we recommend $44.1 millon of which $4.3 million will be used to provide emergency assistance to families and individuals faced with a temporary crisis. We recommend $23.6 million for the city's alcohol and drug abuse programs including an increase of $1.5 million for the operation of two comprehensive clinics and one additional clinic to be opened in fiscal year 1987.

For the Medicaid and Medical Charities Program, we recommend $154.9 million of which $37.3 million is for skilled and intermediate nursing services and $1.5 million is for intensive rehabilitative care of accident victims at the new National Rehabilitation Hospital.

We recommend $10.4 million for the Office on Aging. This includes an increase of $675,000 to cover the operating expenses for two new senior citizen centers as well as expanding the service now being provided in existing centers.

PUBLIC WORKS

Mr. Chairman, the bill includes $205 million for the four activities in the public works appropriation title. This is $11.8 million above last year's appropriations. For the Department of Public Works, the bill includes $102 million or an increase of $9.7 million for fiscal 1987. Included in this increase is $1.5 million for improved street and sidewalk cleaning throughout the city and $848,000 for sidewalk maintenace. We also recommend the full budget request of $98.5 million for the District's share of operating expenses and debt service for Metrorail and Metrobus operations in fiscal year 1987.

WASHINGTON CONVENTION CENTER FUND

We recommend $6.3 million as the fiscal 1987 general fund contribution to the Washington Convention Center. In testimony before the committee, officials stated that delegates attending events at the center are expected to spend $152 million during fiscal year 1987 with a direct tax impact on the general fund of more than $12.3 million.

REPAYMENT OF GENERAL FUND DEFICIT

Mr. Chairman, the committee recommends that $20 million be set aside in fiscal year 1987 to reduce the District's accumulated general fund deficit which totaled $245 million as of last September. This deficit has been reduced by $142.5 million from its peak of $387.5 million in 1980 and will be reduced by almost one-half at the end of fiscal 1987. We have also included language in the bill prohibiting the District from taking a disproportionate cut from this account should a reduction be made in the Federal payment because of the Gramm-Rudman Act. As I mentioned in my statement last year, the committee plans to recommend a standard reduction of $20 million each year to be used exclusively to reduce the deficit. The setting aside of these funds each year benefits the District in several ways, not the least of which is the positive attitude it generates in the financial community which translates into easier access for the city to the cash and bond markets.

CAPITAL OUTLAY

A total of $365.4 million is recommended for 119 projects for the District's construction program in fiscal year 1987. These projects will be financed with long-term borrowings on the commercial bond market. We recommend $240 million for "Public Building Construction," including $47.2 million for various projects such as architectural barrier removal, asbestos testing and removal, and rehabilitation of public housing projects by the Department of Housing and Com-

munity Development, and $6.5 million for permanent improvements and fire apparatus replacement for the fire department. Seventy million dollars is included for several projects such as roof replacements, asbestos abatement and safety, and building improvements in the public school system.

For the Department of Human Services, we recommend $29.7 million for nursing home renovations, handicapped code compliance, and general improvements at St. Elizabeths Hospital. A total of $45.5 million is recommended for 15 highway and bridge projects and $54.8 million is in the bill for various water and sewer projects including $38.4 million to expand the Blue Plains Wastewater Treatment Plant to meet the region's planned needs until the year 2010. This is the largest wastewater treatment plant in the country.

Mr. Chairman, the committee continues to be concerned about the inordinate delay in repairing and resurfacing the Southeast-Southwest Freeway. Part of the District's share of construction funds was appropriated as far back as 1980, and here we are in 1986 still waiting for construction to start. The committee has been advised that sections of the freeway have been designed at least three times because of Federal Highway Administration requirements. Mr. Chairman, that roadway is in deplorable condition with chunks of concrete falling onto vehicles parked in lots under the bridges. It seems that 7 years is long enough for design work and it is time that District and Federal Highway officials get on with the construction work.

PAY-AS-YOU-GO-CAPITAL PROJECTS

The committee notes that District officials are financing "maintenance" projects with current operating revenues and using long-term borrowings to fund true "capital" projects. The use of current operating revenues to finance maintenance projects unquestionably benefits District taxpayers since it eliminates debt service costs which could run 15 to 30 years while the life of the maintenance project in many cases is much less. We feel this approach by District officials is sound and should be continued.

ENTERPRISE FUNDS

The committee recommends $183 million for the four activities funded with enterprise funds. A total of $160.6 million is included for the Utility Administration of the Department of Public Works. This allowance is $19.6 million above last year's appropriation and includes increases of $4.6 million for sludge disposal operations and $2.7 million to replace transformers that are either filled with PCB or contaminated with PCB materials. We recommend the budget request of $5.5 million for the Lottery and Charitable Games Control Board which is responsible for regulating charitable games and conducting legalized lotteries in the District. This allowance is $1.3 million above last year's level and includes increases for office space, equipment rental, temporary positions, and energy costs. The Board expects to transfer $47.6 million in surplus funds to the District's general fund during fiscal year 1987.

The committee recommends $250,000 for the Office of Cable Television. The same level as was appropriated last year. Actual construction of the District's cable system began on May 22, 1986, with first service to 10,000 homes scheduled for September 1986. All homes are scheduled to have cable service available within 5 years.

GENERAL PROVISIONS

Mr. Chairman, there are a number of general provisions on pages 18 through 27 of the bill. However, there are only two major changes which I would like to explain to the Members.

Language under section 129 amends language in last year's bill which exempted Members of Congress from personal property taxes on owned vehicles unless the Member represents the State or district levying the tax. The amendment recommended by the committee would also exempt leased vehicles since some Members lease rather than own their vehicles. The amendment also clarifies the definition of personal property taxes. Several Members have talked with me about this issue which, in my view, is similar to the income tax exemption provided for Members under Public Law 95-97, approved July 19, 1977, which was held constitutional in United States versus Maryland.

The second item involves language carried in the bill for a number of years which prohibited installation of meters in taxicabs and mandated a system of uniform zones. We recommend that this language, which was section 106 of last year's bill, be deleted. The District has established a new Taxicab Commission which will have exclusive authority for intrastate regulation of taxicabs, taxicab companies, and taxicab associations. In our report, we direct the Taxicab Commission to study the taximeter issue as well as the present uniform zone system and other systems and to report to the committee 90 days prior to taking action which will result in changing the present system.

Mr. Chairman, I want to take this opportunity to thank the Members who serve on our subcommittee. We all share the same basic philosophy regarding home rule and the Federal interest in the District of Columbia.

The gentleman from Kentucky [Mr. NATCHER] who has been a member of this subcommittee for over 31 years and served as chairman for 17 years; the gentleman from Ohio [Mr. STOKES], the gentleman from Texas [Mr. WILSON], the gentleman from Minnesota [Mr. SABO], the gentleman from Maryland [Mr. HOYER], the gentleman from New York [Mr. GREEN], and the gentleman from Virginia [Mr. WOLF].

I would like to say a word about the gentleman from Pennsylvania [Mr. COUGHLIN], who serves as the ranking Republican on our subcommittee. Not only is he ranking on our subcommittee, but he serves as the ranking member on a second subcommittee and also serves on a third subcommittee. With all of those demands on his time, he is always available. And his leadership in dealing with the District's complicated budget is one of the main reasons we are able to bring to you today a bipartisan bill. He is certainly a Member who makes the difference.

CONCLUSION

Mr. Chairman, let me conclude by saying that the committee has made only two very minor changes in the District's budget as far as amounts are concerned. We recognize that there are problems and we have called attention to those areas we feel need to be addressed by District officials. The District is reatively new to self-govenment and, in my judgment, is doing quite well overall.

The bill we bring to you today is a good bill.

It is below the budget request by $19.5 million.

It is below the section 302(b) allocation by $20 million in budget authority.

It is a balanced budget with revenues equal to budget authority.

It is 80 percent funded with local revenues.

Mr. Chairman, I recommend that it be approved.

□ 1240

Mr. MYERS of Indiana. Mr. Chairman, the gentleman from Pennsylvania [Mr. COUGHLIN], the ranking Republican member, is on his way here right now. It has been a number of years since I have served on this subcommittee, but for the time being I will fill in, in that capacity.

Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. FRENZEL].

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

Mr. Chairman, I will present an amendment when we are in that stage of the program, and that amendment will lop off a few million dollars from the Federal payment.

I would like it understood, however, that my amendment does not affect District of Columbia funds at all. Neither does it affect the water and sewer services, Federal contributions to pensions, St. Elizabeths Hospital, et

cetera. These are agreements that this Congress has made with the District.

The District's home rule should not be disturbed. Neither should the agreements that we have had with them on these matters.

However, I do believe that the Federal payment should be reduced, for the single reason that I have believed that we should hold all of our appropriations to a BA freeze compared with last year. If you will look on page 3, you will find that the Federal payment in fiscal year 1986 postsequester was about $412.4 million. The payment as included in this bill is about $425 million, and I am reducing the total amount by $10 million, so that the total Federal funds on BA will be equal to last year.

I think that this amendment represents a very modest, but important amendment. It is about 2 percent of the Federal payment. A freeze is in order. The District of Columbia, just like every other item on our expenditure list, ought to be able to make some modest sacrifice.

For that reason I shall offer the amendment, and I hope that the committee will accept it.

Mr. DIXON. Mr. Chairman, I yield 5 minutes to the distinguished delegate from the District of Columbia [Mr. FAUNTROY].

Mr. FAUNTROY. Mr. Chairman, I rise to urge respect and support for the integrity of the D.C. Home Rule Act.

When Mr. DANNEMEYER seeks to offer an amendment to the D.C. appropriations bill aimed at prohibiting the use of Federal funds to implement a bill passed by the D.C. Council, I urge my colleagues not to support his effort. In order to offer his amendment, Congressman DANNEMEYER must gain sufficient support to defeat the motion to rise after full consideration and just before final passage of the D.C. appropriations bill.

The bill at issue, D.C. Council Act 6-170, is a measure which seeks to prohibit discrimination in the provision of insurance in the District of Columbia. Because it is directed at forced testing for AIDS, the measure has sparked some controversy. Each of us may have personal views on this subject, however, we should not seek to substitute our personal views on this purely local issue for the well considered views of the local government. This is particularly important in light of the deliberative process which led to enactment of D.C. Council Act 6-170.

In 1973, we passed the D.C. Home Rule Act, delegating legislative power over local matters in the District of Columbia to a government of the people, by the people and for the people. Pursuant to the powers given to that government, the legislation which is the target of the DANNEMEYER amendment was introduced in November 1985.

The bill was referred to the D.C. Council's Committee on Consumer and Regulatory Affairs. Prior to its hearing on the bill, that committee published notice of the hearing in the D.C. Register, placed notice on the council calendar, mailed notices to the 350 advisory neighborhood commissions and to 50 other organizations. In addition, the legislation enjoyed wide media coverage.

The committee gave all who wanted to testify an opportunity to do so. Testimony was received from 24 witnesses. No one was denied an opportunity to be heard.

The committee and the full D.C. Council subsequently passed the bill, and the Mayor signed and approved it, whereupon it became an act and was transmitted to the Congress. Thereafter, the D.C. committee's Subcommittee on Fiscal Affairs and Health considered and rejected a resolution by Mr. DANNEMEYER to disapprove D.C. Council Act 6-170.

Mr. Speaker, the height of contradiction in Mr. DANNEMEYER's proposed amendment lies in the fact that his State of California, like several other States, has passed a bill similar to D.C. Council Act 6-170.

California assembly bill No. 403, approved on April 3, 1985, at section 199.21(F), contains the following provision:

> The results of a blood test to detect antibodies to the probable casusative agent of acquired immune deficiency syndrome shall not be used in any instance for the determination of insurability or suitability for employment.

Thus, the California law goes further than the D.C. act in that it covers not only insurance but employment as well.

The question then is why single out the District of Columbia? The answer is that we should not.

The real test of democracy is to accept that there are times when ideas and policies about which we might personally differ, will prevail. Autocracy is the greatest threat to democracy. Lincoln said it best when he stated, "As I would not be a slave, so I would not be a master."

I urge you to stand for democracy and oppose the Dannemeyer amendment by supporting the motion to rise at the close of full consideration of the D.C. appropriations bill.

Mr. MYERS of Indiana. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, I thank the gentleman from Indiana for yielding time to me.

Mr. Chairman, I take this time to describe an amendment or a couple of amendments that I will have before the House on this bill that deal with the issue that was raised on the House floor the other day, namely the war on drugs.

□ 1250

It is important, I think, as we approach this bill, to realize that a matter of national consequence for this Congress as we deal with the District of Columbia appropriations bill is to assure that the war on drugs is being fought in our Nation's Capital.

That can only be done by giving the D.C. Police Department the resources that they need to fight that war on drugs.

Therefore, it will be my intention to offer an amendment that would add $1 million to the appropriation for the D.C. Police Department in order to conduct more of a war against drugs. In order to get that money and still live within our obligations around here to keep within the budget, I have also put together an amendment that will take that $1 million out of the Commission on Arts and Humanities. The Commission on Arts and Humanities in the bill is one of those priorities that is, indeed, important to some people, but I think we need to weigh that priority.

True, my amendment will cut that Commission's money by about 40 percent. However, put that against the fact that arrests for cocaine in the city are up 1,284 percent in the last 4 years.

Put that against the figure that PCP arrests in the District over a 4-year period are up 1,861 percent.

We have a major drug problem in Washington, DC. We need to conduct a major drug war in Washington, DC. We need to have the resources committed to the Police Department of the District of Columbia to conduct that war.

My amendments, taken together, will redefine the priorities. The idea behind my amendments is to restructure priorities, to take money out of the Arts and Humanities Commission in a way that we put it over into fighting the drug war in Washington, DC.

I would hope that the Members of the House will support this amendment.

Our Speaker, just yesterday, declared that we need to wage an all-out war on drugs, a bipartisan war on drugs. The gentleman said it, I think, very well, that it is something which is a matter of great national consequence.

I would say that if we do not have the money resources available to conduct that war once we have put new authorizations into place, it will be a nonwar. In this appropriations cycle, we have to designate the resources necessary to carry out the war on drugs.

My amendments are designed to do that. I would urge support at the appropriate time.

Mr. DIXON. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN. The gentleman from California [Mr. DIXON] has 20 minutes remaining.

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

Mr. Chairman, today we are really seeing Government at work. The gentleman from Pennsylvania [Mr. WALKER] indicates the reason why the gentleman raises this issue.

The implication is that there is someone in this Chamber or someone in Washington, DC, who is not fighting the war against drugs. Certainly, the gentleman has a right to offer this amendment.

I would point out to this body that the gentleman is not a member of the Committee on Appropriations; the gentleman is not a member of the Subcommittee on District of Columbia Appropriations. To my knowledge, the gentleman has no functioning operational knowledge of the Washington Police Department. He probably could not tell me two drug programs that are being run by the school district or the police department.

The gentleman is against drugs, and I am against drugs, and everyone is against drugs.

The police department has $158 million. It is up about $10 million over last year. What is the gentleman's solution to fighting drugs in the District of Columbia? It is very cosmetic.

I will demonstrate to you that I am fighting drugs by taking $1 million, a piddling amount, out of one account and transferring it to another account. Then everybody will know that I am fighting drugs. The police department testified before our committee. They did not ask for additional money over and above the $10 million in their budget. And we granted it.

From time to time, the police department has come to us and asked for an increase in their confidential funds, and we have increased that amount.

The law enforcement segment of enforcing drugs involves two things: manpower and operational moneys to perform clandestine activities. I feel secure that the police department has enough money to do this.

Where does the gentleman take the money from? The arts and the humanities, under the educational appropriation title.

No one has the perfect solution as to how we can fight drugs but the gentleman from Pennsylvania [Mr. WALKER], suggests that we take money out of educational programs and transfer that money to the police department. But there are other ways to fight drugs.

A sum of $2.4 million spread across the District for arts is another way of diverting people into constructive activities, let alone other people in this District that deserve funding.

So to stand on the House floor and say, "I am fighting drugs in the District by taking $1 million from the arts and humanities and transferring it to the police department," when we have already increased the police department by $10 million, is not the way to go about it if you want to be effective. If there is a manpower problem, the city and police department can come back for a supplemental. But taking $1 million from the education appropriation and adding it to the police department is not fighting drugs, but rather, as the gentleman said, "raising the issue."

Mr. COUGHLIN. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN. The gentleman from Pennsylvania [Mr. COUGHLIN] has 25 minutes remaining.

Mr. COUGHLIN. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona [Mr. RUDD].

Mr. RUDD. Mr. Chairman, I rise reluctantly to make an opposing statement to the appropriations for the District of Columbia.

The chairman of this committee has done a very responsible and outstanding job in chairing the committee, as well as my colleague and friend, the gentleman from Pennsylvania, ranking member on the committee, and the other members of the committee have done a great job on this committee for a long while, as well as the staff members.

But my reason for rising today principally is to voice my opposition to statehood for the District of Columbia. I do not question the people's right for their position on statehood, but I feel that there should be a position on the opposite side indicating why I, at least, do not agree with that.

The bill includes an appropriation of $100,000 from D.C. funds for statehood activities, specifically $50,000 for the D.C. Statehood Commission and $50,000 for the Statehood Compact Commission. In committee, I offered an amendment, which was subsequently adopted, to ensure that this $100,000 comes from locally generated revenues and not Federal sources. Despite the passage of my amendment in the committee, I still believe the $100,000 allowed under the bill for statehood activities is unwise, but that is my opinion because I disagree with statehood for the District.

In drafting the Constitution, our Founding Fathers, in article I, section 8, gave Congress the power "to exercise exclusive legislation in all cases whatsoever, over such district * * * as may * * * become the seat of the Government of the United States." They, of course, did not intend that the District become a State. The intent of our Founding Fathers in the Constitution is very, very clear.

While the District enjoys substantial home rule prerogatives, the Congress still retains the ultimate responsibility for this appropriation and we ought to exercise those responsibilities. If statehood is appropriate for the District of Columbia, a city of some 630,000 people, then it should be appropriate for other cities, including my city, which is the ninth largest city in the country, the city of Phoenix, AZ.

If the District is serious about statehood, we ought to drastically reduce the Federal payment in this bill. If no drastic reduction is made, we ought to retain the control that our Founding Fathers intended.

Mr. Chairman, for this reason, I oppose the bill and I am pleased that the gentleman yielded so that I could voice my opposition.

□ 1300

Mr. COUGHLIN. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. WOLF].

Mr. WOLF. Mr. Chairman, I want to thank the chairman and the ranking member for having language in this bill which puts the committee, once this bill is passed, puts the Congress on record in supporting that the drinking age in the District of Columbia will be raised from 18 to 21.

Just to make a brief point:

> The committee remains deeply concerned that the District of Columbia has not raised its legal drinking age to 21 years, and, in fact, remains the only jurisdiction on the east coast not to act to protect its young people. * * *

It ends by saying:

> If the District fails to adopt 21 as its minimum drinking age, it will have approximately $2,500,000 in Federal highway funds withheld on October 1, 1986, and $5,000,000 on October 1, 1987, and every year thereafter.

So it is important that they know that if they do not raise their drinking age, and they are treated as any other State, as the States that have not raised their drinking age, they also will lose that much money.

It goes on to say:

> There is no question that the loss of these funds will have a major detrimental effect on the District's highway project. However, failure to address this issue expeditiously will jeopardize much more than millions of dollars in highway funds. It will put at serious risk the lives of both the young people who come to the District to drink and innocent motorists of all ages who have the misfortune to encounter them on regional highways and streets. The Committee once again calls on the District to act now to adopt a 21-year minimum drinking age.

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

Mr. WOLF. I yield to the gentleman.

Mr. DIXON. Mr. Chairman, I join the gentleman in his statement, and I think that we are both pleased to see that the Mayor, by utterances in

today's paper, that he has joined in supporting the 21-year-old drinking age.

I think in a metropolitan area that involves two States and the District, that certainly there should be uniformity as it relates to drinking, and I commend you for pursuing this report language.

Mr. WOLF. I thank the chairman and the gentleman from Pennsylvania [Mr. COUGHLIN].

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

Mr. WALKER. Mr. Chairman, I must say that I was somewhat astounded a few minutes ago by the chairman's remarks here on the floor, and his unwillingness to yield to me to discuss the matters that he was bringing up.

I thought I——

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

Mr. WALKER. Yes, sure, I will be glad to yield to the gentleman.

Mr. DIXON. Mr. Walker, the only reason I did not yield to you was because there was plenty of time on your side. If you wish to engage me in a dialog, I would appreciate doing it on your time rather than on my time.

Mr. WALKER. No; the chairman was up discussing remarks that I had just made and did not do me the courtesy of even yielding to me as I have just yielded to him; and that somwhat astounds me, I must say.

I have to say about the amendment, I thought it would be a somewhat noncontroversial amendment; and it seems to me I do have the right to offer the amendment, despite the fact I am not on your committee, and not on the District of Columbia committee.

I am, however, a resident of the city and a taxpayer in the city, and I know we have got a drug problem here. It seems to me that offering such an amendment——

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

Mr. WALKER. I will be glad to yield to the gentleman.

Mr. DIXON. Does the gentleman think that a million dollars transferred from educational programs to the police department on top of a $10 million increase that we have already approved is going to correct the drug problem?

Mr. WALKER. I do not think it is enough, I will say to the gentleman, but let us talk about your $10 million increase. The gentleman says in his report what the $10 million increase is for, and not a penny of it is for drugs.

The report says it is for pay adjustments, position upgrades, new positions, 911 service upgrades, telephone costs, clothing, equipment, and replacement vehicles. That is what the report says that the money is for; none of that is for drug enforcement.

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

Mr. WALKER. I will be glad to yield to the gentleman; do him the courtesy he would not do me.

Mr. DIXON. Mr. Chairman, those costs are for police officers. I assume that the transfer of a million dollars is for police officers; for surveillance and investigation. So you must support the $10 million increase, and certainly a million dollars more is not going to improve the enforcement situation here at all.

Mr. WALKER. Let me say to the gentleman that at least it is something. It is not enough, but it is something. It moves in the right direction.

Maybe what I should have done is taken all the money out of one program, but I decided not to do that. I decided to do something which was possible: Cut 40 percent out of one program so that in fact we could do something.

The gentleman came out here and said, a million dollars is a pittance, and so therefore evidently we should do nothing. Well, if the gentleman thinks that funding craft groups and funding theatre groups and so on is more important a way of fighting drugs than law enforcement, well, then, that can be your opinion.

My opinion is that taking a million dollars out of those programs will in fact help a little bit. It will not go all the way, but it will help a little bit.

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

Mr. WALKER. I yield to the gentleman.

Mr. DIXON. Mr. Chairman, the gentleman from Pennsylvania is not trying to suggest that the District is not doing anything in the war against drugs, is he?

Mr. WALKER. No; all this gentleman is suggesting is that they ought to do more, and that what we have done is not enough and that I am trying to provide a little bit of additional resources for the District of Columbia to do some law enforcement activities toward fighting drugs. That is all this gentleman is trying to do.

I cannot imagine that is controversial. I cannot imagine anybody thinks that we do not have a problem.

Mr. DIXON. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. Mr. Chairman, I appreciate the chairman yielding to me. I would like to say to my distinguished colleague from Pennsylvania [Mr. WALKER], if I might have the gentleman's attention.

I can appreciate the general thrust of the gentleman's amendment. Obviously, fighting drugs at this time is more than a laudible exercise. It has become now a great imperative. Our children are dying on the streets of America and we all understand that.

I would like to take a little different tack with the gentleman. Clearly in the context of the drug problem, you have the sellers and you have the buyers; and on the supply side of this issue, of the seller's side, we have enormous and elaborate efforts to enforce the law, we have hundreds of laws on the books.

What I am more concerned about, and perhaps this is my social work background, in working with young people all my life, is that on the side of the equation that speaks to the buyer, our kids, the children; we have to have programs that allow us to compete for the attention of our children. These are the people who are purchasing the drugs.

If on the social side of that equation we are stripping ourselves of the capacity to compete for the attention of the children. When you and I were children, when we were not old and wrinkled and gray as we are at this moment—when we were vigorous—and thinning hair.

Mr. WALKER. Me, not you.

Mr. DELLUMS. No, I have got a hole, too; there is a hole in my Afro as well.

Mr. Chairman, I say to my colleague that we lived in a different environment, and there were numerous programs designed to compete for our attention: sports and recreation and education and arts and humanities and music and culture.

At this particular moment, as we argue these programs in the context of Gramm-Rudman, we are dehumanizing the debate, I would say to my colleague; that we are forgetting that we have to continue to fund programs that allow us to compete for the attention of the children.

Against that backdrop, I make the specific statement in opposition to your amendment. It is not that I will oppose your amendment because I do not believe that challenging drugs is not a noble and moral imperative and a laudible action at this moment; but it seems to me that it flies in the face of the reality that we have to continue to place funds at the disposal of our children; we must compete for their attention.

It is not simply a law enforcement issue. It is also an issue of competing for their time. If you dry up the funds for education, if you dry up the funds for sports and for recreation and for arts and humanities, then where are we? Where is the competition? There is nothing between the drug dealer and the young people who are the potential buyers of the drug.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DIXON. Mr. Chairman, I yield 3 additional minutes to the gentleman from California.

Mr. DELLUMS. Mr. Chairman, I will conclude my statement and then yield to my distinguished colleague.

We have to place something else into that equation. Arts and humanities is not some frivolous program. We do not live by work and sleep and food; we also live by programs that challenge our imagination, challenge our spirit and challenge our creativity.

We are not interested in creating a generation of dreams in our society. What we have to talk about is expanding their capability as human beings; and therein lies the ill-conceived nature of the gentleman's amendment. You place one laudible idea against the backdrop of another laudible idea; and these two ideas should not be in competition; they should not operate in lieu of each other, they should go forward together.

We have to deal with the law enforcement side of this terrible important issue, but we also must fund programs that allow us to compete for the attention and the time and the energy of the most precious resource that we have in this country, and that is our children.

I yield to my colleague from Pennsylvania.

□ 1310

Mr. WALKER. I thank the gentleman for yielding.

The point is that we have a job around here to set priorities. We heard when Gramm-Rudman was thrown out by the Court the other day one of the things this Congress had to do was set priorities. The other day we asked to put money into the drug fight and put that against economic pork barrel. And this House turned down putting money toward drugs and decided that economic pork barrel was more important than the drug war.

Today I will say to my colleague that we are asking for a cut in those funds, not an elimination of the funds but a cut in the funds for the Commission on Arts and Humanities in order to define another priority in the war against drugs in the law enforcement vein. That is a priority determination I think Congress has to make. I understand the point of the gentleman. That is his determination of priorities.

My feeling is that some of the other Members may decide that it is more important to have the law enforcement action against drugs than it is to have the extra money for the arts and humanities. And I thank the gentleman for yielding.

Mr. DELLUMS. I wanted to yield to allow my colleague a chance to respond.

Let me simply respond by saying to my colleague, priorities do not operate in the abstract. What can be more important priority than our children? It is not simply giving funds for law enforcement, but it is giving funds to challenge our children to their highest and their best. Our children should have the right to flower, the right to function, the right to grow and to realize their fullest potential as human beings. You do not do that by taking away educational resources, cultural resources from them.

The term "priorities" is not an abstraction. It comes down to the reality of human beings. What more precious human beings can there be than our children?

Finally, the gentleman from Pennsylvania used the term "pork barrel." We all know that there is a number of "pork barrel" programs that float around the Congress of the United States. But I would suggest that arts and humanities is directed at the next generation and is not pork barrel, it is an investment in our future, and the greatest investment we can make in our future is an investment in our children.

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

Mr. DELLUMS. I yield to the gentleman from Pennsylvania.

Mr. WALKER. I thank the gentleman for yielding.

Mr. Chairman, I did not use the term "pork barrel" with respect to the arts and humanities, I used it with respect to the Economic Development Administration the other day; that was pork barrel.

Mr. DELLUMS. I thank the gentleman for his response. I thank the chairman of the subcommittee for his generosity.

Mr. DIXON. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I thank the gentleman from California for his cogent comments.

The inference—and the reason I will oppose this amendment at the appropriate time—conveyed by offering this amendment to increase the police department's budget by $1 million is that the District of Columbia and its police department, one, are not fighting drugs and, two, do not feel they have adequate money to effectively fight drugs.

It seems to me that the inference, if it is to be inferred, is entirely wrong. They have a confidential fund for certain operations. We have increased their budget and their manpower. They have the opportunity, if it is a manpower problem or a budget problem, to come back for a supplemental.

So the suggestion here is that we are doing something to fight drugs by transferring $1 million to the police department, $1 million that they have not asked for, $1 million that there has been no plan drawn up as to how to spend and $1 million that is being taken away, as Congressman DELLUMS states, from another substantial program that also fights drugs.

Mr. Chairman, I do not subscribe to that suggestion and want to say that this amendment is purely cosmetic and not based on any sound planning.

Mr. COUGHLIN. Mr. Chairman, I yield 3½ minutes to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. I thank the gentleman.

I wonder if I might ask my colleague from Pennsylvania, Mr. WALKER, a couple of questions.

The arts and humanities that are funded in this bill, how much money goes toward that?

Mr. WALKER. The amount of money designated in the bill for arts and humanities is $2.368 million.

Mr. HYDE. Does the gentleman have any evidence or information that that money is maladministered? Does the gentleman have any quarrel with the way those funds in the present budget that are funding these programs, does the gentleman have any quarrel with the way they are administered?

Mr. WALKER. I do not have specific quarrel with it except I understand the Mayor has had some concerns with the ways, some of the ways that that money has been spent.

Mr. HYDE. The reason of the gentleman for wishing to deduct money from arts and humanities and applying it to drug enforcement is simply a matter of priorities? The gentleman feels that drug enforcement ought to supersede in terms of dollar impact the arts and humanities?

Mr. WALKER. The gentleman is absolutely correct. It is my hope of getting additional money, resources into the law enforcement exercise so that we have additional help for drug enforcement in the city of Washington.

Mr. HYDE. And the gentleman's view was that arts and humanities was the most—or the least meritorious of all the programs funded by this appropriation, is that correct?

Mr. WALKER. If the gentleman would yield further, I looked under the public education system and a number of other places in the bill, and it seemed to me that we did not want to cut some of the human support services and some of the public works. We did not want to go after specific programs of education in the schools, and the one place that we did have where we could find some money was in arts and humanities. And there I will say to the gentleman it is a 40-percent cut, but it is certainly a cut which is somewhat similar to other cuts that we have made in nonpriority programs.

Mr. HYDE. I just want to say to the gentleman that I am sympathetic to what the gentleman seeks to do. I have a problem with governmental funding of arts and humanities in that it is necessarily elitist, where certain groups get the money and certain

groups do not because the money is limited. On the other hand, arts and humanities, as the gentleman from California [Mr. DELLUMS] said, are a civilizing, humanizing force. They are really a part of education, and it just seems to me that one of the vices of Gramm-Rudman, which I voted against, is to make these mechanical arbitrary limitations.

If drug enforcement needs more money, we ought to have the money, and we ought to have the ability to appropriate this money, but I just hate to see something that the gentleman has not told me is being maladministered, and that I think is a plus for any society, if it is even-handedly done, and I am not totally sold that it can be.

Mr. WALKER. That is the reason why we made the determination not to cut out the program completely. We could have cut out $2.3 million for drug enforcement, but we decided to keep some money for the program because it probably can be put to good use. But I think the gentleman will agree that we have a major drug problem in Washington, DC.

Mr. HYDE. Which we should address, if I may say, on its own terms and not perhaps subtract from a program that may have an antidrug impact on society.

Mr. WALKER. The gentleman is absolutely correct. But the gentleman also knows that we then run into problems with the deficit.

Mr. HYDE. That is true. I thank the gentleman for yielding.

Mr. DIXON. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. I thank the chairman very much.

Mr. Chairman, I just wanted to say, Mr. HYDE, it is fantastic to hear the Hyde-Dellums coalition on this amendment. We have come to it perhaps by different routes, but we got there just the same.

I thank the gentleman.

Mr. DIXON. Mr. Chairman, I yield 2 minutes to the Delegate from the District of Columbia [Mr. FAUNTROY].

Mr. FAUNTROY. I thank the chairman for yielding.

Mr. Chairman, I too am just as pleased as I can be to associate myself with the remarks of the gentleman from Illinois [Mr. HYDE] on this question.

I really want to emphasize a point raised by the chairman of the subcommittee, the gentleman from California [Mr. DIXON]. And in doing so, I ask that the House not take this amendment that is being offered by Mr. WALKER seriously.

I have the same question the chairman has: By what authority does he offer this amendment? He says he lives in the District of Columbia. I too, live in the District of Columbia.

I, like the Major and the members of the City Council, have been elected by the people of the District of Columbia to assess with them their priorities. The fact is that the Mayor, the City Council, through exhaustive hearings, consulted with the citizens of the District of Columbia and agreed on some priorities.

The City Council then submitted the budget to the Mayor. The Mayor looked at those priorities, agreed with them, made some adjustments and sent them over to our Appropriations Committee.

The Appropriations Committee, on which the gentleman [Mr. WALKER] does not sit, thoroughly assessed the priorities and concluded that $10 million ought to be added to the capability of our law enforcement officials to enforce the law, including the war on drugs, and concluded that a paltry amount of $2.6 million ought to be committed to the priority of fine arts.

This gentleman would have us strike 40 percent of that, $1 million of it. Why? On the basis of his membership on the Appropriations Committee, and his study of the issue? No.

On the basis of his having heard from the citizens of the District of Columbia? No. On the basis, and I agree with the chairman of the subcommittee, on the basis of a simple effort to posture himself as being against sin and for motherhood. We are all against sin and for motherhood; we are all opposed to traffic in drugs here and around the country. I hope that the House will just dismiss this ploy on the part of the gentleman from Pennsylvania and not treat this amendment seriously.

The CHAIRMAN. The gentleman has consumed 2 minutes.

Mr. COUGHLIN. Mr. Chairman, how much time remains?

The CHAIRMAN. The gentleman from Pennsylvania has 13½ minutes remaining.

Mr. COUGHLIN. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, I rise in strong support of H.R. 5175, the fiscal year 1987 District of Columbia appropriations bill. Article I, section 8, of the U.S. Constitution gives Congress power "to exercise exclusive legislation in all cases whatsoever, over such District * * * as may * * * become the seat of the Government of the United States * * *" Although Congress delegated broad home rule powers to the District of Columbia in 1973, Congress retained the power of the purse. It is that power which we exercise, today.

This appropriations bill does two things. First, it provides a Federal payment from the United States to the District of Columbia. Second, it sets the entire D.C. budget, made up of Federal payment, property tax, income tax, sales tax, estate and gift tax, fees, fines, and any other income.

It is a pleasure to work with Subcommittee Chairman JULIAN DIXON on this bill. As you might imagine, financing the District of Columbia is not the most glamorous assignment. None of us get anything for our own home congressional districts. However, under Chairman DIXON's leadership the subcommittee has adopted a policy of letting the District make its own choices unless what is proposed: First, is unconstitutional; second, violates the House Rule Act; or third, raises a "Federal question." Guided by Chairman DIXON's sense of fairness and hardwork, the subcommittee brings forth what we believe to be a rational approach to the District's problems.

Assisting in the preparation of this bill are staff members Migo Miconi, Mary Porter, and Kenny Kraft from Appropriations, and Wilhelmina Marshall and Woody Woodrich from the Mayor's office.

The bill provides $2,989,598,000. Out of this $540,880,000 are Federal funds. This includes a Federal payment of $425 million, which is the same amount as appropriated last year before Gramm-Rudman. It is $19.5 million less than requested by President Ronald Reagan. The fiscal year 1987 increase has not yet been authorized so it is not included in the bill. The balance of Federal money goes to reimbursement for water and sewer service; retirement for teachers, police, firefighters, and judges; and St. Elizabeths Hospital.

The increase in this bill over last year's version is due to increased tax revenues which the District has raised. The Office of Management and Budget supports this bill. At the time of last week's full committee markup, I received a letter from James Miller III, Director of the Office of Management and Budget who said "the administration does not object to the bill" and it "Is consistent with the President's request." The full committee did not change the dollar amounts in the bill.

Mr. DIXON has already done a good job of explaining what is in H.R. 5175, so I will not repeat it. We recommend virtually the entire D.C. request with only $154,000 in changes. However, we do insist that $20 million be used to retire the debt. Since 1980, the city's accumulated deficit of $387.5 million has been reduced by over one-third. The cash portion of the deficit is eliminated completely. The noncash portion—value of unused sick leave, vacation, and so forth—is expected to be $244,934,000 on September 30, 1986. Let me call your attention to the report, especially pages 4 through 7, covering some of the D.C. issues about which you read every day in the

Washington Post and the Washington Times.

My compliments to the chairman and the subcommittee on a job well done.

Finally, let me join in the Chairman's opposition to the amendment by my colleague from Pennsylvania, Mr. WALKER. I just came from a meeting with the majority leader of the House, Mr. WRIGHT, and the minority leader of the House, Mr. MICHEL, on the very subject of drugs and drug abuse. I serve as the second ranking member of the Select Committee on Narcotics Abuse and Control.

The D.C. appropriations subcommittee has always, particularly under the leadership of this chairman and the earlier chairman, the gentleman from Kentucky [Mr. NATCHER], been most supportive of giving the police department of the city of Washington every resource that it needed. It gave them those resources because one of the Federal responsibilities is indeed to make this city safe, not only for its residents but for the thousands of visitors that come to this city from all parts of the Nation.

□ 1325

So to me it would be a mistake to take almost half of the budget for an item in this bill that is important to the city. It will be a fairly minuscule addition to the very substantial amount that we have contributed to the police and to drug and law enforcement in Washington, DC.

Mr. Chairman, I urge that the committee support the bill as is, and again commend the chairman for the very excellent job he has done.

Mr. CONTE. Mr. Chairman, I rise in support of H.R. 5175, the District of Columbia appropriations bill for fiscal year 1987.

At the outset, I want to commend the chairman of the subcommittee, JULIAN DIXON and the ranking minority member, LARRY COUGHLIN, for their hard work and dedication. Without the usual benefits associated with appropriation bills, Congressmen DIXON and COUGHLIN have taken the responsibility for our Federal seat of Government very seriously. With the home rule principle as a guide, the subcommittee has effectively addressed the special needs of the District of Columbia. District residents are fortunate to have these gentlemen in leadership positions on this subcommittee.

Mr. Chairman, the bill includes Federal funds totaling $540.8 million for fiscal year 1987 which is $19.5 million below the budget request. Included in this amount is a Federal payment of $425 million for fiscal year 1987 which represents 17.4 percent of the anticipated general revenue generated by local collections next year. This payment is the same amount as enacted last year before the Gramm-Rudman percentage cut.

In addition to the lump sum Federal payment, Federal funds appropriated in this bill include $28.8 million for water and sewer services furnished to the Federal Government, $52 million for the Federal contribution to the city's three retirement funds, and $35 million for St. Elizabeths Hospital.

The payment to the retirement fund is the eighth of 25 annual Federal payments which will total $1.3 billion and will cover a portion of the unfunded liability attributed to former District employees who retired before home rule took effect. As authorized by Public Law 98-621, the payment for St. Elizabeths Hospital is part of a 6-year plan to transfer administrative and financial responsibility from the Federal Government to the District of Columbia by 1991.

Mr. Chairman, I am pleased to report that the administration fully endorses the recommendations in this bill. In a letter to the committee, OMB Director, Jim Miller clearly stated that "this bill * * * is consistent with the President's request" and urged approval of the legislation in its present form. For the RECORD, I will include a copy of the OMB letter and the "Statement of Administration Policy" on H.R. 5175.

I urge my colleagues to support H.R. 5175.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, July 15, 1986.

Hon. SILVIO CONTE,

Committee on Appropriations, House of Representatives, Washington, DC.

DEAR SIL: As the House Appropriations Committee prepares to mark up the 1986 District of Columbia Appropriations bill, I want to inform you that the Administration does not object to the bill as approved by the Subcommittee. The Subcommittee's report, in total, is consistent with the President's request.

Sincerely yours,

JAMES C. MILLER III,
Director.

STATEMENT OF ADMINISTRATION POLICY

JULY 22, 1986.

(House)

H.R. 5175, District of Columbia Appropriations Bill, 1987 (Sponsor: Dixon (D), California).

The Administration does not object to the District of Columbia Appropriations bill as approved by the Committee.

Mr. AUCOIN. Mr. Chairman, I rise in opposition to the Dornan amendment.

I know that there are many members of this body who have grown weary of fights on this floor over abortion. That's right. We are all very tired of the seemingly endless battles on this emotional issue.

However, I can assure this body that this is one Member who supports the right to choose and who will not just stand by and watch antichoice after antichoice amendment roll by without a discussion of the impact of the kinds of decisions we make in this body.

Just a few weeks ago the U.S. Supreme Court once again reaffirmed the constitutional right to choose as it was articulated in the case of Roe versus Wade. But, although the right remains intact, access to that right for those less fortunate than others is restricted every year when the Congress imposes prohibitions against the use of Federal funds for abortions. We all know what is happening when some of our colleagues from California, New Jersey, and Illinois attach their amendments to appropriations bills. They are exacerbating the difference in the classes in this country.

They have failed to eliminate the right to an abortion, so they've targeted women who in some way are dependent on Federal funds and have made it a terrible burden to exercise that right.

I am adamantly opposed to these unfair and, I believe, unconstitutional amendments.

Over the last few years passage of antichoice amendments has setup a whole set of different rules and rights for women in this country based on where they live, whether they work for the Federal Government, whether they've volunteered for the Peace Corps, whether they are military personnel, and even on the basis of their national heritage.

How many Members here today realize we've said to Indian women in this country—no, you're not equal to that woman of independent means in Beverly Hills? You can't count on the same services that are legally available to other women who aren't dependent on Federal assistance for basic health care.

The variables are amazing if you're a woman in this country today. Depending on where you work, what you do, and who you are, and today I'm afraid this body is about to add "where you live" to the list—you might or might not have the right to an abortion.

And there's a new and distressing twist to this amendment today. It's a slightly different animal. If we adopt it today, the House of Representatives will be reaching a new low in the proper exercise of our duties. Unlike previous efforts to prohibit Federal funds for abortions, this amendment will establish a new class of underprivileged women. This amendment would prohibit the District of Columbia from using own, locally raised money from paying for abortions for D.C. residents.

Not only does it go after women who've decided to live in D.C. as opposed to say—California—it goes so far as to restrict local decisions on how to use fiscal resources that we aren't going to apply to California, or Illinois, or Michigan, or New Jersey, or any other State in this country.

The bulk of all revenues in D.C. come from local taxpayers, not a fund that the taxpayers of the rest of the country pay into. But now Mr. DORNAN is proposing that the long arm of the law reach out into district neighborhoods to say you can't use your own money the way you want to.

Let's call it like it is. Those who oppose legal abortion will stop at nothing to force a vote to further their cause. Frustrated with their failure to convince the majority of people in this country that women should not be allowed to make the most private of all decisions, they've resorted to these kinds of amendments on funding bills.

And they've held up critical legislation needed to rectify inequity in the laws of this country as they pertain to women—the ERA, nondiscrimination in insurance, and the Civil Rights Act.

I say stop. Stop now. The Senate wisely rejected this notion last year after the House passed it, and fortunately it never became

law. Vote it down today. It is unjustifiable on any terms.

Mr. COUGHLIN. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. DIXON. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the District of Columbia for the fiscal year ending September 30, 1987, and for other purposes, namely:

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

For payment to the District of Columbia for the fiscal year ending September 30, 1987, $425,000,000, as authorized by the District of Columbia Self-Government and Governmental Reorganization Act, Public Law 93-198, as amended (D.C. Code, sec. 47-3406): *Provided,* That none of these funds shall be made available to the District of Columbia until the number of full-time uniformed officers in permanent positions in the Metropolitan Police Department is at least 3,880, excluding any such officer appointed after August 19, 1982, under qualification standards other than those in effect on such date.

FEDERAL PAYMENT FOR WATER AND SEWER SERVICES

For payment to the District of Columbia for the fiscal year ending September 30, 1987, in lieu of reimbursement for charges for water and water services and sanitary sewer services furnished to facilities of the United States Government, $28,810,000, as authorized by the Act of May 18, 1954, as amended (D.C. Code, secs. 43-1552 and 43-1612).

FEDERAL CONTRIBUTION TO RETIREMENT FUNDS

For the Federal contribution to the Police Officers and Fire Fighters', Teachers', and Judges' Retirement Funds as authorized by the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 866; Public Law 96-122), $52,070,000.

TRANSITIONAL PAYMENT FOR SAINT ELIZABETHS HOSPITAL

For a Federal contribution to the District of Columbia, as authorized by the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act, approved November 8, 1984 (98 Stat. 3369; Public Law 98-621), $35,000,000.

DIVISION OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided.

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, $108,407,000: *Provided,* That not to exceed $2,500 for the Mayor, $2,500 for the Chairman of the Council of the District of Columbia, and $2,500 for the City Administrator shall be available from this appropriation for expenditures for official purposes: *Provided further,* That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: *Provided further,* That not less than $320,000 shall be used by the Office of Personnel exclusively for the administration of programs for the training of District of Columbia government employees: *Provided further,* That notwithstanding any other provision of law, there is hereby appropriated $3,772,000 to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board, of which $754,000 shall be derived from the general fund and not to exceed $3,018,000 shall be derived from the earnings of the applicable retirement funds: *Provided further,* That the District of Columbia Retirement Board shall provide to the Congress and the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds: *Provided further,* That the District of Columbia Retirement Board shall provide the Mayor for transmittal to the Council of the District of Columbia an item accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report: *Provided further,* That of the $100,000 appropriated for fiscal year 1987 for Admission to Statehood, $50,000 shall be for the Statehood Commission and $50,000 shall be for the Statehood Compact Commission: *Provided further,* That the District of Columbia shall identify the sources of funding for Admission to Statehood from its own locally-generated revenues: *Provided further,* That no revenues from Federal sources shall be used to support the operations or activities of the Statehood Commission and Statehood Compact Commission.

ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, $129,460,000, of which $2,000,000 shall be for non-recurring pay-as-you-go capital projects of the Department of Housing and Community Development: *Provided,* That the District of Columbia Housing Finance Agency, established by section 201 of the District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C. Law 2-135; D.C. Code, sec. 45-2111), based upon its capability of repayments as determined each year by the Council of the District of Columbia from the Agency's annual audited financial statements to the Council of the District of Columbia, shall repay to the general fund an amount equal to the appropriated administrative costs plus interest at a rate of four percent per annum for a term of 15 years, with a deferral of payments for the first three years: *Provided further,* That notwithstanding the foregoing provision, the obligation to repay all or part of the amounts due shall be subject to the rights of the holders of any bonds or notes issued by the Agency and shall be repaid to the District of Columbia only from available operating revenues of the Agency that are in excess of the amounts required for debt service, reserve funds, and operating expenses: *Provided further,* That upon commencement of the debt service payments, such payments shall be deposited into the general fund of the District of Columbia.

PUBLIC SAFETY AND JUSTICE

Public safety and justice, including purchase of not to exceed 135 passenger-carrying vehicles for replacement only (including 130 for police-type use and five for fire-type use) and 14 replacement passenger-carrying vehicles for fire-type use without regard to the general purchase price limitation for the current fiscal year, $580,765,000: *Provided,* That the Metropolitan Police Department is authorized to replace not to exceed 25 passenger-carrying vehicles and the Fire Department is authorized to replace not to exceed five passenger-carrying vehicles annually whenever the cost of repair to any damaged vehicle exceeds three-fourths of the cost of the replacement: *Provided further,* That not to exceed $500,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime: *Provided further,* That, notwithstanding any other provision of law, in the case of the 23 employees who retired from the Fire Department of the District of Columbia between November 24, 1984, and March 28, 1985 (both dates inclusive), and who on the date of the enactment of this Act are receiving annuities based on service in the Fire Department, the District of Columbia Retirement Board shall cause to be paid not later than October 15, 1986, to each such employee a lump-sum payment equal to three percent of his or her annuity: *Provided further,* That funds appropriated for expenses under the District of Columbia Criminal Justice Act, approved September 3, 1974 (88 Stat. 1090; Public Law 93-412; D.C. Code, sec. 11-2601 et seq.), for the fiscal year ending September 30, 1987, shall be available for obligations incurred under that Act in each fiscal year since inception in fiscal year 1975: *Provided further,* That funds appropriated for expenses under the District of Columbia Neglect Representation Equity Act of 1984, effective March 13, 1985 (D.C. Law 5-129; D.C. Code, sec. 16-2304), for the fiscal year ending September 30, 1987, shall be available for obligations incurred under that Act in each fiscal year since inception in fiscal year 1985: *Provided further,* That $50,000 of any appropriation available to the District of Columbia may be used to match financial contributions from the Department of Defense to the District of Columbia Office of Emergency Preparedness for the purchase of civil defense equipment and supplies approved by the Department of Defense, when authorized by the Mayor: *Provided further,* That not to exceed $1,500 for the Chief Judge of the District of Columbia Court of Appeals, $1,500 for the Chief Judge of the Superior Court of the District of Columbia, and $1,500 for the Executive Officer of the District of Columbia Courts shall be available from this appropriation for official purposes: *Provided further,* That not to exceed $50,000 of this appropriation shall be used to reimburse Fairfax County, Virginia, for expenses incurred by the County during fiscal year 1987 in relation to the Lorton prison complex. Such reimbursement shall be paid in all instances in which the District requests that the County provide police, fire, rescue, and related services to help deal with escapes, riots, and similar disturbances involving the prison. The District shall make a quarterly report to the House and Senate Subcommittees on District of Columbia Appropriations regarding the amount and purpose of reimbursements made to the County, and the amount of the authorization remaining for such reimbursements.

PUBLIC EDUCATION SYSTEM

Public education system, including the development of national defense education programs, $540,718,000, to be allocated as follows: $393,806,000 for the public schools of the District of Columbia, of which

$8,000,000 shall be for non-recurring pay-as-you-go capital projects of the public schools of the District of Columbia; $58,800,000 for the District of Columbia Teachers' Retirement Fund; $68,861,000 for the University of the District of Columbia; $16,646,000 for the Public Library; $2,368,000 for the Commission on the Arts and Humanities; and $237,000 for the Educational Institution Licensure Commission: *Provided,* That the public schools of the District of Columbia are authorized to accept not to exceed 31 motor vehicles for exclusive use in the driver education program: *Provided further,* That not to exceed $2,500 for the Superintendent of Schools, $2,500 for the President of the University of the District of Columbia, and $2,000 for the Public Librarian shall be available from this appropriation for expenditures for official purposes: *Provided further,* That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 1987, a tuition rate schedule which will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area: *Provided further,* That of the amount made available to the University of the District of Columbia, $1,146,000 shall be used solely for the operation of the Antioch School of Law: *Provided further,* That acquisition or merger of the Antioch School of Law shall have been previously approved by both the Board of Trustees of the University of the District of Columbia and the Council of the District of Columbia, and that the Council shall have issued its approval by resolution: *Provided further,* That if the Council of the District of Columbia or the Board of Trustees of the University of the District of Columbia fails to approve the acquisition or merger of the Antioch School of Law, the $1,146,000 shall be used solely for the repayment of the general fund deficit.

HUMAN SUPPORT SERVICES

Human support services, $654,315,000, of which $298,000 shall be for non-recurring pay-as-you-go capital projects of the Department of Human Services: *Provided,* That the inpatient rate (excluding the proportionate share for repairs and construction) for services rendered by Saint Elizabeths Hospital for patient care shall be at the per diem rate established pursuant to section 2 of an Act to authorize certain expenditures from the appropriation of Saint Elizabeths Hospital, and for other purposes, approved August 4, 1947 (61 Stat. 751; Public Law 80-353; 24 U.S.C. 168(a)): *Provided further,* That total funds paid by the District of Columbia as reimbursements for operating costs of Saint Elizabeths Hospital, including any District of Columbia payments (but excluding the Federal matching share of payments) associated with title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; Public Law 89-97; 42 U.S.C. 1396 et seq.), shall not exceed $71,200,000: *Provided further,* That $13,800,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation.

PUBLIC WORKS

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia and purchase of passenger-carrying vehicles for replacement only, $204,748,000, of which not to exceed $4,150,000 shall be available for the School Transit Subsidy: *Provided,* That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business or from apartment houses with four or more apartments, or from any building or connected group of buildings operating as a rooming or boarding house as defined in the housing regulations of the District of Columbia.

WASHINGTON CONVENTION CENTER FUND

For the Washington Convention Center Fund, $6,261,000: *Provided,* That the Convention Center Board of Directors, established by section 3 of the Washington Convention Center Management Act of 1979, effective November 3, 1979 (D.C. Law 3-36; D.C. Code, sec. 9-602), shall reimburse the Auditor of the District of Columbia for all reasonable costs for performance of the annual convention center audit.

REPAYMENT OF LOANS AND INTEREST

For reimbursement to the United States of funds loaned in compliance with an Act to provide for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, approved August 7, 1946 (60 Stat. 896; Public Law 79-648); the Departments of Labor, and Health, Education and Welfare Appropriation Act of 1955, approved July 2, 1954 (68 Stat. 443; Public Law 83-472); section 1 of an Act to authorize the Commissioners of the District of Columbia to borrow funds for capital improvement programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City, approved June 6, 1958 (72 Stat. 183; Public Law 85-451; D.C. Code, sec. 9-219); section 4 of an Act to authorize the Commissioners of the District of Columbia to plan, construct, operate, and maintain a sanitary sewer to connect the Dulles International Airport with the District of Columbia system, approved June 12, 1960 (74 Stat. 211; Public Law 86-515); and section 723 of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 821; Public Law 93-198; D.C. Code, sec. 47-321, note); and section 743(f) of the District of Columbia Self-Government and Governmental Reorganization Act, approved October 13, 1977 (91 Stat. 1156; Public Law 95-131; D.C. Code, sec. 9-219, note), including interest as required thereby, $204,514,000.

REPAYMENT OF GENERAL FUND DEFICIT

For the purpose of reducing the $244,934,000 general fund accumulated deficit as of September 30, 1985, $20,000,000, of which not less than $11,325,000 shall be funded and apportioned by the Mayor from amounts otherwise available to the District of Columbia government (including amounts appropriated by this Act or revenues otherwise available, or both): *Provided,* That if the Federal payment to the District of Columbia for fiscal year 1987 is reduced pursuant to an order issued by the President under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177, approved December 12, 1985), the percentage (if any) by which the $20,000,000 set aside for repayment of the general fund accumulated deficit under this appropriation title is reduced as a consequence shall not exceed the percentage by which the Federal payment is reduced pursuant to such order.

SHORT-TERM BORROWINGS

For the purpose of funding interest related to borrowing funds for short-term cash needs, $3,750,000.

CAPITAL OUTLAY

For construction projects, $310,551,000, as authorized by an Act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes, approved April 22, 1904 (33 Stat. 244; Public Law 58-140; D.C. Code, secs. 43-1512 to 43-1519); the District of Columbia Public Works Act of 1954, approved May 18, 1954 (68 Stat. 101; Public Law 83-364); an Act to authorize the Commissioners of the District of Columbia to borrow funds for capital improvement programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City, approved June 6, 1958 (72 Stat. 183; Public Law 85-451; D.C. Code, secs. 9-219 and 47-3402); section 3(g) of the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved August 20, 1958 (72 Stat. 686; Public Law 85-692; D.C. Code, sec. 40-805(7)); and the National Capital Transportation Act of 1969, approved December 9, 1969 (83 Stat. 320; Public Law 91-143; D.C. Code, secs. 1-2451, 1-2452, 1-2454, 1-2456, and 1-2457); including acquisition of sites, preparation of plans and specifications, conducting preliminary surveys, erection of structures, including building improvement and alteration and treatment of grounds, to remain available until expended: *Provided,* That $17,425,000 shall be available for project management and $24,139,000 for design by the Director of the Department of Public Works or by contract for architectural engineering services, as may be determined by the Mayor, and that the funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System: *Provided further,* That $10,298,000 of the $310,551,000, shall be financed from general fund operating revenues to be allocated as follows: $8,000,000 for pay-as-you-go capital projects for public schools of the District of Columbia; $2,000,000 for pay-as-you-go capital projects for the Department of Housing and Community Development; and $298,000 for pay-as-you-go capital projects for the Department of Human Services: *Provided further,* That $19,218,000 of the $310,551,000, shall be available to the Board of Education of the District of Columbia for pay-as-you-go capital projects (maintenance improvements), for the construction of new roofs for various school buildings, and for school safety and building improvements projects, with $15,999,000 of these funds available for construction, $1,881,000 available for architectural design, and $1,338,000 available for project management: *Provided further,* That notwithstanding the last sentence of section 405(b) of the District of Columbia Public Postsecondary Education Reorganization Act, approved October 26, 1974 (88 Stat. 1423; D.C. Code, sec. 31-1535(b)), the Board of Education of the District of Columbia may procure contracts for its pay-as-you-go capital projects, for the construction of new roofs for various school buildings, and for school safety and building improvements projects: *Provided further,* That all such funds shall be available only for the specific projects and purposes in-

tended: *Provided further,* That notwithstanding the foregoing, all authorizations for capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal-Aid Highway Act of 1968, approved August 23, 1968 (82 Stat. 827; Public Law 90-495; D.C. Code, sec. 7-134, note), for which funds are provided by this appropriation title, shall expire on September 30, 1988, except authorizations for projects as to which funds have been obligated in whole or in part prior to September 30, 1988: *Provided further,* That upon expiration of any such project authorization the funds provided herein for the project shall lapse.

WATER AND SEWER ENTERPRISE FUND

For the Water and Sewer Enterprise Fund, $176,876,000, of which $32,834,000 shall be apportioned and payable to the debt service fund for repayment of loans and interest incurred for capital improvement projects.

For construction projects, $54,850,000, as authorized by an Act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes, approved April 22, 1904 (33 Stat. 244; D.C. Code, sec. 43-1512 et seq.): *Provided,* That the requirements and restrictions which are applicable to general fund capital improvement projects and which are set forth in this Act under the Capital Outlay appropriation title shall apply to projects approved under this appropriation title.

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

For the Lottery and Charitable Games Enterprise Fund established by the District of Columbia Appropriation Act for fiscal year 1982, approved December 4, 1981 (95 Stat. 1174, 1175; Public Law 97-91, as amended), for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Code, secs. 2-2501 et seq. and 22-1516 et seq.), $5,458,000, to be derived from non-Federal District of Columbia revenues: *Provided,* That the District of Columbia shall identify the sources of funding for this appropriation title from its own locally-generated revenues: *Provided further,* That no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board.

CABLE TELEVISION ENTERPRISE FUND

For the Cable Television Enterprise Fund established by the Cable Television Communications Act of 1981, effective October 22, 1983 (D.C. Law 5-36; D.C. Code, sec. 43-1801 et seq.), $250,000.

GENERAL PROVISIONS

SEC. 101. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 102. Except as otherwise provided in this Act, all vouchers covering expenditures of appropriations contained in this Act shall be audited before payment by the designated certifying official and the vouchers as approved shall be paid by checks issued by the designated disbursing official.

SEC. 103. Whenever in this Act an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount which may be expended for said purpose or object rather than an amount set apart exclusively therefor, except for those funds and programs for the Metropolitan Police Department under the heading "Public Safety and Justice" which shall be considered as the amounts set apart exclusively for and shall be expended solely by that Department; and the appropriation under the heading "Repayment of General Fund Deficit" which shall be considered as the amount set apart exclusively for and shall be expended solely for that purpose.

SEC. 104. Appropriations in this Act shall be available, when authorized by the Mayor, for allowances for privately owned automobiles and motorcycles used for the performance of official duties at rates established by the Mayor: *Provided,* That such rates shall not exceed the maximum prevailing rates for such vehicles as prescribed in the Federal Property Management Regulations 101-7 (Federal Travel Regulations).

SEC. 105. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor: *Provided,* That the Council of the District of Columbia and the District of Columbia Courts may expend such funds without authorization by the Mayor.

SEC. 106. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of judgments that have been entered against the District of Columbia government: *Provided,* That nothing contained in this section shall be construed as modifying or affecting the provisions of section 11(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act of 1947, approved March 31, 1956 (70 Stat. 78; Public Law 84-460; D.C. Code, sec. 47-1812.11(c)(3)).

SEC. 107. Appropriations in this Act shall be available for the payment of public assistance without reference to the requirement of section 544 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Code, sec. 3-205.44), and for the non-Federal share of funds necessary to qualify for Federal assistance under the Juvenile Delinquency Prevention and Control Act of 1968, approved July 31, 1968 (82 Stat. 462; Public Law 90-445; 42 U.S.C. 3801 et seq.).

SEC. 108. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 109. Not to exceed 4½ per centum of the total of all funds appropriated by this Act for personal compensation may be used to pay the cost of overtime or temporary positions.

SEC. 110. Appropriations in this Act shall not be available, during the fiscal year ending September 30, 1987, for the compensation of any person appointed to a permanent position in the District of Columbia government during any month in which the number of employees exceeds 33,355, the number of positions authorized by this Act.

SEC. 111. No funds appropriated in this Act for the District of Columbia government for the operation of educational institutions, the compensation of personnel, or for other educational purposes may be used to permit, encourage, facilitate, or further partisan political activities. Nothing herein is intended to prohibit the availability of school buildings for the use of any community or partisan political group during nonschool hours.

SEC. 112. The annual budget for the District of Columbia government for the fiscal year ending September 30, 1988, shall be transmitted to the Congress by no later than April 15, 1987.

SEC. 113. None of the funds appropriated in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name, title, grade, salary, past work experience, and salary history are not available for inspection by the House and Senate Committees on Appropriations, the House Committee on the District of Columbia, the Subcommittee on Governmental Efficiency and the District of Columbia of the Senate Committee on Governmental Affairs, and the Council of the District of Columbia, or their duly authorized representative.

SEC. 114. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making payments authorized by the District of Columbia Revenue Recovery Act of 1977, effective September 23, 1977 (D.C. Law 2-20; D.C. Code, sec. 47-421 et seq.).

SEC. 115. None of the funds contained in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name and salary are not available for public inspection.

SEC. 116. No part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

SEC. 117. None of the Federal funds provided in this Act shall be used to perform abortions except where the life of the mother would be endangered if the fetus were carried to term; or except for such medical procedures necessary for the victims of rape or incest, when such rape or incest has been reported promptly to a law enforcement agency or public health service. Nor are payments prohibited for drugs or devices to prevent implantation of the fertilized ovum, or for medical procedures necessary for the termination of an ectopic pregnancy.

SEC. 118. At the start of the fiscal year, the Mayor shall develop an annual plan, by quarter and by project, for capital outlay borrowings: *Provided,* That within a reasonable time after the close of each quarter, the Mayor shall report to the Council of the District of Columbia and the Congress the actual borrowing and spending progress compared with projections.

SEC. 119. The Mayor shall not borrow any funds for capital projects unless he has obtained prior approval from the Council of the District of Columbia by resolution, identifying the projects and amounts to be financed with such borrowings.

SEC. 120. The Mayor shall not expend any moneys borrowed for capital projects for the operating expenses of the District of Columbia government.

SEC. 121. None of the funds appropriated in this Act may be used for the implementation of a personnel lottery with respect to the hiring of fire fighters or police officers.

SEC. 122. None of the funds appropriated by this Act may be obligated or expended by reprogramming except pursuant to advance approval of the reprogramming granted ac-

cording to the procedure set forth in the Joint Explanatory Statement of the Committee of Conference (House Report No. 96-443) which accompanied the District of Columbia Appropriation Act, 1980, approved October 30, 1979 (93 Stat. 713; Public Law 96-93), as modified in House Report No. 98-265, and in accordance with the Reprogramming Policy Act of 1980, effective September 16, 1980 (D.C. Law 3-100; D.C. Code, sec. 47-361 et seq.)

SEC. 123. None of the Federal funds provided in this Act shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of the District of Columbia.

SEC. 124. None of the Federal funds provided in this Act shall be obligated or expended to procure passenger automobiles as defined in the Automobile Fuel Efficiency Act of 1980, approved October 10, 1980 (94 Stat. 1824; Public Law 96-425; 15 U.S.C. 2001(2)), with an Environmental Protection Agency estimated miles per gallon average of less than 22 miles per gallon: *Provided*, That this section shall not apply to security, emergency rescue, or armored vehicles.

SEC. 125. (a) Notwithstanding section 422(7) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-242(7)), the City Administrator shall be paid, during any fiscal year, a salary at a rate established by the Mayor, not to exceed the rate established for level IV of the Executive Schedule under 5 U.S.C. 5315.

(b) For purposes of applying any provision of law limiting the availability of funds for payment of salary or pay in any fiscal year, the highest rate of pay established by the Mayor under subsection (a) for any position for any period during the last quarter of calendar year 1986 shall be deemed to be the rate of pay payable for that position for September 30, 1986.

(c) Notwithstanding section 4(a) of the District of Columbia Redevelopment Act of 1945, approved August 2, 1946 (60 Stat. 793; Public Law 79-592; D.C. Code, sec. 5-803(a)), the Board of Directors of the District of Columbia Redevelopment Land Agency shall be paid, during any fiscal year, a per diem compensation at a rate established by the Mayor.

SEC. 126. Notwithstanding any other provision of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-601.1 et seq.), enacted pursuant to section 422(3) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-242(3)), shall apply with respect to the compensation of District of Columbia employees: *Provided*, That for pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5 of the United States Code.

SEC. 127. None of the funds appropriated by this Act may be used to transport any output of the municipal waste system of the District of Columbia for disposal at any public or private landfill located in any State, excepting currently utilized landfills in Maryland and Virginia, until the appropriate State agency has issued the required permits.

SEC. 128. The Director of the Department of Administrative Services may pay rentals and repair, alter, and improve rented premises, without regard to the provisions of section 322 of the Economy Act of 1932 (Public Law 72-212; 40 U.S.C. 278a), upon a determination by the Director, that by reason of circumstances set forth in such determination, the payment of these rents and the execution of this work, without reference to the limitations of section 322, is advantageous to the District in terms of economy, efficiency and the District's best interest.

SEC. 129. (a) Section 131 of the District of Columbia Appropriation Act, 1986 (H.R. 3067 as enacted by reference in section 101(c) of Public Law 99-190), is amended—

(1) by inserting "or leased" after "owned" in subsection (a); and

(2) by inserting before the period at the end of subsection (b)(3) the following: ", and includes any tax imposed with respect to the use or rental of a motor vehicle and levied on, with respect to, or measured by the sales price or market value of the vehicle or the gross proceeds from the rental".

(b) The amendments made by subsection (a) shall apply to all taxable periods described in section 131(c) of such Act.

SEC. 130. No later than 30 days after the end of the first quarter of fiscal year 1987, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia the new fiscal year 1987 revenue estimate as of the end of the first quarter of fiscal year 1987: *Provided*, That these estimates shall be used in the fiscal year 1988 annual budget request: *Provided further*, That the officially revised estimates at midyear shall be used for the midyear report.

SEC. 131. Section 466(b) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 806; Public Law 93-198; D.C. Code, sec. 47-326), is amended by striking out "sold before October 1, 1986" and inserting in lieu thereof "sold before October 1, 1987".

This Act may be cited as the "District of Columbia Appropriation Act, 1987".

Mr. DIXON (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any points of order against the bill?

The Chair hears none.

AMENDMENT OFFERED BY MR. FRENZEL

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

The Clerk read as follows:

Amendment offered by Mr. FRENZEL: On page 2, line 5, strike "$425,000,000" and insert in its place "$414,147,000".

Mr. FRENZEL. Mr. Chairman, this is the amendment which I described earlier during the scheduled portion of the debate.

It reduces the total budget authority in the D.C. appropriation by $10.8 million in an attempt to reduce the total Federal funds appropriation back to the level of 1986.

I attacked the Federal payment only, because I did not want to touch the District's own funds and I did not want to touch the water and sewer, pension, and St. Elizabeths moneys. In the case of the former, that is the District's business. In the case of the latter I felt there were ongoing agreements which should not be tampered with.

Since the amount necessary to reach the 1986 budget authority number was rather small, it seemed appropriate to take it off from the Federal payment which, of course, is the lion's share of this appropriation.

It also should probably be mentioned that Washington, DC, did not meet its Gramm-Rudman targets, so it will probably spend more in fiscal year 1986 than is indicated in the committee report. Even so, I do not believe that that has much to do with my amendment.

The basis of the amendment is that all of the appropriations and payments made by this Congress, unless they are of unusual urgency, ought to be handled at a spending level equal to that achieved in fiscal year 1986. Now there may be national security implications, war on drug questions, and there may be other emergencies. Those emergencies can be handled separately. In this case I am not aware of great emergencies other than the normal difficulty of local governments to satisfy their service needs off of their resources available.

Many communities in our country are obliged to operate on amounts of money equal to that which they had in previous years. I do not think that the District of Columbia will find this an intolerable burden in 1987. I hope it will not anyway.

Even if it is, I deem it absolutely necessary to maintain these cuts on all of our appropriations, so that when we get to September 30 of this year, we will not be looking at such an enormous sequester resolution that we are frightened out of our obligation to meet the Gramm-Rudman-Hollings target for fiscal year 1987.

The intent of all my amendments is to keep us from too difficult a choice in September. As long as the Committee on Appropriations keeps skirting around the edges of both the House budget resolution and last year's expenditures, we are drawn nearer to the brink of a very large sequester resolution, even if we should do pretty well in budget reconciliation.

It is a matter of historical fact in this House that we in the Congress never achieve everything that we expect to achieve in reconciliation. This year that is much more likely since our budget was unusually full of holes, and dark places, and smoke and mirrors, and the usual things that go into budgets when we reluctant to make actual cuts in our expenditures.

Therefore, I am proposing another amendment similar to two I have raised in the past. I am seldom successful. I hope, however, in this case it is successful. It is a small amount. It

amounts to about 2.5 percent of the Federal payment. It amounts to about 2 percent of the total Federal funds that are involved in this particular bill. That is really not a very important amount, but I think it is important symbolically as an example of whether the House again wants to stand up for fiscal responsibility.

I talked about BA up until this point. I ought to talk about outlays. I am informed by CBO that in this particular bill the mandatories are $20 million under the budget resolution.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. FRENZEL] has expired.

(By unanimous consent, Mr. FRENZEL was allowed to proceed for 1 additional minute.)

Mr. FRENZEL. And the discretionaries are about $13 million above the budget resolution. My amendment would not take discretionaries down to balance, but it would effectively be very close to a balance.

I hope that this committee will join me in standing up for fiscal sobriety in looking for ways to make our fiscal year-end decisions much easier.

Again, I credit the committee for its work. I know what it does is not easy, and I know it does not like to have its bills amended. I do not blame it. Nevertheless, I think this one is important.

I hope the amendment will be adopted.

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

Mr. Chairman, I certainly understand Mr. FRENZEL's desire to have some uniformity in cutting appropriation bills. I would suggest several things though.

First of all, we have a letter here from James C. Miller, the Director of the Office of Management and Budget. It says that the administration does not object to this bill as it came out of the subcommittee. So the administration supports this bill in its present form on the floor.

I would point out that we are $19.5 million below the President's budget request.

I would point out these are moneys that are going to be taken out of the Federal payment, moneys that the District receives in lieu of property taxes for the large percentage of land that the Federal Government occupies or controls here in the District of Columbia.

I would point out that this $425 million is the same amount of money that we appropriated last year and the year before and, through the Gramm-Rudman sequestration, it was cut last year. So it will be 2 years where the Federal Government has shirked its responsibility to give an increase to the District government in the form of a Federal payment.

This amendment will cut the District's efforts to fight drugs. It will cut school programs. It will cut health programs.

Certainly it is the right of the Federal Government to do that, but it must live up to its responsibilities as it relates to the Federal payment.

So when you look at the fact that the White House is supporting this bill and you find out it is almost $20 million below the President's request, and you learn that there has been no increase since fiscal 1985 and that last year the District received $12.6 million less, I just say to the gentleman from Minnesota [Mr. FRENZEL] that it is inappropriate to offer his amendment on this bill. This is a unique bill. It is balanced in the sense that budget authority and expenditures do not exceed revenues collected. It does not have the application of the other 12 appropriation bills.

Mr. Chairman, I would ask Members to vote against this cut.

□ 1335

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

Mr. Chairman, I rise in opposition to the amendment, and I will be very brief. Obviously, the District of Columbia is kind of an easy target when you look all around the country. Differently from the Government of the United States, the District, by law, has to have a balanced budget.

When we cut this part of the Federal payment, we unbalance the District of Columbia's budget. As the chairman has pointed out, this bill is below the President's request; it is below the budget resolution. We should pass the bill as it is and not adopt this amendment.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 230, noes 176, not voting 24, as follows:

[Roll No. 248]

AYES—230

Anderson
Andrews
Anthony
Archer
Armey
Badham
Barnard
Bartlett
Barton
Bateman
Bates
Bennett
Bentley
Bereuter
Bilirakis
Bliley
Boehlert
Bosco
Boulter
Breaux
Brooks
Broomfield
Brown (CO)
Bruce
Burton (IN)
Byron
Callahan
Carney
Carper
Chandler
Chapman
Cheney
Clinger
Coats
Cobey
Coble
Coleman (MO)
Combest
Courter
Craig
Crane
Daniel
Dannemeyer
Darden
Daschle
Daub
Davis
DeLay
Derrick
DeWine
Dickinson
DioGuardi
Dorgan (ND)
Dornan (CA)
Dreier
Duncan
Dyson
Eckart (OH)
Eckert (NY)
Edwards (OK)
Emerson
English
Evans (IA)
Fiedler
Fields
Fish
Franklin
Frenzel
Gallo
Gaydos
Gibbons
Gingrich
Glickman
Gradison
Gregg
Gunderson
Hall (OH)
Hall, Ralph
Hamilton
Hammerschmidt
Hansen
Hendon
Henry
Hiler
Hillis
Hopkins
Hubbard
Hughes
Hunter
Hutto
Hyde
Ireland
Jacobs
Jeffords
Jenkins
Johnson
Jones (OK)
Kasich
Kemp
Kennelly
Kindness
Kolbe
Kostmayer
Kramer
LaFalce
Lagomarsino
Latta
Leach (IA)
Lehman (CA)
Lent
Lewis (FL)
Lightfoot
Livingston
Lloyd
Lott
Lujan
Lungren
Mack
MacKay
Madigan
Marlenee
Martin (IL)
Martin (NY)
McCain
McCandless
McCloskey
McCollum
McCurdy
McEwen
McGrath
McKernan
McKinney
McMillan
Meyers
Mica
Miller (OH)
Miller (WA)
Molinari
Monson
Montgomery
Moore
Moorhead
Morrison (CT)
Morrison (WA)
Neal
Nelson
Nichols
Nielson
Olin
Oxley
Packard
Pashayan
Penny
Petri
Pickle
Porter
Pursell
Quillen
Ray
Regula
Reid
Ridge
Rinaldo
Ritter
Roberts
Robinson
Roemer
Rogers
Rostenkowski
Roth
Roukema
Rowland (CT)
Rowland (GA)
Rudd
Saxton
Schaefer
Schneider
Schroeder
Schuette
Sensenbrenner
Sharp
Shaw
Shelby
Shumway
Shuster
Siljander
Sisisky
Skeen
Slattery
Smith (FL)
Smith (NE)
Smith (NJ)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Snyder
Solomon
Spratt
Stallings
Stangeland
Stenholm
Strang
Stratton
Stump
Sundquist
Sweeney
Swindall
Tallon
Tauke
Tauzin
Thomas (CA)
Thomas (GA)
Torricelli
Valentine
Vander Jagt
Visclosky
Volkmer
Vucanovich
Walker
Weaver
Weber
Whitehurst
Whittaker
Wirth
Wolpe
Wortley
Wyden
Wylie
Zschau

NOES—176

Ackerman
Akaka
Alexander
Annunzio
Applegate
Aspin
Atkins
AuCoin
Barnes
Bedell
Beilenson
Berman
Bevill
Biaggi
Boggs
Boland
Bonior (MI)
Borski
Boucher
Boxer
Brown (CA)
Bryant
Burton (CA)
Bustamante
Carr
Chappell
Clay
Coelho
Coleman (TX)
Conte
Conyers
Cooper
Coughlin
Coyne
Crockett
de la Garza
Dellums
Dicks
Dixon
Donnelly
Dowdy
Downey
Durbin
Dwyer
Dymally
Early
Edgar
Edwards (CA)
Erdreich
Evans (IL)
Fascell
Fawell
Fazio
Feighan
Flippo
Florio
Foglietta
Foley
Frank
Frost
Fuqua
Garcia
Gejdenson
Gekas
Gephardt
Gilman
Gonzalez
Goodling
Gordon
Gray (IL)
Gray (PA)
Green
Guarini
Hawkins
Hayes
Hefner
Hertel
Holt
Horton
Howard
Hoyer
Jones (NC)
Kanjorski
Kaptur
Kildee
Kleczka
Kolter
Lantos
Leath (TX)
Lehman (FL)

Leland	Natcher	St Germain
Levin (MI)	Nowak	Staggers
Levine (CA)	Oakar	Stokes
Lewis (CA)	Oberstar	Studds
Lipinski	Obey	Swift
Long	Ortiz	Synar
Lowery (CA)	Owens	Taylor
Lowry (WA)	Panetta	Torres
Luken	Parris	Towns
Manton	Pease	Traficant
Markey	Pepper	Traxler
Martinez	Perkins	Udall
Matsui	Price	Vento
Mavroules	Rahall	Walgren
Mazzoli	Rangel	Watkins
McDade	Richardson	Waxman
McHugh	Rodino	Weiss
Michel	Roe	Wheat
Mikulski	Rose	Whitley
Miller (CA)	Roybal	Whitten
Mineta	Russo	Wilson
Mitchell	Sabo	Wise
Moakley	Savage	Wolf
Mollohan	Scheuer	Yates
Moody	Seiberling	Yatron
Mrazek	Sikorski	Young (AK)
Murphy	Skelton	Young (FL)
Murtha	Smith (IA)	Young (MO)
Myers	Solarz	

NOT VOTING—24

Boner (TN)	Fowler	Lundine
Bonker	Grotberg	Schulze
Campbell	Hartnett	Schumer
Chappie	Hatcher	Slaughter
Collins	Huckaby	Spence
Dingell	Jones (TN)	Stark
Ford (MI)	Kastenmeier	Williams
Ford (TN)	Loeffler	Wright

□ 1355

Messrs. CONTE, WILSON, and PARRIS changed their votes from "aye" to "no."

Mr. DORGAN of North Dakota, Mrs. VUCANOVICH, and Messrs. DYSON, EDWARDS of Oklahoma, VISCLOSKY, DAVIS, ANTHONY, DASCHLE, ANDREWS, CHAPMAN, and LEHMAN of California changed their votes from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

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

Mr. Chairman, I apologize for taking the time of the committee, but I thought I ought to give you an update on my garage.

I probably should have supported that last amendment in view of the incessant delays I have had.

I have not yet received a building permit and you know how long this thing has been dragging on, and provoked by the fact that, yes, about 5 or 6 years ago I was mugged behind my house. In the meantime, I have had my car's roof slashed, I have had one of the kid's cars broken into, I have had one of the kid's cars stolen from the mat. I have had four specific fires set to the place, two different breakins—that is my security problem.

But how do you go about in the historical section of this town trying to get something changed? For what? A foot and 4-inch variance to build a garage long enough to house my automobile.

Now, I apologize for the fact that it happens to be a little bit longer than a foreign made car, but we politicians cannot buy foreign made cars. We have got to buy American cars, and I would regardless.

Mr. McKINNEY. Mr. Chairman, will the distinguished minority leader yield to the ranking member of the committee?

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

Mr. McKINNEY. Let me simply say that no man has ever gone through more for less than the minority leader, and I am 100 percent behind him.

In fact, I voted for the Frenzel amendment because I am so fed up with the D.C. government.

Now, we are the ultimate legislature for the District of Columbia. I would just say to the gentleman that I would like him to repeat to the House what the neighborhood association said about the gentleman's voting record when he asked for what every citizen can ask for, a building permit.

Mr. MICHEL. Well, in the first case, I was supposed to appear before what they call a neighborhood historical committee, some neighborhood committee. Frankly, none of those folks live right on my city block. All the folks in my city block know my problem and want to be supportive. This is some kind of an autonomous group up there that was ticked off because their meeting scheduled for last December 23, 2 days before Christmas, I begged off being there personally because of the Christmas vacation for the Members of Congress.

The reason then that they denied my request, which was a two-page letter in writing going through all the details asking for this 1 foot and 4 inches of variance was the fact that way back when, whenever we voted for home rule or whatever, I happened to oppose that particular proposition at the time. That was the reason for their voting against me at that time. Is that not denial of due process? Are we to be subject to that kind of retribution for the way we vote? How can one represent his constituents with that hanging over you.

So they rescheduled another meeting. It had to be delayed again because of official business, but I eventually attended, spent an hour and a half waiting my turn that evening waiting to make my pitch.

Frankly, that evening my adversaries were not present. Those who were there gave me a bill of good health.

I then went before the zoning commission downtown and that had to be delayed several times. Once you cannot come at a prescribed time, you have got to wait a minimum of 60 days to come back again.

I went through the routine of waiting my other 60 days, I think two different times, and I appeared before the zoning commission with all my material and I got a 4-zip approval rating.

At that meeting I asked if I could have a summary judgment immediately so that I would not have to wait any longer.

"Yes, we will do that."

But it took no less than 70 days to get the paperwork from the zoning commission down to the place where I am supposed to go for my building permit.

Last week I went down and I spent an hour and a half waiting in line again, walked through the procedure. I tell you, it gets rather frustrating when you are there with blueprints in hand and the fellow at the construction site says, "What are the dimensions of your garage?"

I said, "What do you think the blueprint is for? This is the length. This is the width. This is the height. It's right there."

Mr. FAUNTROY. Mr. Chairman, will the distinguished minority leader yield?

Mr. MICHEL. Let me say to the gentleman from the District of Columbia [Mr. FAUNTROY], my dear friend, I think one of the concerns I have, I do not know what they are going to do with the tax bill, whether it is going to be to your advantage to build some rental housing once in awhile or to alter some of this historical section for housing developments or whatever; but I will tell you, if anybody would give any second thought about going through what I have gone through in this District of Columbia, I will tell you, I really feel for them getting anything positive done.

I was willing to take my turn, but I will tell you, it really gets to be somewhat degrading to have to go through this kind of a prolonged process simply to get that kind of a permit. Is this how you promote economic development and civic improvement?

Mr. FAUNTROY. Mr. Chairman, will the distinguished minority leader yield?

Mr. MICHEL. I yield to the gentleman from the District of Columbia.

Mr. FAUNTROY. First of all, after what the gentleman has gone through, I want to salute the gentleman for his honor and for his courage in supporting the Appropriation Committee's bipartisan position against the Frenzel amendment. I want to thank the gentleman for that and I thank the gentleman in advance for supporting every other position taken by the Appropriations Committee today; but let me assure the gentleman that as another report from the Appropriations Committee comes to this floor, we will see to it, I will see to it that the gentleman gets his permit.

Mr. MICHEL. Well, I am glad to have this show of people strength. It is really gratifying to this Member.

Mr. FAUNTROY. I will personally see to it that the gentleman get his permit and that the garage is built.

What kind of car is it?

Mr. MICHEL. The gentleman knows what kind of car it is.

Mr. FAUNTROY. Did the gentleman say it was a Mercedes?

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

Mr. MICHEL. I yield to my friend, the gentleman from California.

Mr. DELLUMS. Mr. Chairman, I thank the gentleman for yielding.

I am a very strong advocate of home rule in the District of Columbia. I chair the authorization committee and I try as assiduously as possible to stay out of the business of the District of Columbia; but I think very much that the gentleman's situation ought to be resolved.

Having said that, let me make this statement. I think each of us in this room should ponder very seriously what has transpired in the last 5 minutes. It has been both humorous and it has been painful; but the painful reality is that while there is incredible human misery in this country and in the world, we find ourselves here as a supercity council, and therein lies the absurdity of the Congress of the United States, attempting to interject itself and interpose itself into the business of the District of Columbia.

Having said that to the minority leader, I am simply saying that we were all duly elected here to address the great human issues that tend to dwarf us all as individuals, like the issues of peace and nuclear disarmament and solving the problems of poverty and homelessness and whatever, not to try to deal with whether a garage gets built or whether it is an American car or whether it is another car or whether it is for the majority or for the minority leader. We ought to be about other business. I want to help the gentleman do that so we never have to allow ourselves to be reduced to this level at this point in time. We came here to get on with bigger business.

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

Mr. MICHEL. I quickly yield to the gentleman from Connecticut.

Mr. McKINNEY. To the distinguished minority leader, I would like to just get on the record, when was this historic house that the gentleman lives in built?

Mr. MICHEL. In the 1960's.

Mr. McKINNEY. The other thing I would like to get on the record is, what in God's name, people, and I use this pleasantly, has the minority leader's voting record got to do with zoning? The answer is nothing.

I would like to say this sincerely to my ranking member, living in this city and loving this city and we do not want to see it mishandled, and the gentleman from Illinois [Mr. MICHEL] has been so mishandled on this that I cannot believe the gentleman's patience, and for that I congratulate the gentleman.

Mr. MICHEL. Well, I thank the gentleman. I thank the House for its indulgence.

I just want to say in conclusion that for those of us who are obliged to spend as much time in the Capitol City as we are or its environs, while representing both our districts and fulfilling our responsibilities here, so that I can be a good citizen of this community and do just as much here as I do in my home community.

I guess all we are asking is fair treatment for the rest of us, like you would normally expect in your home community.

I thank the Chair.

□ 1410

AMENDMENTS OFFERED BY MR. WALKER

Mr. WALKER. Mr. Chairman, I offer two amendments, and I ask unanimous consent that they be considered en bloc.

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

There was no objection.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. WALKER:

On page 8, line 15, strike "$540,718,000", and insert in lieu thereof "$539,718,000".

On page 8, line 22, strike "$2,368,000", and insert in lieu thereof "$1,368,000".

On page 6, line 9, strike "$580,765,000:" and insert in lieu thereof "$581,765,000:".

Mr. WALKER (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

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

There was no objection.

Mr. WALKER. Mr. Chairman, we confront an issue that the Speaker of the House has labeled as one of the two most important issues that this country faces at this moment. The Speaker, yesterday, in a press conference, promised that what we were going to begin to do is wage a legislative war on drugs. He said that the drug issue is second only to the deficit among the subjects on the public's mind, and he said that we needed to get on with the fight. What he has pledged is that we are going to bring a legislative package, a bipartisan package, to the floor by September 10 to conduct the legislative war on drugs.

Let me remind the House that, as of September 10, we probably will have completed action on our appropriation bills, and that we are going to need some resources in order to fight that legislative war on drugs. The amendment that I bring to the Members today is an amendment designed to provide some of those resources in the District of Columbia for the war on drugs. It adds $1 million to the District Police Department in order to fight the war on drugs, and takes $1 million out of the Commission on Arts and Humanities in order to balance out the action.

It is a selection among priorities. It says that our most important national priority at the present time is to fight a war on drugs and that we ought to put that into this bill, and that we ought to take a matter of lesser priority, namely the Commission on Arts and Humanities, and take the money out of that in order to conduct this very, very vital war.

This amendment would allow the police department to fight an increasingly bad situation. Let me tell the House how bad the situation is in the District of Columbia. In 1981, there were 149 arrests in this city for cocaine violations. That figure has gone up by 1985 by 1,284 percent; there has been a 1,284-percent increase in drug arrests for cocaine in this city in a mere 4 years. We have to do something.

In 1981, there were 153 arrests for PCP violations. That figure in 1985 has grown by 1,861 percent—an 1,861-percent increase in only 4 years. We have a problem. We have to do something about it.

What I propose to do here is something fairly modest. I suggest that we ought to give a million more to the police to wage their war. What could the money be used for? This is what we found in our research. It could be used for infiltrating drug rings with undercover officers. It could be used as funds for drug buys in undercover operations. It could be used for cars in the undercover operations. It could be used for sophisticated electronics equipment for drug operations. It could be used for special projects such as the diversion investigation unit, which deals with the diversion of legitimate pharmaceuticals. It could be used for the repeat offenders unit, many of whom are involved with drugs. It is extremely important for the police to have these additional resources.

The committee has already argued on the floor that they put an additional $10 million in the bill for the police. That is true. But they also point out in their report what the money is for. Over half of it is for 1987 pay adjustments. That will not get a war on drugs. About $1.8 million is for within-grade requirements. That is going to happen, regardless of the war on drugs. There is $275,000 to fund 10 unfunded positions. That in fact could be somewhat of a help, but it is a minimal amount of the overall amount.

There are 25 positions for police officer cadet programs. Again, that could help in the war on drugs, but it is the minimum amount in what the committee has done. There is $90,000 for increased telephone costs, $728,000 for clothing and equipment, and $700,000 for replacement vehicles.

The committee has done some things; they have not done enough. All this amendment suggests is that here is a chance for an additional million dollars to fight the war on drugs in this city. I ask approval of the amendment to continue that war on drugs that most Americans consider to be absolutely vital.

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

Mr. WALKER. I am glad to yield to the gentleman from California.

Mr. HUNTER. I thank the gentleman for yielding.

Mr. Chairman, let me ask the gentleman what the means of establishing the breakdown of the usage of this money is. Is that going to be established by our conversation on the House floor, or is there language that directs the Police Department to go to certain areas?

Mr. WALKER. Mr. Chairman, as the gentleman knows, under the rules of the House, for me to specify in the bill what the money could be used for would be a violation of the rules of the House. It would be legislation in an appropriation bill, and so therefore is not permissible to the Member to offer.

However, I have specified certain areas here that the money could be used in. But this $1 million that we are specifying on the House floor is to be used in fighting the war on drugs, and I have great faith that the people in the police department with the expertise in this war will know better how to fight it than many of us on the floor would know.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALKER] has expired.

(On request of Mr. HUNTER and by unanimous consent, Mr. WALKER was allowed to proceed for 2 additional minutes.)

Mr. WALKER. Mr. Chairman, the fact is that we have a major problem in this country that is going to demand resources in order to meet it. This is some measure of additional resources in order to conduct the battle.

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

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

Mr. HUNTER. Mr. Chairman, let me suggest that I was just allowed to attend a meeting of our leadership of the House, Republicans and Democrats, with respect to the narcotics initiatives that we are going to take in the coming months. One statement that was made that I thought was very important was to the effect that this is going to be a very expensive battle. We cannot get around that, and ultimately our priorities are manifested in the appropriations that we make, not necessarily the bills that we sponsor.

Understanding that this is taking money away from even a fairly small pot of money for arts, I think that it is appropriate, and I would say very simply that I think that the real art that we are going to leave to this country is our children, the real beauty that we have in this country is our children, and the legacy that we are going to leave our country is our children.

I think that this small investment in narcotics-fighting resources for the District police is well worthwhile. From listening to the gentleman, I have decided to give the amendment my strong support. I hope Republicans and Democrats both do the same thing.

Mr. WALKER. Mr. Chairman, I thank the gentleman. It would be my hope that we could understand that holding plays in the parks is an activity that has some merit. However, if what is happening on the fringes of those parks is that the drug dealers are in fact helping the kids shoot up as they leave the parks, we have a real problem, and you have to solve that with law enforcement.

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

Mr. Chairman, there was an interesting colloquy on the floor earlier between the gentleman from Pennsylvania and my colleague, the gentleman from Illinois [Mr. HYDE], about this particular proposal, and I think that I would like at this point to incorporate the statement of Mr. HYDE as part of my own statement in opposition to this amendment.

Mr. Chairman, the gentleman from Pennsylvania has not pointed in one instance to mismanagement in the arts and humanities program by the District of Columbia. Rather, he has attempted to highlight something which we all acknowledge: the fact that there is a terrible crime problem in the District of Columbia, and that much of it is related to drugs.

I think that it is interesting, though, that the gentleman from Pennsylvania, having identified the problem, was unwilling to come forward with the real solution to the problem, which may have included raising revenues so that we can fund drug-abuse programs nationwide as they should be funded. Instead, the gentleman seeks a transfer of $1 million from arts and humanities within the District of Columbia to the police department.

This, on its face, is ludicrous, and let me suggest to you why. Within the District of Columbia appropriation bill, we have some $580 million for public safety and justice. The gentleman seeks to add $1 million to that function to fight drugs in the District of Columbia. The gentleman seeks to increase the public safety and justice appropriation for the District of Columbia by slightly more than one one-hundredth of 1 percent. This is his offering to fight the war on drugs and drug abuse.

Mr. Chairman, the gentleman from Pennsylvania in his speech, and I do not dispute the statistics, has promised us a mountain and delivered a mouse. He is carping on a trifle. We should defeat this amendment.

□ 1420

It is only eyewash designed not to support a war on drugs, but to support a speech on the floor and a press release.

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

Mr. DURBIN. I am glad to yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I would say to the gentleman that this gentleman has no press release planned on this.

The gentleman, of course, knows that, under the House rules, the gentleman is not supposed to attribute motivations of the Members, but I simply say to the gentleman that the gentleman's alternative in turning down my amendment is to do nothing.

I, at least, do $1 million worth that is aimed at a particular direction to fight the war on drugs. The gentleman's alternative is to do nothing.

It seems to me that doing something to fight drugs is better than doing nothing.

Mr. DURBIN. Mr. Chairman, reclaiming my time, doing one one-hundredth of 1 percent is worse than nothing; it is tokenism. If the gentleman is sincerely dedicated to a war on drugs, let him stand and I will join the gentleman in appropriating the money necessary to do this on a nationwide basis.

But to make this kind of a show over such a small amount of money does no justice to a glaring national problem which, unfortunately, is highlighted in the District of Columbia.

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

Mr. DURBIN. I am happy to yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman. I tried to put $50 million into the DEA for a national program the other day by taking out of EDA. I do not think the gentleman supported that, either.

Mr. DURBIN. I did not support it.

Mr. WALKER. So when we try to approach these things, we have to do it appropriations-bill-by-appropriations bill,

You cannot do it on one massive bill unless you are going to come forward with a supplemental appropriation

and violate Gramm/Rudman in order to do it.

Let me say to the gentleman that it does not seem to me that the gentleman's actions fit his words.

Mr. DURBIN. If I might reclaim my time, again the gentleman attempted to raise on that particular legislation his crusade against drug abuse in America. I would join that crusade, but the gentleman again gave us the choice of eliminating jobs so that we could fight drug abuse.

The gentleman today is suggesting that we eliminate cultural activities, educational activities for young people to fight the war on drug abuse. The gentleman is giving us an impossible choice in that situation. I think the gentleman knows it.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. DURBIN. I am happy to yield to my colleague, the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Chairman, it was interesting to me to notice that last Thursday, several members talking about the war on drugs today voted to cut $30 million out of the Immigration and Naturalization Service, and everybody knows that people are carrying drugs into the United States every day across the borders.

Mr. DURBIN. Mr. Chairman, I thank the gentleman and I yield back the balance of my time.

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

In trying to trivialize a Member's effort to put more money into the fight against drugs, we should all be aware of one thing: That we are not discussing a water project or some economic problem where loss of human life is not involved.

If 1,000 young people across this country overdose and die on narcotics abuse and, let us say just taking a figure out of the wild, 100 of them are in the District, then 1 percent is a human life, a young person, not dead, someone alive. So when we trivialize any amount, no matter how small, even one-tenth of 1 percent, we should all remember that even that small an amount is saving human life. It is stopping some young person from shriveling up in an alley somewhere in the District and dying.

We are not talking about commodities here; we are talking about human beings.

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

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

Mr. Chairman, it is little wonder that the American public loses confidence in elected officials in general. I think that when people watch this debate on C-SPAN, any reasonable person would come to the conclusion that a transfer of $1 million into a budget of $157 million will do little to help win the war on drugs.

I think another observation will be very clear. The proponent of this amendment continues to very eloquently suggest that if you are opposed to this amendment, to use the gentleman's words, "you are doing nothing." In other words, there is no fight in the District of Columbia on the war on drugs; and were it not for this $1 million, nothing would be done.

I chair the committee that is recommending this bill; and let me say that the police department does have a drug enforcement program. We have increased the police chief's confidential fund for the District of Columbia's war on drugs, and we have increased the police department's budget by $10 million.

The gentleman recited a list of statistical data about increases in arrests, and there are two ways to look at statistics. I would suggest that the increase in arrests demonstrates a forceful effort on the part of the District in its war on drugs.

Finally, the gentleman suggested in the general debate that the Mayor is dissatisfied with the Commission on the Arts and Humanities or he has heard that the Mayor is dissatisfied with the Commission. If the gentleman would look at the budget, he would see that it was the Mayor's recommendation and the city council's recommendation that the budget for the Commission on the Arts and Humanities be increased.

There was no testimony from the Mayor; and there was no testimony by the police department that they needed or desired additional moneys for the drug enforcement program.

Aside from law enforcement, and I have made this point before, there are other ways to address the war on drugs. We cannot single out one area, but we must attack the drug problem in a multifaceted way. Certainly the arts and humanities programs in our schools and in our community, and in this community particularly one way that, as the gentleman from California stated, may save the life of one person.

So I suggest, regardless of what the motive is—and I'm sure it is clear to the people in the gallery; and it is clear to everyone who will see this on C-SPAN—that this amendment in fact does nothing. It is not going to help in the city's drug enforcement efforts. Based on the statistics recited by the gentleman from Pennsylvania, the District's police department is working hard on the drug problem and there have been more arrests.

But yet he is going to take away $1 million from the Arts and Humanities budget of $2.4 million and add it to the police department's budget of $158 million and believe that it will make a significant contribution to the war on drugs.

What it shows is we are willing to make a trickle in a tidal basin.

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

Mr. DIXON. I am glad to yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I thank the gentleman.

This gentleman has tried to stick to the issues. I am sorry that the chairman decides to ascribe motivations and basically make his point a personal attack.

Mr. DIXON. Mr. Chairman, the gentleman knows I specifically said that I was not attacking the motivation, but the result, in my opinion, of what the gentleman's amendment would do.

Mr. WALKER. That is beside the point. I tell the gentleman that I offer the amendment in good faith. I tried to find as much money as I could that seemed to me a rational way of doing it. I am not arguing that there is nothing being done in the District of Columbia; I am arguing that there is too little being done in the District of Columbia and that we need to do more.

The $1 million allows us to do a little bit more. I am sorry if the gentleman does not see that as being a real need.

Mr. DIXON. I certainly think that all communities need to do more in the fight on drugs. I am not so sure that this or any other community at this point needs to put $1 million more into a police budget. Perhaps we should look at rehabilitation programs or some other areas that may be beneficial in the war on drugs.

So no one Member of this House can lay claim to saving the war on drugs by taking $1 million out of a $2.4 million budget and putting it into a $157 million budget.

The CHAIRMAN. The time of the gentleman from California [Mr. DIXON] has expired.

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

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

Mr. DIXON. I am glad to yield to the gentleman from Massachusetts.

□ 1430

Mr. STUDDS. Mr. Chairman, I thank the gentleman for yielding. I want to commend him on his statement, and just say that this Member, at least, is saddened by the logic implicit in this amendment.

That is that the only way to combat the drug abuse in the Nation's cities in the Nation as a whole is to find additional police efforts. Surely that is part of the answer, but surely an equal part should lie in our ability to ask ourselves why young kids take drugs in the first place.

This city and most of the cities of the country, all the cities of the country are full of young people who for whatever reason do not see anything else to do with their lives. Surely the arts and humanities program in and of itself is a part of the answer to the problem of drug abuse.

As I understand it, this program funds grants to individual artists, including young people; it funds grants for artists teaching in the public schools of the District of Columbia, and at least in some small measure ought to play the kind of constructive role that this Congress ought to be encouraging in the war on drugs.

Beyond that, if I may, if the gentleman will continue to yield for one moment, let me just say that the amendment just adopted by this House cut the Federal payment which, among other things funds not only the Council on Arts, but the police department of the District of Columbia.

I would assume that Members will be back here with the Treasury appropriation in a few days, with an across-the-board amendment to cut the Customs Service; and I would assume that when the transportation appropriation is on the floor, there will be an across-the-board amendment to cut the Coast Guard.

Let me suggest at this time that if Members are truly concerned with the drug problem, they will be supporting with some degree of generosity and breadth of vision the U.S. Coast Guard and the Customs Service as well as the police department of the District of Columbia; but also I would hope those components of the community who are trying to say something positive to the young people of this Nation.

We can do far better than the logic of this amendment suggests we can do.

Mr. DIXON. I thank the gentleman for his comments.

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

Mr. DIXON. I yield to the gentleman from Ohio.

Mr. SEIBERLING. Mr. Chairman, the gentleman from Massachusetts [Mr. STUDDS] has very effectively made the point I was going to make, but I just want to add a couple other items.

The Frenzel amendment, which this House just adopted, cut over $1 million from law enforcement in the District of Columbia. I happen to live in the District of Columbia. My son has been held up at gunpoint at my front door by a couple of teenagers, obviously probably trying to get money to handle their drug habit.

This is not the solution. The solution is to have a comprehensive program to give those kids something else besides drugs, not only to get a livelihood, but to occupy their time.

I was not planning to participate in this debate, but I was absolutely appalled at the level of consciousness and understanding of the drug problem among other things, which is basically a human problem.

I strongly commend the committee for its efforts in this regard and commend the chairman for the position he has taken. I hope this amendment will be defeated.

Mr. DIXON. I thank the gentleman for his comments.

Ms. OAKAR. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to the gentlewoman from Ohio.

Ms. OAKAR. Mr. Chairman, I want to commend the gentleman, and I certainly want to associate myself with the eloquent words of the gentleman from Massachusetts [Mr. STUDDS] and my colleague from Ohio [Mr. SEIBERLING].

(On request of Ms. OAKAR and by unanimous consent, Mr. DIXON was allowed to proceed for 2 additional minutes.)

Mr. DIXON. Mr. Chairman, I yield to the gentlewoman.

Ms. OAKAR. Mr. Chairman, I think this amendment is a convoluted attempt not to get at the problems with drug abuse; we are going to come up with a comprehensive, omnibus bill that really will address that problem. It is an attempt to deprive young people, particularly in this city, of their opportunities, particularly if they are poor and some of whom are minorities, their opportunities to involve themselves in the arts.

So if you want to vote for an amendment that cuts a program that is small to begin with in half, almost in half——

Mr. DIXON. $2.4 million.

Ms. OAKAR. And cut it by a million; is that correct?

Mr. DIXON. Yes.

Ms. OAKAR. Then what you are saying is, you are for depriving young, poor children of the opportunity to study music in school, to study drama in school, possibly other fine arts—drawings, and so forth—in school; that art is not an important subject to lift young people out of the doldrums of their everyday life into something more aesthetic, something beautiful.

I think this is really one of the worst amendments that I have seen since I have been here. It is a small thing, and if you really do not look at what it aims to do, then you could be deceived.

This will deprive not only arts in schools but the summer programs. These kids, many of them because of the cuts in the jobs programs for young people, do not have other activities in which they can engage; and there is a summer program, as I understand it, related to the arts that young people can participate in. There are grants to institutions that are currently not funded because this administration has no commitment to the arts whatsoever, and they have always proposed cuts to all the programs for the arts.

Mr. Chairman, this is another kind of subtle but deliberate attempt to deprive poor kids of the same opportunities as other children in this country.

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. MCKINNEY and by unanimous consent, Mr. DIXON was allowed to proceed for 2 additional minutes.)

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

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

Mr. McKINNEY. Mr. Chairman, let me state that I have a real problem with this amendment because this Congress, in its wisdom, gave the District of Columbia $40 million to build a prison. The Mayor has done nothing yet, and we are going on almost 3 years; and in fact, the city council keeps talking about alternative methods of imprisonment.

We can never ever get a handle on the drug dealers, I would suggest to my friend from Pennsylvania, until there is a place to put these animals that prey on the children of the District.

While I am very sympathetic to the cause of less drugs on the street, I am not sympathetic to the cause or the fact that the Congress has turned around and given to a city of 678,000 people more money than any State in the Union; in fact, almost $40 million more than any State in the Union.

My Governor, who is a Democrat, whom I like, would have the land being flattened before the plans were done. What good does it do us to fight drugs, to fight prostitution, to fight all the evils of any city if we run a revolving jail scenario; because the prisoners are in charge of the prisons, No. 1, witness Lorton, and are in charge of the city council, No. 2.

Mr. DIXON. I would add to the gentleman's statement, because I know of his fine work on the authorization committee for the District of Columbia, that the money he indicates has not been spent has been put in brackets by the Appropriations Committee. It will not be spent until there is approval by both the House and the Senate as to the plans for the prison.

Mr. GINGRICH. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I would say to my friends on the left that there are a number of fallacies in the way you are arguing this case. First of all, this is not an isolated amendment; there was an amendment offered last week that would have moved $50 million into the war on drugs; there will be other amendments offered as appropriations

bills come up, and there will be other amendments offered later on. This is part of a package of amendments, not an isolation.

Second, the gentleman from Illinois referred to $580 million for public safety. He did not break out $111 million for police and fire retirement, $1,800,000 for judges' retirement, and so forth, down through a long list so that, while the public might feel more secure at the $580 million level, when you get down to the number of dollars being spent actively at this moment to stop check, cocaine, and heroin, it is dramatically smaller than $580 million.

Third, in a city which has for example the Smithsonian Institution, some of the finest art galleries in the world available automatically and for free, it is a little bit much to suggest that the only possibility of finding art in Washington is to have a city-run program.

Fourth, you are exactly correct, as the gentleman from Illinois said, to say of the gentleman from Pennsylvania: He is giving us a choice. That is exactly the purpose of this amendment; that is to give us a choice.

If we are not going to raise taxes, and the country voted 49 States to 1 in favor of not raising taxes; it was a Reagan-Mondale election; it was fairly recent. If the country does not want to raise taxes, we in this House have to start setting priorities. Very simple.

What are our priorities in this House?

The gentleman also said, "I will join the crusade," but somehow it is never on this vote—it was not on the vote last week. The Speaker and the majority leader want to lead a bipartisan effort; they want to do something major on drugs.

Well, let us start with looking at what we are doing last week and this week. We are saying and will say it again and again as appropriations bills come to the floor, that it is time we begin to take seriously a war on drugs. It is time we recognize that that war is going to be vastly more expensive than OMB thinks it is; it is going to be vastly more expensive than this House thinks it is, and if we are not going to raise taxes, we are going to have to find places that are systematically less important as a matter of current priority.

One gentleman got up and said, well, arts are in effect more important because somehow a kid who goes to a play is less likely to use drugs. I would have suggested to that gentleman, were he still on the floor, that he ought to read James Q. Wilson's "Thinking About Crime." Wilson, a Harvard sociologist, wrote a book on criminology in the mid-1970's. In "Thinking About Crime," he said flatly:

> There is a liberal fallacy that somehow feeling better about yourself changes the probability of crime. That in fact statistically it turns out that more police and more prisons and faster sentencing does have an impact. That in fact we are faced with a criminal activity, not sociological deviants.

□ 1440

The question is, Do we want to have enough policemen to be able to stop the criminals? This is a fundamental difference of how you approach a public policy issue.

So in summary, and then I will be glad to yield to the distinguished chairman of the subcommittee, in summary this is part of a series of amendments, it is one more $1 million, $1 million here and $1 million there, it starts to add up; it is focused on what I think is the most serious domestic crisis of the late 1980's, which is the drug war, and it is an attempt to say that, if we are going to have limited Federal moneys, we have an obligation to get into the habit of setting priorities.

I will be glad to yield to the distinguished gentleman and then thereafter I will be glad to yield to the distinguished gentlewoman.

Mr. DIXON. I thank the gentleman from Georgia.

I probably spend more time listening to the gentleman's debates on C-SPAN than probably anyone else in the House.

Mr. GINGRICH. And I do not believe I have won a single vote from the gentleman. But I yield further to the gentleman.

Mr. DIXON. And I hope not on this one, either.

There is no suggestion here that $1 million will not help against the war on drugs. There is the suggestion, rather the committee's strong recommendation, that the police department needs no more money for this purpose, that there are other facilities and institutions in this community that need money to participate in that war on drugs.

So we are not arguing about what the No. 1 priority is. We are arguing about whether, in fact, the arts and humanities program, which I suggest if you look at the grants, are not to visit the Smithsonian, but more directed so that someone in Washington, DC can rise to a point where they have painting or a work of art in the Smithsonian; we are suggesting that there are other areas that should be considered simultaneously in this effort. I am suggesting the inference is that the war on drugs is not being fought by the police department. And the gentleman from Pennsylvania's own statistics do not indicate that.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. GINGRICH] has expired.

(On request of Mr. DIXON and by unanimous consent, Mr. GINGRICH was allowed to proceed for 2 additional minutes.)

Mr. GINGRICH. I yield further to the chairman.

Mr. DIXON. His own statistics indicate that there is an active war. That is all I am saying.

Mr. GINGRICH. Again I guess we do have, I say to my friend, a philosophical difference in that I am very interested, as soon as we have a vigorous and tough enough law enforcement, a speedy enough trial and sentencing, and a thorough enough prison system, I am then interested in the dollar after that going to the arts. But I think that we ought to be insisting that we have a police system capable of protecting us, and I think the objective evidence just based on today's testimony about muggings, auto thefts, what have you, is that at the present time in the National Capital we do not have adequate police enforcement.

Mr. DIXON. I would ask the gentleman if he voted for the Frenzel amendment.

Mr. GINGRICH. I did vote for it.

Mr. DIXON. Well, the gentleman just cut, as the gentleman from Ohio pointed out, the police department's budget as well as the budget for arts and humanities.

Mr. GINGRICH. Which is an even stronger argument for taking this million dollars and putting it into the institution.

Ms. OAKAR. Mr. Chairman, will the gentleman yield?

Mr. GINGRICH. I yield to the gentlewoman from Ohio.

Ms. OAKAR. I thank the gentleman for yielding.

First of all, we are not talking about museums. In most major areas of the country, there are museums. All people can go to them. You are talking about a program that exists primarily in the school system, and I do not know that the gentleman was focusing on that. I would say to the gentleman, since he voted for the Frenzel amendment that cut our customs workers, the Coast Guard, which has only three planes to cover the entire coastal areas of our country, the gentleman cut 4 percent, and that appropriation bill was already below projections that the reconciliation projections were under Gramm-Rudman. The gentleman is the one who has supported an amendment that deprives us of the vehicles, the enforcement individuals, that is, some civil servants, some security people, et cetera, that indeed would protect our borders. That is the No. 1 problem that we have all this illicit, illegal drug traffic coming into our country.

So I think it is a kind of subtle form of a lack of philosophy on this issue when he comes up and wants to deprive kids of a chance to have training in their school system, but he will vote to cut the customs workers who are protecting our borders.

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

(On request of Mr. WALKER and by unanimous consent, Mr. GINGRICH was allowed to proceed for 2 additional minutes.)

Mr. GINGRICH. I yield to the gentleman from Pennsylvania.

Mr. WALKER. I thank the gentleman for yielding.

I do not think we ought to let it stand that what we are doing is somehow taking money out of the education system. The Commission on Arts and Humanities is a clearinghouse of funds for local arts, crafts, theater groups, individual performers; it supplies funds to some local institutions for arts performances and that kind of thing. It comes under the public education portion of the bill, but it in fact is something which goes far beyond serving the children in our schools. It is something which is largely the arts and humanities program for the entire city.

The gentleman is absolutely right that there are many resources in this city that go beyond that, that we have the Folger Shakespearean Theater, there are all kinds of arts resources in this city that the Federal Government is helping to sponsor. So it is not a city necessarily lacking in cultural activity.

I thank the gentleman for yielding.

Mr. GINGRICH. If the gentleman will answer a question before he sits down, I want to ask the gentleman, is it not correct that the gentleman will in the near future be offering an amendment to add $20 million to the Coast Guard?

Mr. WALKER. The gentleman is absolutely correct. When we get to the transportation bill, I want to add $20 million there. We have $20 million in law enforcement authority that goes to the 55-mile-an-hour speed limit. We ought to look at the priorities of that. Should we be spending law enforcement money for 55-mile-an-hour speed limit, or should we spend that money toward drug interdiction in the Coast Guard?

So I would offer an amendment that would transfer the $20 million from the 55-mile-an-hour speed limit enforcement and put it toward a higher law enforcement priority; namely, the Coast Guard. I would hope we are going to have some support for that amendment.

And if the gentleman will yield further, there will be another amendment later on today, I would say, as a part of this package in the agriculture appropriations that will build upon language already in the agriculture appropriation that is aimed at shutting down the funds in the bill to anyone who is convicted of drug dealing or drug production. I certainly hope the Members will see fit to support that as part of the package, too. The gentleman is right, we have a package of amendments in that regard.

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

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

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

Mr. HUNTER. I thank the gentleman for yielding.

Mr. Chairman, I want to thank my colleagues on the Democratic and Republican sides for appreciating this debate for what it is, and that is a dispassionate discussion about our priorities. We are not here to point the finger at each other and say, "You voted for that bill" or "You voted against this bill." What we are doing is something that is very difficult for us as a Congress to do, and that is to make priorities within a pie that has been shrinking.

It is easier for us to expand a pie and to add programs than it is for us to take a limited amount of resources, which is what we are dealing with under Gramm-Rudman and our other constraints this year and make very difficult decisions. It was stated by one of the Democratic leaders in this leadership conference on narcotics that just took place an hour or so ago, this is going to cost a lot of money. There is going to be some pain in making those or reordering those priorities.

I think accepting that fact and accepting the fact that we are going to have to change priorities and we will not have the avenue or the alternative of simply pumping in more money or making the pie bigger, I think that the gentleman's amendment and his proposed change in prioritization is a correct one.

I look at the fact that you need to arrest people for pushing major amounts of narcotics, you need major amounts of people, a lot of people who are involved in undercover investigative work, and the police department could spend more money on that. You could always spend more money on that. You always need to have more intelligence and more people who are doing undercover work. That is how you get the major traffickers.

So I think this is a painful amendment that the gentleman has offered. I do not think we should point fingers at each other. I think we should go forward as Republicans and Democrats and accept or vote very much in favor; I think, the Republican side and Democratic side should vote very strongly for the Walker amendment.

I thank the gentleman for yielding.

Mr. GINGRICH. I just want to say in closing that this is the beginning of two long and difficult processes, one is of setting priorities rather than raising taxes.

I think the mandate of the American people forcing us to set priorities instead of raising taxes is overpowering. Second, to recognize that if we are going to be successful in the next few years in breaking up the cocaine and heroin trade, it is going to require a dramatically bigger effort than either the Office of Management and Budget or the Congress has undertaken. We are going to have to tackle it head on. It is going to cost money. We are going to have set priorities.

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

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

Mr. HUNTER. I thank the gentleman for yielding.

I just want to say one last thing. This is going to be an ongoing process. When the Defense Department budget comes up, there are going to be amendments, and I am going to support those amendments, that are going to change priorities within that budget and are going to take assets away from their regular tasks of defending the Nation and dedicate those assets to narcotics interdiction. I am sure there is going to be some resistance to that. But we are going to take some major resources from DOD and apply that to the drug problem, and that is going to be painful within my own Committee on Armed Services and within our debate on the floor. But we are going to do that, also.

I thank the gentleman.

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

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

Mr. Chairman, we have heard a great deal of talk in the last few minutes about priorities. The question before us is on what basis do the Members of the Congress prioritize with respect to the District of Columbia? The fact is we cannot do that with respect to any other State in this Union. The fact is that duly elected citizens of the District of Columbia in the city, and the Mayor, are equally opposed to drug trafficking in our community, as are elected officials all over the country to drug trafficking in their communities. They have prioritized. They have held hearings, numerous hearings across the length and breadth of the community. They have come to the conclusion that in order to fight the drug traffic in this city, we ought to urge the House Appropriations Committee to add $10 million to the capacity of our police force to undertake this war on drugs. And the Appropriations Committee, having sat through numerous hearings and hours of testimony, have agreed with them. They have come to us with an appropriation which is certainly $20 million

below the President's mark, $20 million below our budget resolution. And now we, in defiance of what the people through their elected representatives, have concluded is necessary to carry out this war, want to dip in and take $1 million from a program that would be devastated by a 40-percent cut in that priority, and add it, when the police department, the Mayor and the City Council have said, "We do not need it," and where those who have been asked on behalf of this Congress to take a deep look at these matters, they have said we agree. So I would hope that we would not take seriously this amendment on the basis of persons who are in no position to establish a local priority for the District of Columbia. Certainly we are within our responsibilities, within the area of our responsibility when we set priorities for the Nation. But this is for the District of Columbia, the District of Columbia. I hope that you would vote against the Walker amendment.

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

Mr. Chairman, first I do not believe that I will take the 5 minutes. I think the representative from the District of Columbia makes a good point except I would go on to point out further that we in the Congress with an appropriation of over half a billion dollars pay for the privilege of examining and looking at the priorities set in a budget.

I can tell you that anytime the Members want to send down to the city of Fort Lauderdale $500 million, I think our city commission might very well decide that you can also prioritize in our budget.

But let us not argue over that or quibble over that. I think what we are looking at now is what are the needs for these funds? I went through a very difficult situation in my own district of Fort Lauderdale, FL, Broward County, FL, about 1½ weeks ago.

I visited a ward for neonatal care in which I saw the premature babies that were born all over south Florida who have run into problems, where they are brought into the Broward General Hospital. I found a statistics there that I found absolutely alarming and one that I want to share with the House Members here today.

Twenty percent of the premature babies brought into that unit are born cocaine addicts. They are suffering withdrawal symptoms. And as I went through and looked at those tiny babies in incubators and was standing next to one of them, he died. That baby was, as the doctor described it, smaller than the cocaine tattoo that was on his mother's arm.

□ 1455

Why do I bring this up and what does this have to do with the District of Columbia?

Any of us who live in and around the District of Columbia while Congress is in session know of the tremendous problem that the District of Columbia has with premature births. I would suggest to each and every one of you that if you check the statistics and if they are available from the hospitals in the District of Columbia, I would almost guarantee you that the instances of cocaine addiction in those babies is over 20 percent.

I would also suggest to you, and I think that the statistics would bear me out on this, that the instances of drug abuse in the District of Columbia are far ahead of the national average.

So how do we respond to that? How do we as the Congress respond to that, the Congress that is being asked to appropriate all this money to the District of Columbia's budget? We set priorities.

I think one of the speakers on the majority side made the point that you are promising a mountain and you are coming in with a mouse. At least it is something.

The Members are going to be given a choice. This choice is only moving a million dollars; that is correct. But it is a million dollars that would not be there if it were not for our vote.

Mr. Chairman, I would urge a "yes" vote on the Walker amendment.

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

Mr. Chairman, I think I may be unique in the Congress in this regard. I am a member of the Committee on the District of Columbia, second ranking minority member, and a member of the Select Committee on Nacrotics and Drug Abuse.

I rise in support of this amendment. I do not in any way denigrate the efforts of the committee. I congratulate them, as a matter of fact, on what they have done to increase the appropriations for the drug and criminal investigations and that sort of thing in the District of Columbia.

At the same time, I do not attribute to my friend, the gentleman from Pennsylvania's amendment a token of symbolism. I wish it could be more. In these times of fiscal responsibility increasing in this House, we have to draw the line somewhere. But this is at least, as has been said by other speakers, a step in the right direction.

I do not question the good faith of any of the Members who have spoken on this matter. Reasonable people can take the same facts and get reasonable results in a different way by the application of judgment, as has been said here earlier several times.

It is our responsibility to prioritize. I would say to the Delegate from the District of Columbia, my friend, Mr. FAUNTROY, we are required to prioritize because we are spending Federal taxpayers' money. When we spend that money, we have not only the opportunity, but the responsibility, to apply those moneys in some kind of a way defined by us as being in the public interest, whether it is for the people of Kansas or the District of Columbia or Virginia.

So I do not apologize for my involvement in this debate, nor in this process.

I will resist the temptation to spend the next 3½ hours to discuss at that length, if I was permitted, about the ability and the flexibility of the transfer of funds among the D.C. programs. You heard the gentleman from Connecticut [Mr. McKINNEY], the ranking Republican, talk about how we appropriated $30 million last year for the District of Columbia to build a jail in this city, and they took $10 million and built some temporary housing in my district. That is flexibility if I ever saw it. Do not tell me, ladies and gentleman that they cannot take this million dollars if this amendment passes and find some other million dollars to provide for the worthwhile programs of arts and humanities.

The question is very simple: Are you for arts and humanities and libraries and artsy and crafty things, or do you believe, as I do, that drugs are a menace to this society and to its future? That is what we are talking about.

Let me just leave you with one number. It has been estimated that the dramatic increases in the criminal population of felons convicted in the courts of this city, 50 percent of those people are involved in drug trafficking or use. That is why there is a population explosion of inmates in this city, largely because of the drug problem.

Let me just make one other comment, and then I will relinquish the floor. The Delegate from the District of Columbia said the Mayor and the police department have indicated that they do not need this money.

Let me share with you a fact. This morning at 7:30 a.m., I went on a drug raid with the Park Police just above Great Falls, 5 miles north of Washington. We went up there and crawled around in the rose bushes—these were wild rose bushes I am talking about—and it was hotter than the blue blazes of you know where. We had park policemen up there with machetes cutting their way into little plots where marijuana is being grown. It was not a lot of fun. It was different, but it was important. We jerked out a bunch of plants and we took them away. Presumably and hopefully, we have reduced somewhat the impact of illegal substances on the people of this metropolitan area. We hope we did something good.

Let me tell you what was a greater and more dramatic incident than the results we had this morning. Last week

when the Park Police found a plot of mature marijuana plants, 388 of them, as I recall, they were valued at $300,000 of street market value.

The CHAIRMAN. The time of the gentleman from Virginia [Mr. PARRIS] has expired.

(By unanimous consent, Mr. PARRIS was allowed to continue for 2 additional minutes.)

Mr. PARRIS. There was $300,000 worth of marijuana detected by the Park Police.

Where do you suppose that this substance was being grown? Just off Foxhall Road, about, as the crow flies, one quarter of a mile from the bars of Georgetown.

Now if that is not a problem for the D.C. police, I do not know what is.

Yet it has been suggested that the police do not really need this $1 million, that presumably, if we do give it to them, they cannot even find a good use to which it could be put.

I reject that argument, ladies and gentlemen. I think the priority of this budget and this decision is very clear. We have got to do something about drugs in this city, and that is part of our responsibility.

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

Mr. PARRIS. I yield to the Delegate from the District of Columbia.

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

The gentleman serves with me not only on the Committee on the District of Columbia but, as the gentleman indicated, on the Select Committee on Narcotics and Drug Abuse.

I want to thank the gentleman for confirming the fact that the drugs sold in the District of Columbia are not grown on the streets of the District of Columbia.

Mr. PARRIS. No; they are grown in the dirt of the District of Columbia.

Mr. FAUNTROY. And they are grown in suburban Maryland and Virginia, as the gentleman has pointed out.

I am sure that the Department of the Interior will come to the appropriate committee of this House and make the request to increase the funds to handle the problem the gentleman addressed.

I still maintain that the elected officials of this community, in consultation with the citizens of the District of Columbia, and now in consultation with the appropriate committee of the House, have concluded that the priorities ought to be as the committee recommends.

I would hope the gentleman is not suggesting that the Metropolitan Police Department and the Mayor have not assessed what they needed and that this is not a reflection of that need.

Mr. PARRIS. Mr. Chairman, I thank the gentleman for his comments.

I would just say to the gentleman in response that I tried to indicate earlier in my remarks that I have the highest possible regard for the members of this committee.

The CHAIRMAN. The time of the gentleman from Virginia [Mr. PARRIS] has again expired.

(By unanimous consent, Mr. PARRIS was allowed to proceed for 1 additional minute.)

Mr. PARRIS. Mr. Chairman, I have the highest possible regard for not only the chairman of the subcommittee, but the members also. They worked diligently on these problems.

But what we are talking about, I would say to my friend, the Delegate from the District of Columbia, is not more money for this or more money for the Interior Department, we are talking about what to do with this precise $1 million. Shall we in fact apply to the District of Columbia Police Department drug efforts, or shall we have an arts and humanities program? It is very simply.

I would just clarify one misconception that the gentleman may have.

We were in Maryland this morning, not in Virginia. The District of Columbia does not grow drugs on the street. But the incident that I mentioned to the gentleman is that last week, $300,000 worth of illegal substances were grown right here, literally a mile from this building.

It is a problem in this community. It is a problem in all of our communities. I do not suggest that this is the only city in the Nation that has the problem. But it is a problem here and we need to address it.

The CHAIRMAN. The time of the gentleman from Virginia [Mr. PARRIS] has again expired.

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

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

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

□ 1505

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

Mr. Chairman, I would like to reecho an argument that I put forth in the general debate in response to my colleague.

The gentleman suggested that the proposition before us is very simple and straightforward. That is, "How do you use this million dollars?" Do you use it for the purposes of fighting the problems of drugs in this community or do you put the money into the purposes for which it was originally designed? That is, the arts and humanities.

Let me give you this argument. I think that struggling against drugs that are killing our children not only in the streets of Washington, DC, but all over this country is not only laudible, it has now become a moral imperative. We must save our kids.

When you look at the problem of drugs, you have to look at it in its multidimensional facets. You not only have the problem of the seller; you also have the problem of the buyer. Many of the buyers in our community are our children.

What I am saying is an integral part of drug abuse prevention is to develop those programs that allow us to compete for the attention of our children. As I said earlier, when the gentleman and I were children, when we were not as old and as ugly and as gray as we presently are, there were programs designed to capture our attention. We had athletic programs and recreation programs and art programs and music programs and educational programs to capture the imagination of the children.

I have been a group worker, I have been a gang worker, street-gang worker; I have worked with recreational children. Social work is my background. We competed strongly and effectively for the attention of the children.

What I am suggesting to the gentleman is that in this debate, Gramm-Rudman and the politics of deficit reduction, we are losing the reality of what is really going on here. A budget does not exist in a vacuum. It exists in a very human dimension. So if you want to deal with the multidimensional aspects of drugs, what I am saying is, why are we taking money away from arts and humanities, a program designed to pass on from one generation to the next our culture, our civilization, our heritage, our creativity, our genius, and then assume that we have to do that in lieu of fighting drugs.

What I said to my distinguished colleague from Pennsylvania is let us not end up taking away all those programs designed to compete for the attention of the children and where are we left? There is nothing between the children and the drug dealer but atmosphere. What we want to do is to fill in that equation with these kinds of dramatic and important programs. These are not frivolous ideas. Arts and humanities are terribly important. We have a responsibility, it seems to me, to save our children.

If the gentleman will continue to yield, I would like to make this one, last comment.

I do not think it ought to be in lieu of this. Why can it not be in addition to? If the issue of drug addiction is as important as we perceive it——

The CHAIRMAN. The time of the gentleman from Virginia [Mr. PARRIS] has expired.

(On request of Mr. DELLUMS and by unanimous consent, Mr. PARRIS was allowed to proceed for 2 additional minutes.)

Mr. PARRIS. Mr Chairman, I continue to yield to the gentleman.

Mr. DELLUMS. I thank the gentleman.

Mr. Chairman, I would say to the "vote hawks" why do you not be quiet; we are in the business of an intelligent discourse and to continue to suggest a vote is not going to stop this gentleman from speaking. That is our right, our prerogative, and I would suggest further, our responsibility.

Let me just finally say to my colleague: If the issue is as significant as we think it is, then let it not die in the absurd politics of deficits reduction. Let us not take $1 million away from arts and humanities. If this budget is $20 million below the President's request, then as members of the other party, why do you not say, "For this purpose, we are prepared to put the entire $20 million into the budget." You do not have to go in here and take on programs designed to help us compete for the young peoples' attention; it does not have to be done that way.

I think that this is really, in one sense, a very mischievous amendment and misdirected. That is not to suggest that challenging drugs is not laudable. I put that aside as beyond laudable. It is a moral imperative. I would suggest that you are not carrying out the moral imperative by challenging those programs designed to enhance the quality of our children's lives; that is not the way it is done.

I thank my colleague for his generosity.

Mr. PARRIS. I thank the gentleman for his usual articulate contribution to this discussion.

I would remind the gentleman that I voted against the Frenzel amendment; the across-the-board cut that we just adopted a moment ago, because I thought it was wrong. But I would also suggest to the gentleman, as I indicated earlier in my remarks, I wish it could be more. I wish this amendment was $10 or $100 million or whatever it takes to do the job. I submit to the gentleman that the taxpayers', the Treasury Department, is not forever a bottomless pit out of which we can draw money without impact on the future of this Nation.

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

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

Mr. DELLUMS. I thank the gentleman.

Let me say this: We all in this room are very intelligent and adult human beings; we know that we would not solve the problem of significant, over $200 billion in deficits on the District of Columbia bill.

The CHAIRMAN. The time of the gentleman from Virginia [Mr. PARRIS] has again expired.

(On request of Mr. DELLUMS and by unanimous consent, Mr. PARRIS was allowed to proceed for 2 additional minutes.)

Mr. PARRIS. Mr. Chairman, I continue to yield to the gentleman.

Mr. DELLUMS. I thank the gentleman.

Mr. Chairman, this bill exists in a larger bill. I would say to my colleague that if we really want to fight it, let us stop building 1 of the 100 B-1 bombers. Let us stop building 1 of the 1,000 nuclear missiles designed to destroy human life. Let us take the money from other places. But to take the money from the children is bizarre. To take the money from our future is absurd.

If you want to fight drugs then let us stop fighting nuclear wars. Let us stop fighting Nicaraguans, let us stop fighting other phantoms out there and begin to address the reality that our children are dying on the streets of America from drugs, not from Sandinistas in Nicaragua and not from other bizarre activities. There we would be making a more intelligent and honest and straightforward articulation of our concerns.

To assume that someone does not care about solving the problems of drugs because we oppose taking $1 million from the children for arts and humanities it seems to me is absurd in the extreme I would say to my colleague.

So if we want to solve the problem of deficit reduction, then let us stop building all of these weapons designed to destroy all life and put moneys into programs designed to enhance the quality of the lives of the most precious substance that we have and that is our children and their futures.

Mr. PARRIS. I would say to the gentleman that this gentleman has never made the argument that we should not look to the future of our children. I would say to the gentleman that the question of drugs must be attacked in the position of demand of our children for these substances. But until such time as we can interdict meaningfully on the supply, we have to apply the moneys, the capability, the opportunity that we have in every possible way to interdict that supply until we get a handle on demand.

The gentleman talks about opportunities for athletic involvement and other things.

The CHAIRMAN. The time of the gentleman from Virginia [Mr. PARRIS] has again expired.

(By unanimous consent, Mr. PARRIS was allowed to proceed for 1 additional minute.)

Mr. PARRIS. Mr. Chairman, it is perfectly true. I would remind the gentleman, if he would pardon a rather personal reference, I flew jets in Korea. I came here, I came here to go to law school in this town. I got a job running a mimeograph machine in the basement of this building. I made $280 a month. I had a wife and two children.

This is America. We have got to preserve this for our children and our children's children without letting them fry their brains with this junk. The question is: How do we do that? That is where this amendment impacts. In some, we hope, meaningful, small but meaningful way in this city which is in fact partially our responsibility.

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

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

Mr. DELLUMS. I thank the gentleman for again yielding.

Mr. Chairman, I wish to hammer just one other point home. I am saying to my colleague that you are only dealing with one dimension of this problem, and that is the demand. I am also suggesting that we deal on the demand side. Let us compete for our children. They are out there getting high on drugs because they cannot get high on life. That is what the issue is and that is what we ought to be dealing with.

Mr. PARRIS. The gentleman is correct.

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

Mr. Chairman, in view of this extended debate, and I did not intend to participate, I feel impelled to point out that while consistency is not always a virtue of elected officials, they are usually a little bit more consistent than today.

One week ago today most of the people that have been talking for this amendment voted for a $100 million cut in law enforcement programs. One week ago today. They are talking about shifting $1 million today. One week ago today most of them voted for cutting the U.S. attorneys by $17.1 million. Now how can we prosecute drug pushers if we do not have enough U.S. attorneys?

In the District of Columbia, the U.S. attorney is the chief prosecutor. The marshals service was reduced $7.8 million. The Juvenile Justice System by $3.5 million, and that is where we fund the Juvenile Justice Program. There is no authorization. The appropriation bill has kept it alive for 5 years. Anybody that has been watching knows that 90 percent of the law enforcement, the drug enforcement in this country has been done as a result of what we have done through the State,

Justice, Commerce Subcommittee on Appropriations the last 5 years.

□ 1515

We have appropriated money for drug enforcement programs that did not exist, let alone those that were to be continued without an authorization. That is where the law enforcement and the drug enforcement have been headquartered, right in that subcommittee bill.

They also voted for cutting $37.3 million out of the prison system, and that includes the annual upkeep of the prison system. What good does it do to catch drug traffickers if judges must turn them loose because they do not have any space in the prison? This was a total of $100 million that was cut from the programs that deal with drug enforcement.

And then there is the INS. I did not mention that. People bring the drugs across the border every day, and the Immigration and Naturalization Service was cut by $30.4 million a week ago today, largely by the same Members who speak about its being such a great virtue to shift $1 million around today; $1 million shifted today is no substitute for having cut $100 million out of law enforcement and drug enforcement and incarceration last Thursday.

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

Mr. Chairman, I rise because I think I have reached the limit of my patience with the unctuous self-righteousness that keeps flowing from the right.

We have first one of the proponents of this amendment saying to those on the left who so erroneously believe this way that he speaks to "my liberal left." Then we have another one say, "Oh, we ought to look upon this as a nonpartisan issue. Us Republicrats and those Democrats, we ought to get together."

Then meanwhile, when we examine the issue on hand, we find that the basic issue involved is a matter of priority, which phrase has been used ad infinitum and ad nauseam here in the last few minutes.

The problem here is not prioritizing. The problem is the perversity in priorities that this administration and those who support its policies have constantly crammed down the throats of those of us who have raised the issue of the legitimate priority that the needs of the American people require us to respond to, whether it is in shelter or housing, whether it is in food or nutrition, or whether it is in education or grants for student loan programs, all of which have been decimated in the name of proper priorities but which I call a perversion in priorities.

Now, I think that when we reach such a ludicrous situation as trying to regurgitate the debates long gone by of 60 years ago as to the propriety of the Government supporting such endeavors that add to the quality of life as arts and humanities, really in effect we are wasting time. I certainly hope that my colleagues will literally vote solidly against this amendment. I consider it to be one that is based on an ideologue approach which I think has been reflected very much, time and time again by some of the speakers.

We are not talking about ideology. When a colleague of mine gets up and looks in my direction, I assume he is talking about me when he says, "You liberal on the left."

Whenever I hear that, I for one want to go on record as saying that I am proud to be called a liberal. When I look at the tradition of what America stands for, it is to the world essentially a liberal tradition. I think that those kindred in spirit at Runnymede who forged the Magna Carta were not conservative Tories or reactionaries; they were the liberals of the day.

Today who are the liberals? I would say it is those who are actually the conservers, not conservatives but conservers. And now I see this rather shameful abuse of argument in attempting to foist off an ideological interpretation on realistic daily life decisions that we have got to make on what we think is a response to the burgeoning needs of the American people, not just for food, not just for shelter, not just for clothing, but for those things that make a civilized life have some quality that inspires us above mere animal existence.

I also rise to express my admiration for the gentleman from California and for his most eloquent and inimitable way, one that I can hardly hope to match, of describing the issue at hand. Let us not further victimize the District of Columbia by venting, as this Congress has since its inception, its ideological binges and its racial, insipid prejudices against the hapless residents of the District of Columbia.

Mr. Chairman, if my friends want to get the proper response, I ask them to join me in my resolution to make a State out of the District of Columbia.

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

I take second place to no one in support of the war against drugs. I serve as the second ranking Republican on the Select Committee on Narcotics Abuse and Control. I attended the same meeting with our leadership this noon that my colleague, the gentleman from California, and my colleague, the gentleman from Florida, attended. However, it is not right to take 40 percent of the District of Columbia's funds for arts, humanities, and education, and transfer that $1 million to a $157 million account for police and law enforcement.

In fact, if we really look at the war against drugs, it may well be that we have our priorities miserably confused. We should be spending more on education. We spend millions of dollars every year through the Coast Guard on trying to interdict drugs coming into the United States. But the Coast Guard cannot even tell us whether they interdict 10 percent of the drugs or 20 percent of the drugs or even 30 percent at the most.

We spend millions of dollars on law enforcement throughout this country, on trying to enforce our drug laws. Yet the drug trade gets larger and larger and larger. We spend a pittance, I say to my colleagues, on drug abuse education. We should be educating young people on the dangers of this problem.

We have a good drunk driving program, for example. It works with grassroots groups, State and local governments, the Federal Government, education, and the Advertising Council. We are making an impression and decreasing that problem. Our young people, themselves, are enforcing it with their own programs. They are saying, "No—if you are drunk, you don't drive."

We need the same kinds of programs for drugs. That is where the money should go. We need the extra money for education to encourage the young people to reduce the demand for drugs. We should not be doing this instead of taking part of the funds that are for education and for arts and humanities, 40 percent, and transferring it to the police department. The police department has already been funded with every single nickel from this subcommittee that they requested. They have all they want for drug enforcement. This just does not make sense.

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

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

Mr. TRAXLER. Mr. Chairman, may I commend the gentleman for his past efforts in the war on drugs and his leadership in this area as well.

Second, let me thank the gentleman for raising a point which I think has been missed throughout this entire debate, although it was alluded to by one Member who said that drugs are a personal problem and by another Member who said that drugs are a multidimensional problem, and therein is indeed the issue.

□ 1525

Our Nation and this society has spent literally billions of dollars on prosecutors, police officers, prisons, interdiction, and has utterly failed.

Let me predict that, as a result of multiple efforts going forward both in the Congress and in this administration, that more money will be spent in that regard, and let me tell you what the result is going to be, and every one of you know what it is going to be. We are going to fail again.

The gentleman is totally correct. Unless and until the leaders of this society, the decisionmakers, the chief politicians in the Congress, the President, the motion picture industry, the media industry, the rock industry, the sports industry, the alcohol industry, the people who are making money off drugs, decide that it is a national disgrace to watch the youth of this country become "no minds" and endanger the future of the country, until they decide that it is going to require a national communication media effort, we are not going to be successful. That is my judgment.

Yes, the Russians are coming, but crack is here and crack is far more threatening and immediate than that.

I hope that, as a result of the committee efforts that the gentleman is now participating in, that somebody will be able to go forth to the video industry, to the motion picture industry, to the recording industry, to a certain subculture magazine industry, to the profit industry, and say, for heaven's sake, stop glorifying drugs, including alcohol.

We need a massive public effort that says drugs are not good for you and that has got to begin in the elementary schools and it will not be successful unless and until we do.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

(By unanimous consent, Mr. COUGHLIN was allowed to proceed for 2 additional minutes.)

Mr. COUGHLIN. Mr. Chairman, I thank my colleague.

Let me just say, let us join in the war on drugs, but let us do it the right way. We need to analyze where money should be spent and how funds should be applied. Let us not take an account that is an education account and decimate it to provide a pittance in another direction.

I ask my colleagues to oppose the amendment.

Mr. COLEMAN of Texas. Mr. Chairman, I rise in opposition to the amendment offered by the gentlemen from Pennsylvania and I wish to elaborate further on the reasons for my objections to this motion.

The amendment would theoretically delete some $1 million from the District of Columbia's Commission on the Arts and Humanities and provide that same sum of money to the District of Columbia Police Department in their efforts to combat the influx of illicit narcotics.

While no one on the floor today disputes the need for this body to adequately fund a coordinated war on drugs, today's amendment is only so much window dressing which makes the intent of some of my colleagues to make drug interdiction a crass political issue.

The District of Columbia Appropriations bill today before us already contains an increase of some $9.6 million over last year's funding level to assist the police department's efforts at thwarting the drug trade in the city of Washington.

The bill further provides for the creation of a metropolitan regional drug authority, composed of Representatives of the various State and local governments in the Washington metropolitan area, to facilitate the coordination of a regional response to the growing menace posed by drug trafficking.

Finally, Mr. Chairman, the concept today advanced by this amendment's proponents that the benefits offered by full funding for the commission on arts and humanities are negilible compared with those possible from giving the police department an additional $1 million is questionable at best. Absent evidence of the misuse or mal-administration of funds allocated to the arts and humanities commission, I fail to see the need to effectively cripple one worthwhile program to minimally increase the budget of another agency when other provisions in this bill already fund a stepped-up war against drugs in Washington.

The proponents of this amendment are simply attempting to transfer funds from those programs which they object to but can find nothing wrong with its implementation under the guise of providing miniscule amounts of money to theoretically combat illicit narcotics.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Pennsylvania [Mr. WALKER].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 183, noes 229, not voting 18, as follows:

[Roll No. 249]

AYES—183

Archer
Armey
Badham
Bartlett
Barton
Bennett
Bentley
Bilirakis
Boulter
Broomfield
Brown (CO)
Bruce
Bryant
Burton (IN)
Byron
Callahan
Carney
Clinger
Coats
Cobey
Coble
Coleman (MO)
Combest
Courter
Craig
Crane
Dannemeyer
Darden
Daub
Davis
DeLay
DeWine
Dickinson
DioGuardi
Dornan (CA)
Dreier
Duncan
Dyson
Eckart (OH)
Eckert (NY)
Edwards (OK)
Emerson
English
Evans (IA)
Fawell
Fiedler
Fields
Franklin
Gallo
Gekas
Gibbons
Gingrich
Goodling
Gregg
Guarini
Gunderson
Hall, Ralph
Hammerschmidt
Hansen
Hendon
Henry
Hiler
Hillis
Holt
Hopkins
Hubbard
Hughes
Hunter
Hutto
Ireland
Jones (OK)
Kasich
Kemp
Kindness
Kolbe
Kolter
Kramer
Lagomarsino
Latta
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Loeffler
Lott
Lujan
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
McCain
McCandless
McCollum
McCurdy
McEwen
McGrath
McKernan
Miller (OH)
Molinari
Monson
Montgomery
Moore
Moorhead
Murphy
Myers
Neal
Nelson
Nichols
Nielson
Oxley
Packard
Parris
Pashayan
Petri
Porter
Pursell
Quillen
Regula
Ridge
Rinaldo
Ritter
Roberts
Robinson
Roemer
Rogers
Roth
Roukema
Rowland (CT)
Rudd
Saxton
Schaefer
Schuette
Schulze
Sensenbrenner
Sharp
Shaw
Shumway
Shuster
Siljander
Skeen
Slaughter
Smith (FL)
Smith (NE)
Smith (NJ)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Snyder
Solomon
Spence
Stallings
Stangeland
Stenholm
Strang
Stump
Sundquist
Sweeney
Swindall
Tauzin
Taylor
Thomas (CA)
Torricelli
Valentine
Vander Jagt
Volkmer
Vucanovich
Walgren
Walker
Watkins
Weber
Whittaker
Wortley
Wylie
Yatron
Young (AK)
Young (FL)
Zschau

NOES—229

Ackerman
Akaka
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Atkins
AuCoin
Barnard
Barnes
Bateman
Bates
Bedell
Beilenson
Bereuter
Berman
Bevill
Biaggi
Bliley
Boehlert
Boggs
Boland
Bonior (MI)
Borski
Bosco
Boucher
Boxer
Brooks
Brown (CA)
Burton (CA)
Bustamante
Carper
Carr
Chandler
Chapman
Chappell
Cheney
Clay
Coelho
Coleman (TX)
Collins
Conte
Conyers
Cooper
Coughlin
Coyne
Crockett
Daniel
Daschle
de la Garza
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Durbin
Dwyer
Dymally
Early
Edgar
Edwards (CA)
Erdreich
Evans (IL)
Fazio
Feighan
Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Frank
Frenzel
Frost
Fuqua
Garcia
Gaydos
Gejdenson
Gephardt
Gilman
Glickman
Gonzalez
Gordon
Gradison
Gray (IL)
Gray (PA)
Green
Hall (OH)
Hamilton
Hatcher
Hawkins
Hayes
Hefner
Hertel
Horton
Howard
Hoyer
Hyde
Jacobs
Jeffords
Jenkins
Johnson
Jones (NC)
Kanjorski
Kaptur
Kastenmeier
Kennelly
Kildee
Kleczka
Kostmayer
LaFalce
Lantos
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Long
Lowery (CA)
Lowry (WA)
Luken
MacKay
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McDade
McHugh
McKinney
Meyers
Mica
Miller (CA)
Miller (WA)
Mineta
Mitchell
Moakley
Mollohan
Moody
Morrison (CT)
Morrison (WA)
Mrazek
Murtha
Natcher
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens
Panetta
Pease
Penny
Pepper
Perkins
Pickle
Price
Rahall
Rangel
Ray
Reid
Richardson
Rodino
Roe
Rose
Rostenkowski
Rowland (GA)
Roybal

Russo	Stark	Weaver
Sabo	Stokes	Weiss
Savage	Stratton	Wheat
Scheuer	Studds	Whitehurst
Schneider	Swift	Whitley
Schroeder	Synar	Whitten
Seiberling	Tallon	Williams
Shelby	Tauke	Wilson
Sikorski	Thomas (GA)	Wirth
Sisisky	Torres	Wise
Skelton	Towns	Wolf
Slattery	Traficant	Wolpe
Smith (IA)	Traxler	Wyden
Solarz	Udall	Yates
Spratt	Vento	Young (MO)
St Germain	Visclosky	
Staggers	Waxman	

NOT VOTING—18

Aspin	Fascell	Lundine
Boner (TN)	Fowler	McMillan
Bonker	Grotberg	Michel
Breaux	Hartnett	Mikulski
Campbell	Huckaby	Schumer
Chappie	Jones (TN)	Wright

□ 1550

The Clerk announced the following pair:

On this vote:

Mr. Hartnett for, with Ms. Mikulski against.

Messrs. CHAPMAN, ROYBAL, and PACKARD changed their votes from "aye" to "no."

Messrs. SCHULZE, PACKARD, and GUARINI changed their votes from "no" to "aye."

So the amendments were rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. DORNAN OF CALIFORNIA

Mr. DORNAN of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DORNAN of California: Page 22, line 12, strike "Federal".

Page 22, line 15, strike the semicolon and all that follows through line 21 and insert a period.

Mr. DORNAN of California. Mr. Chairman, a week ago today, on a getaway Thursday, I think on this very passionate and emotional and contentious issue, a majority in this House, called prolife and the other side, called prochoice, reached an understanding that everyone in this currently constituted 99th Congress has a deep understanding of the issue as their conscience dictates the issue to them.

So we held the debate on both sides to a minimum of discourse and proceeded to vote in a faster manner than we ever had as each side sees this critical life issue.

I think it had a beneficial effect. On our side, those of us who support Hyde-type amendments felt secure in the spread of our victory, 41 votes, that as this 99th Congress is constituted, we do constitute a majority.

I see no point in going over as important as that ground is the points on the District of Columbia, that those of us who are prolife think calls the District into shame.

For every 1,000 live births in this District, there are 1,517 abortions, most of them what are fairly called abortion on demand. I think that it is time that we change the language in the D.C. appropriations bill to defend life.

All my amendment does is remove language and it accomplishes a Hyde-type prolife objective.

As I said, closing my remarks last Thursday, and I am going to yield back most of my time here, I think respect is due on both sides for our opposing opinions and let us get about the business of voting our conscience.

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

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

Not only does this amendment attempt—as have so many amendments to appropriations bills in recent years—to deny women the choice of a safe, legal abortion, it would tell a local jurisdiction how to spend the money it has raised.

Already, antiabortion riders attached to a variety of Federal health care programs and benefits packages have all but eliminated the choice of a safe abortion to nearly 10 million women. It is not surprising that most of the women affected by these antichoice restrictions lack the necessary resources to counter them. These amendments have not ended abortion. What they have done is withhold from a certain segment of our population the constitutional right to equal protection of the law, and established a dual system of access to needed medical care.

Realizing this, 14 States, including my home State of New York, and the District of Columbia—which account for roughly half the U.S. population—use local tax revenues to pay for Medicaid abortions. All jurisdictions are in full compliance with the Federal restrictions already in place. And each has made its decision and developed its Medicaid Program in accordance with local preferences and circumstances.

The District of Columbia should not now be treated differently.

This amendment is both wrong in substance and wrong in procedure. It is a further attack on the constitutionally protected and recently upheld right to choose abortion. It is also an underhanded attack that exploits the continued power of the House over the District of Columbia's purse to achieve this highly objectionable goal.

The supporters of this amendment disagree strongly on the issue of abortion, and they have every right to do so. But the government of the District of Columbia, representing the wishes of its citizenry, must also be able to choose how to spend its revenues collected through property and income taxes, and other sources.

The District of Columbia deserves to be reimbursed for the responsibilities it assumes for the revenue losses and costs associated with its role as the Nation's Capital. That is the intention of the bill being considered today. But the restrictions being considered at this time go beyond this purpose and must be rejected.

What this amendment seeks to do is to single out poor women in the District of Columbia in a manner that we could not single out poor women in other localities across this country and deny them the opportunity, for whatever the reason, reasons of health or well-being, from receiving abortions either by having the District of Columbia reimbursed for those abortions or by having the District of Columbia even spend its own money.

Let me try to put this into some context because the gentleman tries to suggest that the action that we took last week was so clear and was so simple that that should preclude us from opposing his amendment today. What the gentleman achieved last week ought to, in fact, make us all ashamed of ourselves.

Last week's amendment said that women who find themselves imprisoned not only are to be denied the right to have Medicaid pay for their abortions but the Federal prison system is to deny them facilities on the premises, is to deny them escort services, is to deny them any kind of expenditure of Federal moneys in order to get them to a place where they can get an abortion.

□ 1600

Therefore, what the gentleman's amendment last week did was unconstitutionally to put into a different category poor women who happen to be incarcerated.

The other body, as a matter of fact, considered such an amendment, and on constitutional grounds rejected it. Now the gentleman comes along, again, and says, not having done sufficient damage last week against a class of women who have no choice, no options whatsoever, now the women of the District of Columbia, cannot, if they cannot pay for abortions themselves, receive the constitutional protections of having those abortions paid for by the District of Columbia.

I would hope that this body would stand up and reject these further incursions on the rights of American citizens, and I hope that we overwhelmingly defeat this amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I rise in strong support of the Dornan amendment and commend my colleague from California for his compassion for children and their mothers in offering this today.

A similar amendment was offered last year and was adopted but didn't make its way into

law. I hope we will be more fortunate this year.

The issue before this body today, Mr. Chairman, is whether or not abortion on demand will be payed for with public funds.

Members should know and should be fully aware that the current language contained in H.R. 5175 may look good to some on the surface but has been totally ineffective and inadequate and has not stopped public funding for a single abortion.

Section 117 of the bill is so defective that it has permitted taxpayer financed abortion on demand in the District of Columbia. Even D.C. government officials admit this point. In an article in the Philadelphia Inquirer, August 1, 1985, Elizabeth Reveal, the District of Columbia's budget director at the time "confirmed that the District's government has a policy of funding abortion on demand and does not attempt to determine the circumstances of the pregnancy." The Dornan amendment reforms that policy and brings the D.C. appropriations bill in conformance with Federal policy.

I would point out to Members of the committee that in 1984 according to a D.C. government report, 10,357 abortions on demand were payed for in the District of Columbia with public funds: 10,357 children lost their lives and Congress permitted the taxpayer to foot the bill.

Mr. Chairman, let no one here today trivialize the gruesome reality of abortion. Let none of us become desensitized to the killing.

Clearly, abortion methods and their impact on children and women are difficult to contemplate and include bodily dismemberment, injection of poisonous chemicals, the crushing of the baby's skull and body, and poisoning by saltwater—a method whereby a caustic saline solution is injected into a baby's amniotic sac, the child inhales the saltwater and dies a slow, painful death from the toxic substance. It takes 1½ to 2 hours for the baby to die in a saline abortion.

According to a January 1986 report by D.C.'s Department of Human Services, 286 children were aborted by saline poison shots in 1984 alone. And the poison shots continue to be administered to this day.

I think it's outrageous that we not only fail to stop this child abuse, we encourage it by permitting non-Federal revenues over which we have jurisdiction to pay for this destruction of human life. We can't offer the excuse that it's not within our jurisdiction—because it is. We can stop this funding.

I would submit that the argument that this is a home rule issue simply doesn't cut. Other portions of this bill restrict or condition local funding suggesting that home rule isn't absolute. And it certainly doesn't apply when it is advanced to defend or to cloak a grave social injustice.

Mr. Chairman, just as home rule wasn't persuasive in defending abominations like slavery or segregation or any other social injustice, it is not a persuasive cover today in the defense of child killing.

I urge support of the Dornan amendment.

Mr. DIXON. Mr. Chariman, I rise to oppose the amendment.

Mr. Chairman, the gentleman from New York [Mr. WEISS] is absolutely correct. We are now doing to Washington what we could not do to any other State. We are saying with this amendment that the District of Columbia cannot spend its own money—not just Federal money—its own money, to facilitate a legal act; that is, a therapeutic abortion.

Now we could not do this to a State; but we can violate the right of this District to spend its own money to perform a legal act. Therapeutic abortions in this country are not illegal. It seems to be wrong from a home rule point of view; it seems to be wrong from a legal point of view to deny this entity the right to provide a service to its constituents if it so desires.

It is for those reasons that I oppose this amendment and urge that it be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. DORNAN].

The question was taken; and on a division (demanded by Mr. DORNAN of California) there were—ayes, 44, noes, 24.

So the amendment was agreed to.

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

Mr. Chairman, I would suggest to the gentlemen who have some comment about my taking the well that I am a member of the District of Columbia Committee and I rise to make three quick points. If you will bear with me, I will try to be brief about those.

I have got some good news and I have got some bad news. First the good news: I want to congratulate the chairman of the subcommittee, the ranking member, the gentleman from Pennsylvania [Mr. COUGHLIN] and the members of the committee in eliminating from this bill, for the first time in about 30 years, Mr. Chairman, a prohibition against the use of taxicab meters in this town.

This is the only major metropolitan area in the world that does not have taxicab meters. With the elimination of this prohibition, Mr. Chairman, that becomes possible. I think it is a giant step forward in fairness for all consumers, and it is really good news. I want to extend to the members of the subcommittee my sincere congratulations for their position in that regard.

Now for the bad news: Several weeks ago, Mr. Chairman, we had a hearing in the District of Columbia Committee on a resolution of disapproval of the city council's actions in making a special category and offering special privileges in getting insurance for persons who test positive for the AIDS virus.

Let me try in one sentence to tell the House what is about to happen. This special privilege for persons who have positively tested for the AIDS virus, this is created and the special privilege is done, by refusing the right of insurance companies in the rating of such persons for the issuance of premiums.

Now that, Mr. Chairman is, in my opinion, no less than a terrible incursion into the rights of individual private insurance operatives; but none the less, no less than the Washington Post itself thinks that this is a terrible idea.

The District of Columbia Committee voted 8 to 2, mostly by proxy, not to report the disapproval resolution.

My understanding is that my friend from California, Mr. DANNEMEYER, will oppose the motion to rise in a few minutes; will give the full House the chance to work its will, and I hope my colleagues will support him at that time and pay close attention to what we all know is a very convoluted parliamentary maneuver required by the rules under which we operate.

I think if we give the gentleman an opportunity to explain where he is coming from on this issue, we can correct this absurdity and do so in some timely way.

Finally, Mr. Chairman, and I am looking for the gentleman from the District of Columbia who was here just a moment ago. I do not see him, and I regret that because I want to say to him that a few moments ago, when the minority leader got up and told his plaintive story about his garage, the Delegate from the District of Columbia, Mr. FAUNTROY, made the comment that the situation can and basically will be rectified in the near term.

Let me read to you from the record language that was stated by the gentleman just a few moments ago.

> Let me assure the gentleman that as another report from the appropriations committee comes to this floor, we will see to it, I will see to it that the gentleman gets his permit.

This, the permit that he has been after now for almost 2 years to build a single car garage behind his house, to get a variance from the zoning ordinance for 1 foot 4 inches.

Now, I thank the gentleman from the District of Columbia for his generous offer of assistance to my minority leader, but the real problem ladies and gentlemen is that the people want and they expect and they are constitutionally guaranteed from every government at every level, fair and equal treatment under the law, and that standard should and does apply to the District of Columbia government just like it does everyplace else in this magnificent Nation.

If the application of the minority leader has merit, it should be granted, and soon. Whether the application is the Republican minority leader's, the Speaker of the House's, or the District of Columbia representative's, it certainly should not be delayed or adversely impacted because of the political orientation or the position of the applicant and available only because

somebody of influence is going to intercede in his behalf.

When the government of this town realizes that is the case and the law, it will be a better place to live and work.

The CHAIRMAN. For what purpose does the gentleman from California [Mr. DIXON] rise?

Mr. DIXON. Mr. Chairman.

Mr. DANNEMEYER. Mr. Chairman.

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

Mr. DANNEMEYER. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

PREFERENTIAL MOTION OFFERED BY MR. DANNEMEYER

Mr. DANNEMEYER. Mr. Chairman, I offer a preferential motion.

The CHAIRMAN. The gentleman will state his motion.

Mr. DANNEMEYER. Mr. Chairman, I move to strike the enacting clause.

The CHAIRMAN. The gentleman's motion has to be in writing at the desk in the proper form.

Mr. DANNEMEYER. Just as soon as it is—I will have it at the desk in just a moment.

The CHAIRMAN. The gentleman from California [Mr. DIXON] is recognized.

Mr. DIXON. Mr. Chairman, I move the——

Mr. DANNEMEYER. Mr. Chairman, here is the written request for the preferential motion.

Mr. DIXON. I am now asking for regular order.

Mr. DANNEMEYER. Mr. Chairman, there is a preferential motion at the desk in writing.

The CHAIRMAN. The Clerk will report the preferential motion, which is apparently now at the desk.

The Clerk read as follows:

Mr. DANNEMEYER moves that the Committee do now rise and report the bill to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from California is recognized for 5 minutes.

□ 1610

Mr. DANNEMEYER. Mr. Chairman, let me say on the procedure that I am absolutely appalled at the conduct that this Member from California has received during the last 2 or 3 minutes.

I was clearly on my feet on at least two occasions asking for recognition in order to strike the last word because under the procedures that exist in this House, the only opportunity that I have to offer the amendment that I want to offer is to keep the Committee from rising. That motion is not debatable. My only opportunity to speak on that matter is in connection with what I am doing right now in order to address the Members as to the reasons why I want to keep the Committee from rising so I can offer the amendment that I have in mind to offer.

I think it is tacky, my friends, it is reprehensible; we should not be doing this to any of ourselves, and I regret what I have seen happen here today.

At the present time in the District of Columbia, containing some 626,000 people, there are approximately 25,000 people who are antibody positive for AIDS. The data indicates that within 5 years 30 percent of this total will go on to develop AIDS, and the balance of that group, the other 70 percent, will in the course of that 5 years manifest some measure of impairment of the immune system of their body. In response to the request of this group of 25,000, who are antibody positive for the AIDS virus, comprising about 4 percent of the population of the District of Columbia, asked the City Council of the District of Columbia to adopt an ordinance, which it did on June 13, which is one of the most extraordinary examples of legislative oversight and reaction and favoritism to a special interest group that I think any of us can possibly imagine.

What the ordinance says is that any person, and get this, I am reading from it now: "an insurer working in the District of Columbia may not for the next 5 years require or request any individual directly or indirectly to take any test to screen for the presence of any probable causative agent of AIDS or the HTLV-III infection, including but not limited to a test to screen for the presence of antibodies to the HTLV-III virus." That means that an insurance company may not ask if you are antibody positive for the virus, or take a test for the virus.

If any of us have diabetes or heart disease or cancer, when we apply for life insurance or health insurance, we are either told we will be in a risk group in which we have to pay a higher premium or we will be denied any insurance at all. We all accept that as part of the insurance industry in this country.

But in this instance this special interest group got this legislation passed, which in effect says to the insurance industry, "You can't inquire as to the health status of the applicant" and as a result, it will have the effect of permitting persons who are antibody positive for the virus to procure life insurance or health insurance or disability insurance in the District of Columbia notwithstanding the health status which would deprive them of insurance otherwise.

This policy is so disadvantageous to the health of the insurance industry in the District of Columbia that so far four companies have said they are going to leave, and two plan to go. It will undoubtedly result in higher premiums on all of the other persons who live in the District of Columbia. Within the District of Columbia there is a council of 100 ministers who are circulating a referendum in order to let the District of Columbia residents vote as to whether or not they want to permit the ordinance to take effect.

The CHAIRMAN. The time of the gentleman from California [Mr. DANNEMEYER] has expired.

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

Mr. DANNEMEYER. Some Members may ask where is the Federal issue? Why should we in this body interfere with an action of the City Council of the District of Columbia? That is a fair question.

Let me put it in perspective. Of those 25,500 in this District that are antibody positive for the virus, about 25-30 percent will go on to get AIDS. That is a tragic loss of human life. But it also has an economic cost because the statistics indicate that each one of these people cost us about $140,000 to care for, which means that of those today who are in this status, it is going to cost about a billion dollars in health costs just to care for them in their demise. We know where that money is going to come from. It is going to come from the Federal Treasury. If this ordinance is permitted to stand, it establishes a standard that is at variance with everything we stand for in this country, equality before the law for all people.

Governor Cuomo of New York says that, if this ordinance stands in the District of Columbia, he going to recommend it for the State of New York.

This ordinance in the District of Columbia is going to act as a magnet drawing antibody-positive people from all over the country to Washington, DC. Why? Because notwithstanding their status, they will be able to come to the District of Columbia and procure insurance at normal rates.

Look at how this ordinance skews the statistics upon which insurance underwriters evaluate a risk: The average 30-year-old male has a 0.5-percent chance of dying within 5 years, while a 30-year-old male who tests positive for the AIDS virus is 40 to 66 times more likely to die in the next 5 years. In addition, 94 percent of all AIDS victims will die within 5 years or less, incurring hospital or medical costs of $140,000 per victim. The insurance equation demands that premiums be based upon the risks of the applicant.

There is a precedent for this. Back in 1981 the Congress, by a motion of disapproval, disapproved ordinance number 469 adopted by the District of Columbia City Council that, you will recall, was an ordinance to repeal the law proscribing sodomy and bestiality in the District of Columbia.

What this whole struggle indicates is we have a very profound public health problem in this Nation. We have about 1½ to 2 million people in America today who are antibody positive for the virus. The District of Columbia is unique in comparison with other States in the Union in that it is No. 1 in the incidence of AIDS per thousand people.

Inevitably, when you talk about this as a public health problem, you come into contact with those who want to treat it as a civil rights problem. And at that point it cannot help but having this context because 73 percent of the people who are victims of AIDS, or who are antibody positive, come from the male homosexual community of our society. The people in this group are exhibiting a great deal of anxiety around this country today because they have a political goal for America. Their goal for America is to change the cultural basis of our society so as to equate the homosexual lifestyle on a par heterosexual with the lifestyle. That is their goal.

I will profess that in a pluralistic society they have the right to organize and to seek that goal in this country, equality in their eyes before the law.

But the question that we have to ask: Are we going to permit as a matter of policy for the Nation that in this city, the District of Columbia, a policy that does not establish equality before the law, but establishes a special-privilege status for a group that consists of 4 percent of the residents of the District of Columbia so as to give that group insurance premiums at a rate that shifts the expense for those premiums, life, disability and medical, to another group in our society? And I say the answer to that is "no". I say we should keep the Committee from rising so that this Member can offer the amendment that I am talking about today.

Mr. DIXON. Mr. Chairman, I move to strike the last word, and I rise to oppose the preferential motion.

Mr. Chairman, notwithstanding the arguments that Mr. DANNEMEYER makes, it is clear that the City Council has passed an ordinance, it is clear that the Mayor has signed that ordinance, and I know from witnessing television and living many days here in this community, that there was a great deal of lobbying and public debate on this issue.

That bill then came to the House of Representatives for a layover period, and the committee of jurisdiction rejected the disapproval resolution.

It seems to me that following the process of home rule and review by the Congress of the United States, all of the rules of fairness have been applied.

Mr. DANNEMEYER indicates he made a preferential motion to get his point before the Congress. We have allowed him 10 minutes to do so. I would suggest that we vote against the preferential motion and move on.

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

Mr. DIXON. I yield to the gentleman from Connecticut [Mr. McKINNEY].

Mr. McKINNEY. I thank the gentleman for yielding.

Mr. Chairman, when this issue came before the District of Columbia authorizing committee, the gentleman from California was very forthright, and so were we, I think. We said that we have three rules: does it violate the Constitution? That is a question that will be decided by the courts, I am sure. Does it go outside of the Home Rule Act itself, which is now 12 years old? No.

Does it interfere with the Federal Government's process? The answer to that is also no. And that is the issue that is in front of this House.

If in fact this House wants to go back to running the District of Columbia, so be it. That is a joint wisdom.

I commend the chairman on his statement because the issue really here is, what is the Congress of the United States doing discussing an issue which does not affect the people of the United States and only affects the people of the District of Columbia?

I do not know the answer to the gentleman's query. I do not really know. Is it better to have welfare pay for these people, is it better to have insurance pay for it or what the issue is? But the fact of the matter is that the free voters, represented by the city council, and the District of Columbia backed this issue, and I suggest that the committee vote very strongly for the motion to rise because this is not our business, and as much as we may want to flail against the District of Columbia, I do not think we should.

Mr. WEISS. Mr. Chairman, I urge my colleagues to support the motion to rise, which will soon be offered to limit further amendments, and to oppose, if offered, the amendment of the gentleman from California [Mr. DANNEMEYER], which seeks to prevent the District of Columbia government and residents from exercising their right to home rule. The amendment in question would limit Federal funds available to the District to implement District of Columbia bill 6-343, enacted to prohibit discrimination by health, disability and life insurers against persons perceived to be at risk for the development of AIDS. However, the District of Columbia Committee, has already concluded that the bill will have no impact on the Federal budget.

I see no reason why in this particular case the Federal Government should overrule the District's privilege of self-government. The regulation of insurance has traditionally been a local responsibility, a responsibility repeatedly reaffirmed by the Federal Government. The District of Columbia should be no exception. Even those groups that strongly oppose the District of Columbia measure, the Health Insurance Association of America and the American Council of Life Insurers, have traditionally been very vocal in their support of the concept of home rule.

The District of Columbia should have the opportunity to decide for itself if it favors legislation to ban discrimination against persons with AIDS in insurance. Other local governments, including California and Wisconsin have exercised this right. The elected representatives of the District of Columbia Council and the Mayor have unanimously approved the bill, and there is now a referendum underway in the District which would place the issue on the November ballot, and enable District of Columbia residents to decide this matter for themselves. The Federal Government should not be permitted to take this important power from local residents.

Mr. Chairman, since the first cases of AIDS were reported in 1981, this disease has had a tragic impact on this country. Over 22,600 cases have been diagnosed, and more than 12,400 men, women, and children have already died. Between 1 and 1.5 million persons are infected with the virus, and if the ominous Public Health Service projections are accurate, we can expect about 270,000 cases by 1991 and 179,000 deaths. Persons with AIDS, those at risk for AIDS, and those perceived to be at risk for AIDS have faced discrimination in employment, housing, insurance, and other areas. These are people who are battling a relentless killer. They need the greatest possible assistance, they do not need their local or Federal Governments to endorse such prejudice by turning their backs.

District of Columbia bill 6-343 is an attempt to put a stop to such unfair discrimination in the District of Columbia. The bill does not require insurers to sell insurance to persons with AIDS; it protects healthy persons from discriminatory practices such as denying insurance based upon lifestyle factors such as race, age, martial status, or sexual preference. Bill 6-343 also prohibits the use of medical tests as predictors of who will contract AIDS until more actuarial data is available, requires informed consent for all testing, and protects the confidentiality of patient medical records. If enacted, this bill will be another in a series of important local actions designed to prevent discrimination against persons with AIDS or at high risk for developing AIDS.

In proposing this amendment to the D.C. appropriations bill, the gentleman from California attempts to prevent the District from taking an important step to ban discrimination at a time when such efforts are most urgently needed. This is not a case where the Federal Government should preempt local decision-making.

Mr. Chairman, I urge my colleagues to join me in supporting the motion to rise at this time, and in so doing to oppose this amendment and the sentiments or prejudice and discrimination it promotes.

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

The preferential motion was rejected.

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

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 241, noes 173, not voting 16, as follows:

[Roll No. 250]

AYES—241

Ackerman
Akaka
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Barnard
Barnes
Bates
Bedell
Beilenson
Bennett
Bentley
Berman
Bevill
Biaggi
Boggs
Boland
Bonior (MI)
Borski
Bosco
Boxer
Breaux
Brooks
Brown (CA)
Bruce
Bryant
Burton (CA)
Bustamante
Byron
Carper
Carr
Chandler
Chapman
Clay
Clinger
Coelho
Coleman (TX)
Collins
Conte
Conyers
Cooper
Coughlin
Coyne
Crockett
Darden
Daschle
de la Garza
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart (OH)
Edgar
Edwards (CA)
English
Evans (IL)
Fascell
Fazio
Feighan
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Frank
Frenzel
Frost
Gallo
Garcia
Gaydos
Gejdenson
Gephardt
Gibbons
Gonzalez
Gordon
Gradison
Gray (IL)
Gray (PA)
Green
Guarini
Gunderson
Hamilton
Hatcher
Hawkins
Hayes
Hefner
Hertel
Horton
Howard
Hoyer
Hughes
Jacobs
Jeffords
Jenkins
Johnson
Jones (NC)
Jones (OK)
Kanjorski
Kaptur
Kastenmeier
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Kostmayer
Lantos
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lipinski
Long
Lowry (WA)
Luken
MacKay
Manton
Markey
Martinez
Matsui
Mavroules
McCurdy
McDade
McHugh
McKinney
Mica
Miller (CA)
Miller (WA)
Mineta
Mitchell
Moakley
Mollohan
Moody
Morrison (CT)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nichols
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens
Panetta
Pease
Penny
Pepper
Perkins
Pickle
Price
Rahall
Rangel
Reid
Richardson
Rodino
Roe
Roemer
Rose
Rostenkowski
Rowland (GA)
Roybal
Sabo
Savage
Scheuer
Schneider
Schroeder
Seiberling
Sikorski
Sisisky
Skelton
Smith (FL)
Smith (IA)
Smith (NE)
Solarz
Spratt
St Germain
Staggers
Stallings
Stark
Stokes
Stratton
Studds
Swift
Synar
Tallon
Tauzin
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Valentine
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weaver
Weiss
Wheat
Whitehurst
Whitley
Whitten
Williams
Wilson
Wirth
Wise
Wolpe
Wright
Wyden
Yates
Yatron

NOES—173

Archer
Armey
Badham
Bartlett
Barton
Bateman
Bereuter
Bilirakis
Bliley
Boehlert
Boulter
Broomfield
Brown (CO)
Burton (IN)
Callahan
Carney
Chappell
Cheney
Coats
Cobey
Coble
Coleman (MO)
Combest
Courter
Craig
Crane
Daniel
Dannemeyer
Daub
Davis
DeLay
DeWine
Dickinson
DioGuardi
Dornan (CA)
Dreier
Eckert (NY)
Edwards (OK)
Emerson
Erdreich
Evans (IA)
Fawell
Fiedler
Fields
Fish
Franklin
Gekas
Gilman
Gingrich
Glickman
Goodling
Gregg
Hall (OH)
Hall, Ralph
Hammerschmidt
Hansen
Hendon
Henry
Hiler
Hillis
Holt
Hopkins
Hubbard
Hunter
Hutto
Hyde
Ireland
Kasich
Kemp
Kindness
Kramer
LaFalce
Lagomarsino
Latta
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lloyd
Loeffler
Lott
Lowery (CA)
Lujan
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
Mazzoli
McCain
McCandless
McCloskey
McCollum
McEwen
McGrath
McKernan
Meyers
Michel
Miller (OH)
Molinari
Monson
Montgomery
Moore
Moorhead
Morrison (WA)
Nelson
Nielson
Oxley
Packard
Parris
Pashayan
Petri
Porter
Pursell
Quillen
Ray
Regula
Ridge
Rinaldo
Ritter
Roberts
Robinson
Rogers
Roth
Roukema
Rowland (CT)
Rudd
Russo
Saxton
Schaefer
Schuette
Schulze
Sensenbrenner
Sharp
Shaw
Shelby
Shumway
Shuster
Siljander
Skeen
Slattery
Slaughter
Smith (NJ)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Snyder
Solomon
Spence
Stangeland
Stenholm
Strang
Stump
Sundquist
Sweeney
Swindall
Tauke
Taylor
Thomas (CA)
Vander Jagt
Vucanovich
Walker
Weber
Whittaker
Wolf
Wortley
Wylie
Young (AK)
Young (FL)
Zschau

NOT VOTING—16

Boner (TN)
Bonker
Boucher
Campbell
Chappie
Fowler
Fuqua
Grotberg
Hartnett
Huckaby
Jones (TN)
Lundine
McMillan
Mikulski
Schumer
Young (MO)

□ 1635

Messrs. TAUKE, ROBINSON, KRAMER, and BOEHLERT changed their votes from "aye" to "no."

Messrs. ALEXANDER, JEFFORDS, COELHO, AKAKA, and SMITH of Iowa changed their votes from "no" to "aye."

So the motion was agreed to.

The result of the vote was announced as above recorded.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. MOAKLEY] having assumed the chair, Mr. COOPER, 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. 5175) making appropriations for the Government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1987, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

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

There was no objection.

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

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 296, noes 117, not voting 17, as follows:

[Roll No. 251]

AYES—296

Ackerman
Akaka
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Aspin
Atkins
Barnard
Barnes
Bateman
Bates
Bedell
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Biaggi
Bilirakis
Bliley
Boehlert
Boggs
Boland
Bonior (MI)
Borski
Bosco
Boucher
Boxer
Breaux
Brooks
Brown (CA)
Bruce
Bryant
Burton (CA)
Bustamante
Byron
Callahan
Carper
Carr
Chandler
Chapman
Chappell
Clay
Clinger
Coelho
Coleman (TX)
Collins
Combest
Conte
Conyers
Cooper
Coughlin
Coyne
Craig
Crockett
Daniel
Darden
Daschle
Davis
de la Garza
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Durbin
Dwyer
Dymally
Dyson
Early
Eckert (NY)
Edgar
Edwards (CA)
Erdreich
Evans (IL)
Fascell
Fazio
Feighan
Fiedler

Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Frank
Franklin
Frenzel
Frost
Garcia
Gaydos
Gejdenson
Gekas
Gephardt
Gibbons
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Gradison
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hamilton
Hatcher
Hawkins
Hayes
Hefner
Hertel
Hillis
Holt
Horton
Howard
Hoyer
Hughes
Hyde
Jacobs
Jeffords
Jenkins
Johnson
Jones (NC)
Kanjorski
Kaptur
Kasich
Kastenmeier
Kemp
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Kostmayer
LaFalce
Lantos
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (CA)
Lipinski
Long
Lowery (CA)
Lowry (WA)
Luken
MacKay
Manton
Markey
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCain
McCandless
McCloskey
McCollum
McCurdy
McDade
McHugh
McKernan
McKinney
Michel
Miller (CA)
Miller (WA)
Mineta
Mitchell
Moakley
Molinari
Mollohan
Moody
Moore
Morrison (CT)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nielson
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens
Packard
Panetta
Parris
Pashayan
Pease
Penny
Pepper
Perkins
Pickle
Porter
Price
Pursell
Rahall
Rangel
Ray
Regula
Reid
Richardson
Ridge
Robinson
Rodino
Roe
Roemer
Rose
Rostenkowski
Roth
Roukema
Rowland (GA)
Roybal
Russo
Sabo
Savage
Saxton
Schneider
Seiberling
Sharp
Sikorski
Sisisky
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Snowe
Solarz
Spence
Spratt
St Germain
Staggers
Stallings
Stangeland
Stark
Stokes
Strang
Stratton
Studds
Sweeney
Swift
Synar
Tallon
Tauzin
Thomas (CA)
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Valentine
Vander Jagt
Vento
Visclosky
Walgren
Watkins
Waxman
Wheat
Whitehurst
Whitley
Whitten
Wilson
Wise
Wolf
Wolpe
Wortley
Wright
Wyden
Wylie
Yates
Yatron
Young (FL)
Zschau

NOES—117

Archer
Armey
AuCoin
Badham
Bartlett
Barton
Boulter
Broomfield
Brown (CO)
Burton (IN)
Carney
Cheney
Coats
Cobey
Coble
Coleman (MO)
Courter
Crane
Dannemeyer
Daub
DeLay
DeWine
Dickinson
DioGuardi
Dornan (CA)
Dreier
Duncan
Eckart (OH)
Edwards (OK)
Emerson
English
Evans (IA)
Fawell
Fields
Gallo
Gregg
Gunderson
Hall, Ralph
Hammerschmidt
Hansen
Hendon
Henry
Hiler
Hopkins
Hubbard
Hunter
Hutto
Ireland
Jones (OK)
Kindness
Kramer
Lagomarsino
Latta
Leach (IA)
Lent
Lewis (FL)
Lightfoot
Livingston
Lloyd
Loeffler
Lott
Lujan
Lungren
Mack
Madigan
Marlenee
Martin (IL)
McEwen
McGrath
Meyers
Mica
Miller (OH)
Monson
Montgomery
Moorhead
Morrison (WA)
Nichols
Oxley
Petri
Quillen
Rinaldo
Ritter
Roberts
Rogers
Rowland (CT)
Rudd
Schaefer
Scheuer
Schroeder
Schuette
Schulze
Sensenbrenner
Shaw
Shelby
Shumway
Shuster
Siljander
Smith, Robert (NH)
Smith, Robert (OR)
Snyder
Solomon
Stenholm
Stump
Sundquist
Swindall
Tauke
Taylor
Volkmer
Vucanovich
Walker
Weaver
Weber
Weiss
Whittaker
Williams
Wirth
Young (AK)

NOT VOTING—17

Boner (TN)
Bonker
Campbell
Chappie
Fowler
Fuqua
Gilman
Grotberg
Hartnett
Huckaby
Jones (TN)
Lundine
McMillan
Mikulski
Schumer
Smith, Denny (OR)
Young (MO)

□ 1655

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

Mr. LEWIS of California and Mr. SPENCE changed their votes from "no" to "aye."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DIXON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous material, on H.R. 5175, the bill just passed.

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

There was no objection.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE A PRIVILEGED REPORT ON THE DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 1987

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, Thursday, July 24, 1986, to file a privileged report on the Department of the Interior and related agencies appropriations bill for fiscal year 1987.

Mr. REGULA reserved all points of order on the bill.

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

There was no objection.

APPOINTMENT OF CONFEREES ON S. 1965, HIGHER EDUCATION AMENDMENTS OF 1985

Mr. HAWKINS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1965) to reauthorize and revise the Higher Education Act of 1965, and for other purposes, with the House amendment thereto, insist on the House amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California? The Chair hears none, and, without objection, appoints the following conferees:

For consideration of all provisions—except section 157—of the Senate bill and all provisions of the House amendment and modifications committed to conference: Messrs. HAWKINS, FORD of Michigan, GAYDOS, BIAGGI, WILLIAMS, OWENS, HAYES, PERKINS, BRUCE, SOLARZ, DYMALLY, ECKART of Ohio, PENNY, ATKINS, JEFFORDS, GOODLING, COLEMAN of Missouri, and PETRI, Mrs. ROUKEMA, and Messrs. GUNDERSON, TAUKE, MCKERNAN, and HENRY.

As additional conferee for consideration of title V of the Senate bill and title XIII and section 1405 of the House amendment and modifications committed to conference: Mr. KILDEE.

As additional conferee for consideration of title III of the Senate bill and title XIV of the House amendment and modifications committed to conference: Mr. BARTLETT.

As additional conferees for consideration of section 147 and 189 of the Senate bill and modifications committed to conference, from the Committee on Energy and Commerce: Messrs. DINGELL, SCHEUER, WAXMAN, LENT, and MADIGAN.

As additional conferees for consideration of title VI of the Senate bill and modifications committed to conference, from the Committee on Foreign Affairs: Messrs. FASCELL, HAMILTON, MICA, and BROOMFIELD, and Ms. SNOWE.

As sole House conferees for consideration of section 157 of the Senate bill and modifications committed to conference; and as additional conferees for consideration of section 198 of the Senate bill and modifications committed to conference, from the Committee on the Judiciary: Messrs. RODINO, EDWARDS of California, GLICKMAN, FISH, and BROWN of Colorado.

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 4421, HUMAN SERVICES REAUTHORIZATION ACT OF 1986

Mr. HAWKINS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table 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, with the Senate amendment thereto, disagree to the Senate amendment, and agree to the conferences asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California? The Chair hears none, and without objection, appoints the following conferees:

For consideration of the House bill and all provisions—except title X—of the Senate amendment and modifications committed to conference: Messrs. HAWKINS, KILDEE, MURPHY, OWENS, PERKINS, BRUCE, ECKART of Ohio, JEFFORDS, GOODLING, COLEMAN of Missouri, PETRI, and TAUKE.

As additional conferees for consideration of title III of the Senate amendment and modifications committed to conference, from the Committee on Energy and Commerce: Messrs. DINGELL, MARKEY, SHARP, MOORHEAD, and DANNEMEYER.

For consideration of title X of the Senate amendment and modifications committed to conference:

From the Committee on Education and Labor: Messrs. HAWKINS, BIAGGI, WILLIAMS, HAYES, ECKART of Ohio, MARTINEZ, JEFFORDS, GOODLING, COLEMAN of Missouri, and BARTLETT.

From the Committee on the Judiciary: Messrs. RODINO, EDWARDS of California, CONYERS, FISH, and SENSENBRENNER.

As additional conferees for consideration of section 1006 of the Senate amendment and modifications committed to conference, from the Committee on Energy and Commerce: Messrs. DINGELL, WAXMAN, SCHEUER, LENT, AND MADIGAN.

There was no objection.

APPROPRIATE ABBREVIATION FOR "JAPAN" AND "JAPANESE"

Mr. HAWKINS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor be discharged from further consideration of the concurrent resolution (H. Con. Res. 290) To recognize "Jpn." as the appropriate abbreviation for the words "Japan" and "Japanese," and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

□ 1710

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

Mr. JEFFORDS. Reserving the right to object, Mr. Speaker, I do so for the purpose of inquiring of the distinguished chairman as to whether or not there are any changes other than the acronym or the sense of the title of legislation.

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

Mr. JEFFORDS. I am happy to yield to the gentleman from California under my reservation of objection.

Mr. HAWKINS. Mr. Speaker, this is the only change. The gentleman from Washington [Mr. LOWRY] is the author of the resolution.

Mr. LOWRY of Washington. Mr. Speaker, will the gentleman yield.

Mr. JEFFORDS. I am happy to yield to the gentleman from Washington under my reservation of objection.

Mr. LOWRY of Washington. I thank the gentleman for yielding to me, and I thank the chairman.

Mr. Speaker, this resolution is as it was referred to the gentleman's committee. It specifically says that it is the sense of Congress that the proper abbreviation for the words "Japanese" and "Japan" should be "Jpn." rather than "Jap."

I want to thank the chairman of the full committee and the ranking minority member of the Committee on Education and Labor for their help and support on this. This is a resolution that his bipartisan support from many Members of Congress. The Japanese American Citizen League and individuals within this country have been working for this.

I would like to particularly acknowledge the work of our colleague, the gentleman from California, Mr. NORMAN MINETA, for his leadership on this, and thank both of these Members for their leadership.

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

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

Mr. MINETA. Mr. Speaker, today we are passing an important resolution, which is one more step in the fight against racism and prejudice in this Nation.

I want to begin by congratulating the gentleman from Washington [Mr. LOWRY] who is the author of this resolution. His leadership on this issue must be praised.

I also want to thank Chairman HAWKINS and the ranking Republican member of the Education and Labor Committee, Mr. JEFFORDS, for their support of this resolution.

The resolution before us expresses congressional recognition that the proper abbreviation for "Japan" is "Jpn."

Our motivation in bringing this resolution to the floor is simple. We seek to wipe out once and for all the use of a deeply offensive racial epithet often applied to Japanese nationals and indeed to Americans of Japanese ancestry.

I know that some individuals continue to use this racial epithet because they do not understand how offensive the term is. Unfortunately, the use of the abbreviation "Jap," reinforces the use of that term, and implies that it is an acceptable usage.

This abbreviation is so pervasive it still can be found in the word games of some major national newspapers, if not in their stylebooks. Newspaper usage is particularly important since most modern dictionaries list the offensive term at issue here as indeed an offensive racial epithet. Yet common usage has a powerful impact on society. And it is that usage we seek to influence with today's action.

I urge my colleagues to support this important resolution, and in so doing to strike a blow for the fair and equal treatment of all Americans.

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

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 290

Whereas the term "Jap" is racially derogatory and is offensive;

Whereas the Japanese American community is actively seeking to eliminate the use of "Jap." as an abbreviation for the words "Japan" and Japanese";

Whereas "Jpn." is an easily recognizable and racially inoffensive abbreviation for the words "Japan" and "Japanese" and can be written "Jpn." or pronounced J-P-N; and

Whereas congressional recognition of "Jpn." as the appropriate abbreviation for the words "Japan" and Japanese" would help to end the use of "Jap." as an abbreviation: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress recognizes "Jpn." as the appropriate abbreviation for the words "Japan" and "Japanese".

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HAWKINS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Concurrent Resolution 290.

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

There was no objection.

GENERAL LEAVE

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 5177, which will be considered today, and that I be permitted to include extraneous matter.

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

There was no objection.

AGRICULTURE, RURAL DEVELOPMENT, AND RELATED AGENCIES APPROPRIATION BILL, 1987

Mr. WHITTEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5177) making appropriations for Agriculture, Rural Development, and Related Agencies programs for the fiscal year ending September 30, 1987, and for other purposes, and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 2 hours, the time to be equally divided and controlled by the gentlewoman from Nebraska [Mrs. SMITH] and myself.

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

There was no objection.

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

The motion was agreed to.

□ 1712

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. 5177, with Mr. VENTO in the chair.

The Clerk read the title of the bill.

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

The SPEAKER pro tempore. Under the unanimous-consent agreement, the gentleman from Mississippi [Mr. WHITTEN] will be recognized for 1 hour, and the gentlewoman from Nebraska [Mrs. SMITH] will be recognized for 1 hour.

The Chair recognizes the gentleman from Mississippi [Mr. WHITTEN].

1987 AGRICULTURE APPROPRIATION BILL

Mr. WHITTEN. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, may I say at this time that our subcommittee is in full agreement, and so far as I know there was no difference in the full committee when this bill came out.

As you know, this is in my opinion the basic bill, in that agriculture is our biggest industry, the largest employer, and the cheapest and most economical supplier of the basic things of life.

All Members are familiar with the fact that for some years now we have been trying to get the farm law used that is still on the books. Under that law, when production costs are increased by reason of law, then those engaged in producing basic agricultural commodities can use the law that exists to pass on that increase to the buyer who then pays a reasonable price for the farmers product.

May I say to my friends, that we are in thorough agreement on the bill in the full committee and in the subcommittee.

I would like to thank the gentlewoman from Nebraska [Mrs. SMITH] and all the members of the subcommittee for working as hard as they do on this bill. There is not too much glamour in dealing with meat, bread, and potatoes, but it is still basic to our overall economy and our standard of living.

For the record may I say briefly that we have brought the Members a bill that I think all should support. We recommend $45 billion in budget authority. This is $7.3 billion less than fiscal year 1986, $2.8 billion less than the budget resolution, and $6.2 billion less than the budget request.

May I say that this bill does include the restoration of about $10 billion that the Office of Management and Budget asked that we eliminate. For the record, I will show what they recommend that we eliminate but which we have not agreed to.

The budget proposed to reduce or abolish nearly $10 billion in essential agricultural programs. Our recommendation is based on restoring 1986 levels after Gramm-Rudman.

We reserve funds for school lunch, WIC, and other supplemental needs.

We fully fund the CCC.

We restore rural housing programs to the 1986 level.

We restore the conservation programs to the 1986 level.

We restore water and sewer loans and grants.

We restore cooperative research, extension, and marketing programs to last year's level.

We restore the Extension Service funding, restore special grants, restore urban gradening, nutrition aids, financial management for farmers, restore wholesale market development and funds to carry out Federal Seed Act. And goodness knows, we restore the funds for the 4H Clubs, which the budget recommends that we eliminate.

May I also say that we restore the REA loan program, which they advocate that we seriously hamper. We restore foreign market development programs. We fully fund all the food programs except we require a budget request for $775 million for the School Lunch Program.

May I say in a nutshell, that is what we recommend.

AMERICA—A GREAT NATION

Mr. Chairman, we have a great country, a wealthy country. The Commerce Department's estimate of the present national wealth, which includes the value of structures, equipment, inventories, and land, is $16.2 trillion. This is 36 times greater than what it was in 1940 and 41 times greater than in 1934. It is important that we continue those practices that have made our country great—to encourage productivity and to ensure that essential programs of benefit to the people of the country not be discontinued simply to reduce spending. The budget must be balanced, but at a high enough level to provide a strong economy.

In order to ensure our continuation as a great nation, we need a strong national defense that is backed by a strong country and public support—strength that can come only by protecting and developing our Nation's resources—our real wealth, our lands and waters. The development of our rivers and harbors and the construction of our schools, highways, airports, and so forth, along with an educated, healthy populace, with adequate food and nutrition flowing from a strong agricultural base, provides the foundation for our national growth.

1987 BUDGET FOR AGRICULTURE

LARGEST TRADE DEFICIT IN HISTORY

This is a dangerous and tragic economic period in the Nation's history. Perhaps the only similar period was in the midst of the terrible Great Depression.

The Department of Agriculture recently reported that our May farm trade deficits of $348,200,000 are the greatest in the history of our Nation as we buy more imported food and export less. Concern grows that, unless the present trend is altered, we may become a net food importer within a few years, giving up our long-held role as food supplier to the world.

American agriculture is the largest customer of American industry and labor. American agriculture is the consumer's source of the finest and most economical supplies of food. American agriculture provides one out of five jobs in our country.

In taking this plunge from a net exporter to a net importer, agricultural products join the rest of our economy in following the situation facing steel, textiles, shoes, automobiles, and almost everything else. The overall trade deficit widened to $14,200 million in May, up from $12,100 million in April. The trade deficit for 1986, based on monthly averages, will be $167 billion, surpassing the $148,500 million deficit for 1985.

The trade deficit with Japan, where we spend $1,600 million in support of our troops to protect them, is more than $49 billion annually. The deficit with Japan increased to $5 billion in May, up from $4,700 million in April.

Imports of petroleum have increased to $2,800 million in May from $2,100 million in April. Similar increases are reflected for steel, textiles, and shoes. We are buying all this with borrowed money.

AGRICULTURE ON THE ROPES

Farm debt stands at $212 billion more than double the level of 10 years ago, and at a time when farm lenders such as Farmers Home Administration, production credit associations, and private banks are teetering on the brink of bankruptcy—many have already failed.

The Federal Deposit Insurance Corporation reports that a total of 120 banks, including 62 agricultural banks, failed in 1985—an increase of more than 50 percent over the previous high of 79 in 1984. Another 120 banks are expected to close in 1986.

Depressed farm prices continue to be too low to cover production costs which have increased over 40 percent since 1979. In 1985, farm interest payments alone totaled some $22 billion, compared with net farm income of only $30 billion.

The value of land in sections of the farm belt has decreased by as much as 75 percent over the past several years and farm equities have declined some 40 percent since 1980.

While some farmers have been able to avoid bankruptcy during the current farm crisis, many are deeply in debt and many are losing their farms every day. Those in the most serious trouble are the family farms which make up some 34 percent of all farms and account for about 90 percent of all farm sales.

For some years our course has been to not aggressively compete for foreign trade. The result of this course has been to grant our normal markets to our competitors.

The new farm bill provides a price below the cost of production for basic or storable commodities with the difference being paid by a check from the Government. It will cost $25 billion before this year is over, and will cost $17 billion next year.

Mr. Chairman, in the face of these conditions, the Office of Management and Budget, a part of the executive branch, recommends elimination or drastic reductions in the following:

Rural Electrification Program.

Soil conservation programs.

Cooperative extension programs, including 4-H and urban gardening.

Cooperative research programs.

Temporary emergency food assistance program.

Rural housing loans and grants.

Rural development programs, including water and sewer systems.

The budget proposed by the Office of Management and Budget would eliminate or drastically reduce all items in the budget provided by the Congress for the 84 percent of our country which is classified as rural.

Your Appropriations Committee has refused to go along with the recommended actions.

Our Nation must have a prosperous economy. The public debt which took 200 years to reach $1 trillion grew to more than twice that, $2 trillion, in just the last 5 years.

This deficit spending has produced activity, but in the process has reduced productivity.

It must be remembered that the funds by which domestic programs were or are to be reduced do not go to the debt or the deficit. They go instead to increase the buildup of unspent funds for other activities of the Government which carry over from year to year.

BUDGET CUTS REJECTED

In handling this annual appropriation bill for Agriculture, Rural Development, and Related Agencies for fiscal year 1987, the committee has experienced one of the most difficult tasks in its history. It has been faced with budget cuts of nearly $10 billion in the Department's essential farm programs at a time when American agriculture and farm producers are facing the most serious financial crisis since the Great Depression of the 1930's.

Mr. Chairman, let me insert for the record a detailed listing of the program reductions, terminations, and user fee proposals for the Department of Agriculture, proposed by the Office of Management and Budget but recommended for restoration by the committee:

Programs budget would eliminate or reduce but committee has restored

Conservation programs:	
Agricultural conservation program	$180,739,000
Watershed and flood prevention operations	174,885,000
Great Plains conservation program	20,747,000
Water bank program	5,000,000
Forestry incentives program	11,891,000
Resource conservation and development	25,020,000
River basin surveys and investigations	14,166,000
Subtotal	432,448,000
Rural development programs:	
Rural electric and telephone loans	1,971,420,000
All rural housing loans	2,196,283,000
All rural development loans	516,780,000
All rural grants	161,353,000
Subtotal	4,845,836,000
Farmer programs:	
Farm ownership loans	515,000,000
Emergency loans	700,000,000
Foreign market development (cooperator program)	12,800,000
Subtotal	1,227,800,000
Research and Extension:	
Smith-Lever grants	229,713,000
Special research grants	25,778,000
Animal health grants	5,476,000
Expanded food and nutrition education program [EFNEP]	57,635,000
Urban gardening	3,329,000
Farm safety	970,000
Financial management assistance to farmers	1,427,000
Pest management programs	7,164,000
Graduate fellowships and Morrill-Nelson	5,652,000
Foreign currency research	2,500,000
Subtotal	340,644,000
Animal and plant health:	
Animal damage control	20,927,000
Boll weevil	2,906,000
Pink bollworm	2,275,000
Animal welfare and horse protection	6,029,000
Imported fire ant	5,526,000
Noxious weeds	750,000
Pseudorabies	1,500,000
Witchweed	4,493,000
Subtotal	44,406,000
Agricultural marketing:	
Wholesale market development	1,501,000
Federal-State market improvement program	942,000
Federal Seed Act	959,000
Subtotal	3,402,000
Feeding programs:	
Temporary emergency food assistance program	50,000,000
Total	6,944,536,000

USER FEE PROPOSALS REJECTED

Mr. WHITTEN. Under the proposed budget, legislation would be submitted to Congress to fund the following agencies or programs through user fees in lieu of appropriated funds. This proposal is rejected and we will list for the record the amounts have been recommended for restoration in the appropriation bill:

Food and Drug Administration	$26,000,000
Food Safety and Inspection Service	361,400,000
Federal Grain Inspection Service	6,697,000
Packers and Stockyards Administration	8,945,000
Agricultural Cooperative Service	4,469,000
Agricultural Marketing Service	30,945,000
Animal and Plant Health Inspection Service (various programs)	21,000,000
Rural Electrification Administration (administrative costs)[1]	25,000,000
Agricultural Stabilization and Conservation Service (administrative costs)[2]	46,000,000
Total	530,456,000

[1] The budget proposed a 5-percent user fee on all REA loans.

[2] The budget proposed user fees to cover the administrative cost of making price support loans.

NEED TO CURTAIL SPENDING

Mr. WHITTEN. The committee is well aware of the urgent need to curtail unnecessary Federal expenditures and reduce projected deficits. It strongly believes, however, that the programs proposed for elimination or reduction are of great value to the Nation and must be continued. Past contributions made by such programs demonstrate clearly the great importance of each to the economic strength of the Nation and the well-being of the American people.

We are still a wealthy country—the material wealth, highways, factories, schools, ports, harbors and all the rest increased 41 times since 1934, 36 times since 1940.

We must admit, however, it is heavily mortgaged, particularly with the national debt doubled in the last 5 years. This fact should make us, stop, listen and change our course.

RECOMMENDED BILL

The bill recommended by the committee is within the budget allocation total and I will provide for the record the major components:

	Billions
For consumer programs	$19.0
For research and extension	1.1
For direct capital investment in rural America	4.0
For Food for Peace (Public Law 480).	1.3
For general agricultural programs	1.3
For helping to make up to the farmer for a selling price below the cost of production	18.5
Total	45.2

Mr. WHITTEN. Consumer programs include the domestic feeding programs and the food inspection programs, including the Food and Drug Administration. Direct capital includes flood control and conservation programs and interest assistance on construction of housing and other rural development projects. General agricultural programs include the administrative functions of the Department as well as agencies such as the Animal and Plant Health Inspection Service, which is both consumer and farmer oriented, and agencies and programs which are to help farmers or those engaged in agriculture, such as the Agricultural Stabilization and Conservation Service and the crop insurance program.

CONSERVATION PROGRAMS

Nationally, more than 175 million acres of private land is subject to flooding. Average annual upstream flood damages are estimated at over $3 billion. An estimated $2 to $3 billion in upstream flood damages are prevented annually by over a thousand watershed projects that have been installed under SCS programs. So far in fiscal year 1986, severe flooding has occurred in Virginia, West Virginia, Maryland, Mississippi, Pennsylvania, and Louisiana, after rainfall amounts of up to 19 inches were reported in portions of these States over a 12 hour period. Record precipitation amounts occurred also in California, and several other Western States in February 1986. Storm runoff from these events caused widespread damages to stream and watercourses. Major assistance was provided through the SCS emergency watershed program to repair the damages.

Yet, even with the continued problems of flooding, the administration's fiscal year 1987 proposal was to abolish these longstanding successful watershed protection programs. We must hold back the floodwaters in the upper watersheds before they reach the bottomlands and cause devastation. By all means, we should not lessen our flood control and conservation efforts, we should continue to manage our lands to prevent erosion and floods.

A review of the contributions that the conservation programs have made to the protection and preservation of the country's basic resources and its ability to produce plentiful supplies of wholesome and inexpensive food for domestic and overseas consumers clearly shows their great value to the Nation.

AGRICULTURAL CONSERVATION PROGRAM

The Agricultural Conservation Program [ACP] established in 1936, has been a major contributor to the very valuable conservation accomplishments of the country during the past half-century. It has provided the seed money to encourage and enable farmers and landowners to contribute an equal amount of their own money, plus their labor, to carry out prescribed conservation practices on their land. It has resulted in twice as much conservation work as the amount of Federal funds provided.

This program has been primarily responsible for the reversal of the long-term loss of prime farmland, water and timber resources between the early days of the republic and the mid-1930's when our present intensive conservation efforts began. It has restored many of the eroded hillsides and worn-out bottomland which had been permitted to develop during these earlier years. I will provide for the record a table from the Department of Agriculture which indicates the significant contribution of ACP to the national conservation efforts.

AGRICULTURAL CONSERVATION PROGRAM PRACTICES PERFORMED IN 1984 AND TOTAL ACCOMPLISHMENTS 1936–84

Practice	Unit	Extent under 1984 program	Total accomplishments 1936–84
Water impoundment reservoirs constructed to reduce erosion, distribute grazing, conserve vegetative cover and wildlife, or provide fire protection and other agricultural uses.	Structures	14,000	2,546,000
Terraces constructed to reduce erosion, conserve water, or prevent or abate pollution.	Acres	388,000	38,625,000
Stripcropping systems established to reduce wind or water erosion or to prevent or abate pollution.	do	102,000	115,756,000
Trees or shrubs planted for forestry purposes, erosion control or environmental enhancement.	do	150,000	8,148,000
Forest tree stands for forestry purposes or environmental enhancement.	do	25,000	5,119,000
Wildlife conservation	do	35,000	[1] 14,807,000
Sediment pollution-abatement structures or runoff control measures.	do	425,000	[2] 20,102,000
Conservation tillage including reduced tillage and no-till.	do	1,009,000	[3] 4,176,000

[1] From 1962 with certain data estimated.
[2] From 1970.
[3] From 1973.

WATERSHED AND FLOOD PREVENTION OPERATIONS

Mr. WHITTEN. Watershed and flood prevention operations have also made important contributions to the country's resource conservation efforts. Since 1935, over 3,000 soil conservation districts have been established, the river basins have been planned and many individual watersheds have been treated. Soil erosion has been stopped and fertility restored on over 100 million acres of cropland.

Public Law 566 watershed projects were authorized in 1954 under Public Law 83-566. This was an outgrowth of the Public Law 534 watersheds that were limited to 11 authorized projects, comprising about 30 million acres. Through Public Law 566 watershed projects, conservation measures are established on private and public land and dams, and other water control structures are built on upstream tributaries to ensure effective water management. Public Law 566 projects are limited to an area no larger than 250,000 acres. The Federal Government gives technical help in planning and installing measures, pays the cost for flood prevention and shares other costs. As of September 30, 1985, 2,331 applications had been received covering 172,113,757 acres, 1,970 projects were in the planning stage covering 138,586,336 acres, 1,350 projects had been approved or completed covering 86,353,286 acres.

GREAT PLAINS CONSERVATION PROGRAM

This program has been in effect in 518 counties in 10 States since 1956—Montana, Wyoming, Colorado, New Mexico, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas. It has helped farmers and ranchers protect their light and fragile soils from erosion and wind-blow, and has stabilized production in drought-prone areas. A landowner develops a

cost-share plan with technical assistance from USDA and signs a 3- to 10-year contract. Through September 20, 1985, approximately 131 million acres of the approximately 198 million acres in the 518 designated counties have been treated.

WATER BANK PROGRAM

The primary objectives of this program are to preserve, maintain and improve the Nation's wetlands, to conserve surface waters, and to preserve and improve the habitat of migratory waterfowl and other wildlife resources. In return for annual payments, the landowners agrees not to drain, burn, fill or otherwise alter the wetland character of the land under contract. Agreements are for 10 years, subject to renewal at the beginning of the fifth year. From calendar year 1972 to September 30, 1985, 7,948 agreements covering 854,102 acres out of the 69 million acres eligible for this program have been entered into.

FORESTRY INCENTIVES PROGRAM

The purpose of this program is to encourage the development, management, and protection of nonindustrial private forest resources. Under the program the landowner enters into either an annual or a 3- to 10-year agreement to perform designated forestry practices in return for ASCS cost-share assistance up to 65 percent of the cost, subject to a limitation of $10,000 to any person during any 1 year. From 1975 through 1984, 79,060 participants signed agreements on about 2.5 million acres of private forestland. It is estimated that 196 million acres need treatment under this program.

RESOURCE CONSERVATION AND DEVELOPMENT PROGRAM

The Resource Conservation and Development [RC&D] Program began in February 1964 under authority of section 102 of the Food and Agricultural Act of 1962 (P.L. 87-703). Program objectives are to improve the effective use and conservation of natural resources in rural communities by focusing on erosion control, flood prevention and better management of land, energy and water resources. Agencies within the Department of Agriculture provide technical, financial and loan assistance to local sponsors. These sponsors initiate and direct the planning process, develop and maintain an RC&D area plan, and carry out activities to implement the plan. As of September 30, 1985, technical assistance was being provided to 194 authorized RC&D areas covering approximately 847,844,000 acres. In fiscal year 1985, 187 measures were installed with financial assistance provided through the RC&D Program bringing the total to 2,684 measures completed.

EXTENSION SERVICE

As noted earlier, the committee rejects the proposed 60-percent reduction in the Extension Service for 1987. The major portion of the proposed reduction was in Smith-Lever funds, including a cut of about $60 million for the Food and Nutrition Education Program.

FOOD AND NUTRITION EDUCATION PROGRAM

This program was initiated in 1968 with section 32 funds, later funded under the farm bills of 1981 and 1985. It was initiated to help low-income families, especially those with young children, to learn how to improve family nutrition. It is carried on by the Cooperative Extension Service in the 50 States, Guam, Puerto Rico, the Virgin Islands, Micronesia and American Samoa. It is operating in 775 locations, including cities and Indian reservations. Since 1968, about 2.5 million homemakers and over 6 million young people have participated. The program employs approximately 500 professionals and 5,000 paraprofessionals. More than 57,000 volunteers work with this staff to extend the program to rural and urban households.

4-H PROGRAM

The 4-H Youth Education Program of the Extension Service is an informal educational program supported by the combined research and extension functions of USDA, State land-grant institutions and county governments. Its objectives are to assist youth to acquire knowledge, skills, and attitudes which will enable them to become productive and contributing members of society. Today, there are approximately 5 million boys and girls involved in this program. Since 1914, over 40 million young people have participated. A national study showed that 1 out of every 8 adult Americans is a 4-H alumnus.

RURAL ELECTRIFICATION ADMINISTRATION

The Rural Electrification Administration [REA] is authorized by the Rural Electrification Act of 1936, as amended, to provide capital through insured loans from the rural electrification and telephone revolving fund, the Rural Telephone Bank, and guarantees of loans of other lenders to qualified rural electric and telephone organizations. Through REA's insured loan and loan guarantee programs, over 3 million miles of electric and telephone lines have been provided for more than 15 million consumer/subscribers.

The Rural Electrification Administration has made a major contribution to electric and telephone service in rural areas. In 1940, only one-third of the farm families had electricity and telephones in their houses. Today, 100 percent of farm families have electricity and 97 percent have four-party rural telephone service—and one-party service is being developed where needed.

FARMERS HOME ADMINISTRATION

The Farmers Home Administration administers a broad range of loan and grant programs for farm credit, rural development and rural housing. For many years, these programs have provided a valuable source of credit to those agricultural producers who have been unable to obtain necessary credit from other sources such as the Farm Credit Adminstration and private lenders. Many farmers are still in business today who would not have been able to continue to farm had this last resort source of credit not been available to them.

The 1987 budget proposes to terminate rural housing, community development and soil conservation loans, and to provide a larger share of the ownership and real estate loans by guaranteed rather than direct loans. It proposes to discontinue all loans and grants for rural water and waste disposal, community facilities, business and industrial, and community fire protection. It proposes to discontinue all loans and grants for low-income housing and repairs, domestic farm labor housing, rental or cooperative housing, rental assistance, and mutual and self-help housing.

Since 1949, some 1.9 million loans have been made to build or modernize over 1.1 million single-family homes and 19,300 loans have been made to build 310,000 new rental units in rural communities. Since 1937, 27,300 loans have been made to establish 13,195 water and waste disposal systems in rural communities.

RESTORATION OF FUNDS ESSENTIAL

Agriculture is the foundation of our economy. It is the Nation's largest producer, bigger than the automobile, steel and housing industries combined. It is the largest market for the goods and services of industry and labor.

A strong national economy is dependent on a healthy agricultural economy. A strong and effective defense effort is more dependent on broad public support and a strong economy than on continued large increases in funds for the Defense Department.

Failure to maintain a strong farm economy would be a serious mistake. It was the agricultural depression of the 1920's that led to the Great Depression of the 1930's. This must not be permitted to happen again through the weakening of the valuable leadership of the Nation's Department of Agriculture.

It is essential, therefore, that the Congress provide adequate funds, as recommended in this bill, to enable the Secretary of Agriculture to restore and maintain farm income at a level which will keep farmers in the business of producing the Nation's supply of food and fiber, plus what is needed to meet demands of other areas of the

world. Also, it is imperative that adequate funds be provided to continue those valuable conservation programs which have done so much during the past 50 years to protect and preserve the basic natural resources of our country for present and future generations. It is also necessary to fully fund those rural development programs which help to maintain a strong and healthy rural economy for the well-being of both rural and urban people. The research and extension programs, which have provided consumers with ample supplies of nutritious and inexpensive food, must not be abandoned.

The development and expansion of domestic and overseas markets holds the key to better commodity prices and improved farm income. This work must be pursued with even greater vigor in the future. The programs of the Rural Electrification Administration and the Farmers Home Administration, which have helped to bring city comforts to rural areas, must be given continued support by the Congress and by the general public.

Further details as to specific amounts restored will be found in the individual program discussions presented later in this report.

FARM CRISIS WORSENS

The financial condition of American agriculture continues to decline. Every day the news media is full of stories concerning the increasing number of farm foreclosures, and the suffering, sorrow, and even suicides that have followed. Such reports also indicate the growing number of small town merchants who are going out of business and the drying up of many rural communities. The Federal Deposit Insurance Corporation reports that a total of 120 banks, including 62 agricultural banks, failed in 1985—an increase of more than 50 percent over the previous high of 79 in 1984. Another 120 banks are expected to close in 1986.

A person needs only to look at the various factors affecting agriculture to understand the seriousness of and reasons for the present farm crisis.

FARM INCOME

Net farm income has remained virtually constant during the past decade, fluctuating from $25.5 billion in 1975 to a low of $15 billion in 1983 and a high of $34.5 billion in 1984. It declined to about $30 billion in 1985 and could drop further in 1986 if crop receipts fall due to smaller crops and lower prices.

Although farm income has remained depressed, national income [GNP] has expanded greatly during this period. While the share of the consumer dollar given by law to industry and labor has increased from 49 percent to 73 percent since World War II, the share left for the farm producer and his family has decreased from 51 percent to 27 percent.

Thus, the farmer has had to face ever-increasing costs of crop production and family living, even though his financial ability to meet such increases has remained relatively constant. Income per farm has continued to decline because lower income from farming has outweighed increases in income from nonfarm sources. Today off-farm income accounts for about 60 percent of total farm income.

PRICES RECEIVED AND PAID

Prices received by farmers have increased from 101—percent of 1977—in 1975 to an estimated 128 in 1985, an increase of 25 percent. During the same period, prices paid by farmers have nearly doubled from 89—percent of 1977—to 163—an increase nearly four times as great as that for prices received.

Wage rates have nearly doubled since 1975. The cost of tractors and other farm machinery has increased approximately 117 percent during this period. Energy and fuel costs have gone up 140 percent since 1975.

Thus, the farmer has been put in a position where he has had to "sell at wholesale and buy at retail"—a sure road to insolvency and loss of the family farming enterprise. His costs have gone up about 1100 percent since 1945, his investment has gone up almost 1200 percent, yet his price has gone up only 300 percent.

FARM DEBT

Total farm debt reached $212 billion in 1985 and is expected to remain at about the same level for 1986. This is more than double the $91.7 billion farm debt in 1975 and is 20 times the $12.5 billion farm debt in 1950.

Since 1980, the severe drop in land values had reduced total farm equities from $926 billion to $686 billion. This 26-percent decline in net worth has greatly reduced the amount of collateral available to support the huge farm debt now facing farm producers. It has made it increasingly difficult for farmers to borrow the money needed each spring to plant their next annual crop. According to USDA estimates, about 20 percent of all commercial farmers today are financially distressed, with debt-to-asset ratio greater than 40 percent and with a negative cashflow.

FARM EXPORTS

Exports of U.S. agricultural commodities have declined by over one-third during the past 5 years, from a high of $43.3 billion in 1981 to $29 billion in 1985 and a projected low of $28 billion in 1986.

I will provide for the RECORD, by destination, the value of farm exports had decreased since 1981 as follows:

	Percent
Western Europe, Japan and Canada	30
Africa and Latin America	30
Asia (excluding Japan and China)	20
USSR and Eastern Europe	47
China	91

Mr. WHITTEN. The U.S. share of world trade fell from over 40 percent in 1980 to below 35 percent in 1984. In 1986, it is expected to be at its lowest level since the early 1970's.

I will provide for the RECORD, the volume of major commodities exported has declined since 1981 as follows:

	Percent
Wheat	34
Corn	31
Cotton	33
Soybeans and products	13

Mr. WHITTEN. Exports represent an important share of total U.S. production. I will provide the export share for major crops has declined since 1980-81 as follows:

[In percent]

	1980-81	1985-86
Wheat	64	39
Feed grains	35	18
Soybeans	56	44
Rice	63	42
Cotton	53	21

Mr. WHITTEN. Agricultural exports make a major contribution to the U.S. balance of payments, accounting for about one-fifth of total foreign exchange earnings. While the nonagricultural segment of the economy has consistently run large export deficits, agriculture has regularly maintained an export surplus. I will provide for the RECORD the trade balance since 1960 which has been as follows:

[IN billions of dollars]

	Agriculture	Nonagriculture	Total
1960	+1.0	+4.4	+5.4
1970	+1.5	+1.3	+2.8
1975	+12.6	−2.9	+9.7
1980	+23.9	−51.3	−27.4
1985	+9.4	−152.8	−143.4

ORIGIN OF FARM PROGRAMS

Mr. WHITTEN. The seeds of the great Depression of the 1930's were sown in the agricultural depression of the 1920's. Failure to maintain farm exports and to support farm prices following the First World War caused farm income to decline drastically. Soon thereafter, all other segments of the national economy were severely depressed by this loss of purchasing power by the large agriculture sector. Not only was the agricultural industry seriously hurt, but the entire national economy was dragged down by the depression on the country's farms.

Shortly after the end of World War I, the government announced it would no longer support the price of wheat. Wheat, which had brought $2.94 per bushel in Minneapolis in July 1920, dropped to $1.72 in December 1920, and 92 cents a year later. Agricultural prices in general collapsed. Cotton prices fell to a third of the July 1920

price. Corn prices dropped by 62 percent.

As a result of the agricultural crash of 1920-21, about 453,000 farmers lost their farms. Many others remained in serious financial trouble. This, in turn, resulted in local and eventually nation-wide failures of banks and many other business concerns. The importance of agriculture to the strengthht of the national economy was clearly demonstrated. The value of the new wealth taken from the soil as a primer for other business and industrial enterprises became readily apparent.

The farm programs enacted by Congress at that time were created to restore purchasing power of agriculture by providing a domestic support price, by loan or purchase, to maintain a reasonable balance between the income of agriculture, industry and labor. A "parity" plan based on the balance which existed during the period 1909-14 was established as the means to maintain such a balance.

The Commodity Credit Corporation, a $25 billion wholly owned Government corporation, was set up to support such a system. The CCC Charter provided the authority and the obligation to support farm prices through commodity loans and purchases at prices which would maintain the proper balance. It also provided the authority for and the obligation to move farm supplies surplus to domestic needs into world trade at competitive prices, with credit arrangements comparable to those provided for nonfarm products.

This approach had the advantage of letting the farmer and his banker know what price levels they could count on when he planted his crop—leaving cost and volume as the only variables. It provided a strong and well-financed mechanism to sell commodities surplus to domestic needs in world trade on a competitive basis. It also enabled the farmer to deal through a Government corporation on an equal basis with other governments, most of which use governmental boards or agencies to market their production.

Another benefit of this system—and a substantial one—was that the price paid to maintain a reasonable balance for the farmer came from the users of his products, who on the domestic level paid at least the support price which assured the farmer of a fair return on his production. In this connection, it should be recognized that a 10-percent increase in farm prices would add less than half a cent to the retail price of a 54-cent loaf of bread and only 5 cents to the retail price of a $15.95 cotton shirt.

This farm program proved to be very successful. It provided relatively stable income to the farmer. It helped to preserve the U.S. share of world markets for our farmers, since our competitors knew the United States would produce and sell competitively. It provided a very effective means of buying and selling farm commodities at home and abroad, since receipts from sales went back into the CCC revolving fund and were immediately available for additional purchases and sales in the highly competitive markets of the world.

However, in the early 1950's, this tried-and-true program fell into disuse. It then became necessary for Congress to step in and require the use of CCC to move U.S. commodities in world markets at competitive prices. To the surprise of the Secretary, CCC stocks moved into world trade as rapidly as he made them available at competitive prices.

Those who have criticized this type of farm program need only to look at the financial condition of the American farmer today as compared to the earlier period to realize how sound it was and how much we need to return to something similar to meet the present farm crisis.

FAULTY GOVERNMENT POLICIES

The decline in farm exports in recent years has been a major cause of the present financial crisis facing America's farmers. Large supplies of farm commodities have backed up in warehouses and on American farms, depressing farm prices, increasing storage costs, and losses from deterioration. As a result, a number of Government programs designed to remove land from production and reduce supplies have been instituted. These efforts have generally hurt rather than helped the producer, and have proved to be very expensive to the Federal Treasury.

For example, the PIK—payment-in-kind—Program instituted several years ago reduced rather than increased the income for most farmers. Also, since competitor nations increased their production by the 11 percent that our farmers reduced theirs, it resulted in the loss of 11 percent of our overseas markets, perhaps permanently.

In addition, the use of embargoes on American farm commodities as an instrument of our foreign policy, particularly with regard to our relations with the U.S.S.R. and other Soviet bloc countries, has seriously hurt American farmers. In effect, this ill-advised policy has placed the cost of financing our foreign policy on the Nation's farmers. During the 1970's and again in 1980, our farmers faced a series of damaging export restrictions.

1973 OILSEED EMBARGO

An embargo was placed on shipments of oilseeds from the United States to all destinations in the summer of 1973. Authority for the embargo stemmed from the Export Administration Act of 1969. Among the commodities affected by the export restrictions were soybeans and cottonseeds. Also limited were shipments of oilseed products including soybean meal, cake, and oil and cottonseed meal, cake, and oil.

1974 EXPORT SALE SUSPENSION

The United States Government requested private United States grain firms to voluntarily restrain sales and the Soviet Union to limit United States purchases in response to short United States supplies. Commodities affected by the restraints included wheat and corn.

1975 EXPORT SUSPENSIONS

The export restrictions imposed in 1975 were similar to those in 1974. The United States Government requested voluntary restraints on sales to the Soviet Union and later to Poland. Commodities affected by the restraints were wheat and coarse grains.

1980 SOVIET EMBARGO

The 1980 embargo was intended to indicate United States disapproval of the Soviet invasion of Afghanistan in December 1979. On January 4, 1980, President Carter announced a suspension of sales to the Soviet Union and subsequently instructed appropriate officials to terminate sales under the Export Administration Act of January 7. Agricultural commodities affected by the embargo were exports of wheat, feed grains, soybeans, animal feeds, meat, poultry, dairy products, and some animal fats. Exempt from the restrictions were 8.0 million tons of wheat and corn covered by the U.S.-U.S.S.R. Grain Agreement. The embargo remained in effect until April 24, 1981.

CHANGES ARE NECESSARY

To maintain a properous farm economy in the United States and at the same time to be competitive in world trade, this country must adopt a policy of full production at home, increased exports at competitive world prices, and the use of the price support system to cover the U.S. farmer's cost of production plus a reasonable profit. This is the system used by many competitor nations with great success, at the expense of the American farmer.

International pressures, which insist that the U.S support level be used as the basis for pricing U.S. farm products in world markets, must be disregarded. Competitive countries sell their commodities at the world price and then support income to their farmers through import levies and consumer taxes. The United States must use its price support mechanism to enable American farmers to also be competitive in world markets.

As noted earlier, the Commodity Credit Corporation was set up to buy excess farm products and to sell them competitively in domestic and world markets. When used in the past, this system has worked well. It has enabled

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the American farmer to produce for export markets in addition to domestic markets, and thereby compete in a worldwide agricultural system on an equal basis. It has enabled him to remain on the farm and to share in the national prosperity.

The wholly owned Government corporation should be redirected and used again for the purposes originally intended. The various alternative plans which have been tried in recent years have not proved successful, although they have been very expensive. The plight of the average American farmer today provides ample evidence of their failure and the need to return to the former tried-and-true price support and competitive export program.

Further, our Government must discontinue the use of embargoes on U.S. farm products as a means of taking punitive action against other nations with whom we may be in disagreement. A study of the embargoes described earlier shows that they had little or no effect on the countries against which directed, although the price paid by the American farmer was very high. Such a study will also reveal that, while the middleman or exporter was compensated by the Government for the losses which he incurred as the result of such embargoes, the farm producer who also suffered severe losses received no such compensating reimbursement.

A SOUND FARM PROGRAM

To make certain that a farm program will properly meet the needs of the American farmer we must be certain that both volume of production and commodity prices are maintained at proper levels. The loan rates and target prices for the various basic commodities must be set at levels which will enable the producer to receive adequate income at the marketplace to cover his cost of production, plus a reasonable profit for himself and his family. It is far better for the farmer to receive a fair price from the consumer than for him to be forced to look to the Federal Treasury for financial support. In the long run, this is a much better arrangement for all, since a financially healthy farmer can feed and clothe 40 other consumers at a reasonable price and still have money left to preserve the soil, water, and other basic resources of his land for the future.

The cost of production must come either from the user of the commodity or from the soil. A fair price from the user is preferable!

In carrying out the new Conservation Reserve Program authorized by the 1985 farm bill, it is essential that sign-up agreements not reduce total production below levels needed to meet domestic needs, maintain the supply line, and provide an adequate supply for export at competitive prices either by the Commodity Credit Corporation or by private traders. It is essential to the future economic health of agriculture and the country that a policy of ample production rather than scarcity be followed, and that the traditional U.S. share of world markets be regained and maintained.

Also, in the interest of continued long-term conservation of the Nation's basic resources, it is essential that the new Conservation Reserve Program not be used to replace existing conservation programs. The programs which have been in operation during the past 50 years have served this country well. They should not be discontinued or severely curtailed. The new program should add to, not replace, the existing time-proven programs.

The Committee, with the cooperation of the Congress, has included a provision in the Supplemental Appropriations Act enacted earlier this year (Public Law 99-263) which should accomplish the objectives outlined above.

With the authority contained in the above act, and with the congressional intent expressed therein, the Secretary of Agriculture should proceed to conduct the conservation programs as intended by Congress. In addition, he should aggressively sell CCC-held commodities in excess of domestic needs in world markets at competitive prices. Also, he should urge his administration not to use the American farmer to finance U.S. foreign policy by withholding commodities from world markets through embargoes.

□ 1720

Mr. Chairman, there are 3 amendments of which I am aware. We expect to accept all three. With this report having been available for several days and you having heard me express this many, many times, I reserve the balance of my time.

Mr. CHAIRMAN. The gentleman from Mississippi [Mr. WHITTEN] has consumed 8 minutes.

Mrs. SMITH of Nebraska. Mr. Chairman, I yield myself such time as I may consume and I rise in support of the bill.

First, I want to commend our outstanding chairman. The gentleman is a great chairman. He is so fair and kind and helpful to everybody and with the gentleman's leadership and expertise, we have drafted a bill that significantly addresses the needs of agriculture, but which has an extremely broad spectrum and affects almost everybody in America.

Also, I want to commend the members of the committee from both sides of the aisle. There is no politics in our committee. We are all for agriculture and we all work together in the greatest way. Our staff is most outstanding. In fact, I do not think anybody could ever be on a better or a more rewarding or more important committee. I see members of the committee are nodding their heads.

This bill is a very broad bill. It addresses the needs of people through the Women, Infants and Children Feeding Program. It gives a great deal of information to people across the country about nutrition through our nutrition information program. It provides Food for Peace for people in hungry countries in Africa and other places. It provides a tremendous educational program through the 4-H clubs across America.

But before I go into what the bill does, I would like to say something about the situation in agriculture. You know that in agriculture, in producing and transporting and processing food, we employ 22 percent of all the people who work in this country. We employ more people than transportation and the steel and the automobile industry combined. We provide food for the American people for 12 percent of their income, a smaller percent of their income than any other country in the world.

The producers are providing that food at far less than the cost of production. This constitutes a tremendous subsidy to the consumers of America. I think I should tell you a little bit about the financial situation that agriculture has gotten into.

Back in the time of World War II, when you spent a dollar for food, the farmer got 51 cents of it. Now the farmer gets 25 cents out of your dollar, and labor gets 34 cents.

In recent years, the cost of producing food has gone up 83 percent, while the amount of money that we get for the food has gone up only 26 percent. This has resulted in the last 10 years in a situation where 10 years ago, the total agricultural debt was $91 billion. Now the total agricultural debt is $212 billion.

Forty-five percent of the people on the farms of America, almost half, have a negative cash flow when you consider all of their income and for 60 percent of those people, they have somebody working outside of the farm to try to bring in some more money.

Forty-five percent of them are still on a negative cash-flow basis. In that context, we are bringing this bill before you.

It significantly addresses the needs of agriculture and I want to mention just a few of the most important areas. Soil conservation. Back in the 1930's out in the area where I live, devastating winds definitely damaged our soil. We were having our soil blown away. We have come a long way with soil conservation.

Twenty-nine Presidents of both political parties have recommended cutting back soil conservation, but our committee has put it back 28 times. We still have a lot to do because we

still have 175 million acres of privately owned land in this country that is subject to flooding.

Farmers Home Administration. Since it was started in 1935, the Farmers Home Administration has loaned money to 9,600,000 people and those were all people who could not borrow money anywhere else. Their only other door was foreclosure or bankruptcy.

Then the REA. The REA has not only brought comfort and a good life to the people in rural America, but it has increased our efficiency and increased our output. They have collected $12½ billion and they have only suffered losses of $44,400.

The extension service. No country in the world has a land-grant college program like we have that has brought nutritional information, increased efficiency and an understanding of food to millions and millions of farm families. This year, we have a special program, $1½ million, to retrain agricultural people who, for one reason or another, have lost their land; $500,000 of that will go into Nebraska and will be used to continue the Greater Nebraska Job Training Program to help farmers who are in transition.

Now I want to talk about some parts of this bill that do not really have anything to do with agriculture, but have much to do with all of America; the Food Stamp Program.

From 1970 until 1984, that program gained in participation from 4.3 million to 20.9 million, at an increase of expenditures from $600 million up to $11,700,000.

During that time, there was a 380-percent increase in the people who received food stamps, while the population increase was 25 percent, and there was a 1,800-percent increase in the money that we used for it.

The Women, Infants and Children's Feeding Program has increased much the same way. We now have 3 million participants.

One of our best programs is the school lunch program. In 1970, we have 4,600,000 free or reduced cost lunches served to children. In 1984 we had 11,800,000 lunches served to children. In 1970, 20 percent of the children received a free or reduced lunch. Now over 50 percent of the children receive them.

Then we have other programs in this bill that are for everybody, the animal and plant health program, the meat inspection program, the food safety program, the Food and Drug Administration, all assure that we will have the safest and the finest quality of food.

Let me just wind up by saying that we have a lot of tough problems, but in this country, more than in any other country, we have an abundance of food. Our country provides that that food will be the safest and the highest quality and we do more than any other country to see that those people who need food assistance have it.

This bill goes a long way toward providing that assistance.

The CHAIRMAN. The gentlewoman from Nebraska [Mrs. SMITH] has consumed 8 minutes.

Mr. WHITTEN. Mr. Chairman, I yield as much time as he may consume to the gentleman from Kentucky [Mr. NATCHER] a long-time member of this subcommittee and a true friend of agriculture.

□ 1730

Mr. NATCHER. Mr. Chairman, the Subcommittee on Agriculture, Rural Development and Related Agencies Appropriations once again brings to the floor of the House for your approval the annual appropriations bill for fiscal year 1987.

The American farmer is entitled to a fair share of our Nation's income. Today the farmer does not receive enough money for his commodities.

Our farmer knows how to produce and today our country is the world's largest exporter of food to the other nations of the world. The assets invested in agriculture exceed those of any of the next 10 largest industries.

Agriculture employs more workers than any of the other major industries and employs 25 times the number of people employed in the coal and oil industry and 5 times more than the number employed in the automobile industry. Agriculture is one of the major markets for the products of labor and industry. Agriculture spends more for equipment than any of the large industries. It uses more steel in a year than is used for a year's output of passenger automobiles.

The cost of production is increasing each year and it is imperative that we have a price-support level that more accurately reflects the cost of production, plus a reasonable profit. This is the only industry that I know of that a seller must accept the price offered, or else return home with his commodities.

In the calendar year 1981, U.S. agricultural exports totaled $44 billion. In the year 1985, we exported $29 billion worth of farmers' commodities and it is projected now that only $28 billion will be exported in 1986.

In addition to more money for his commodities, help can be given to the farmer by increasing the foreign market for the U.S. farmers' commodities. This will do much to improve farm prices and increase farm income needed to meet production cost. Food is all important in this world today. It has been said that the world is never more than 1 year ahead of starvation. The population of the world continue to grow. It reached the first billion by the year 1830 and only 100 years later in 1930, it reached 2 billion. In 1960, only 3 years later in 1930, it reached 2 billion. In 1960, only 3 year later, it reached 3 billion. By the year 2000, at the present rate of increase, it will double again and be over 6 billion.

Mr. Chairman, this is a good bill and we recommend the bill to the committee.

In this bill we have the sum of $498,748,000 for Agricultural Research Service. This Service was established in 1953 and is authorized to conduct basic and applied research in the fields of livestock, plant sciences, entomology, soil and water conservation, agricultural engineering utilization and development, nutrition and consumer use and marketing.

We believe on this committee that our Extension Service is just as important today as it was when it was established under the Smith-Lever Act in 1914. The extension and home demonstration agents must continue to carry the word to our farm families and to work with our farm families. For some reason or other, for a number of years now, the Department of Agriculture has either wanted to phaseout extension over a 5-year period or reduce the annual amount necessary to continue this service to such an extent that it would automatically lose any benefit that could be derived as a result of continuing such a service. For fiscal year 1987, the budget estimate was $140 million for our Extension Service. We recommend in this bill $289,317,000 together with the amount of $38,627,000 transferred from other programs, making the total for the Service $327,944,000. This amount should be approved in its entirety.

Mr. Chairman, we recommend the sum of $295,929,000 for our Animal and Plant Health Inspection Service. The major objectives of this Services are to protect the animal and plant resources of the Nation from diseases and pests. This amount should be approved.

In order to be of assistance to the American farmer, we must continue to have a strong Agricultural Marketing Service. We recommend the sum of $30,945,000 for this Service.

Our Agricultural Stabilization and Conservation Service was established on June 15, 1961. For salaries and expenses of the Agricultural Stabilization and Conservation Service, we recommend $449,403,000.

For the Commodity Credit Corporation we recommend the full amount of the budget request of $16,808,806,000.

The Farmers Home Administration, Mr. Chairman, has proved to be a successful agency. The Farmers Home Administration is more necessary now than at any time during its operation, which began in the year 1935. We recommend the sum of $7,593,600,000 for

loans, grants, and payments for the Farmers Home Administration.

REA is one of the great achievements of our present-day Government. This administration and agency assists rural electric and telephone organizations in obtaining the financing required to provide electric and telephone services in rural areas. Some believe that the day has come when REA should no longer be a separate administration under the control of the Department of Agriculture. Our Rural Electrification Administration has proven down through the years that it is an administration that serves the American farmer and must be continued. We recommend in this bill a loan authorization of $861,300,000 for our rural electrification and telephone revolving fund. For our rural telephone bank we recommend $28,710,000.

In order to preserve our land that is now in cultivation and land that might be brought into cultivation in the years to come, we must have a strong Soil Conservation Service. In this bill we recommend $361,510,000 for conservation operations.

For our special milk program, we recommend to the Committee a sum of $14,869,000 be appropriated.

Mr. Chairman, this bill contains the Food Stamp Program appropriations which total $12,684,665,000 for the fiscal year 1987.

Mr. Chairman, we recommend the sum of $81,109,000 for our Foreign Agricultural Service. As you know, Mr. Chairman, under related agencies we carry the money for the Food and Drug Administration. We recommend the sum of $410,540,000 for our Food and Drug Administration. We agree on the amount requested for acquired immune deficiency syndrome work. Only a small part of the overall amount appropriated for this administration goes to AIDS. In the bill that I am chairman of, Mr. Chairman, we carry the sum of $336,753,000 for the Acquired Immune Deficiency Syndrome Program.

Mr. Chairman, this is a good bill and our Committee on Appropriations recommends it to the Members of the House. We should keep in mind that if our country is to survive and prosper, certainly we must be interested and assist when necessary the custodians of the natural resources of our country.

Mrs. SMITH of Nebraska. Mr. Chairman, I yield 6 minutes to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Chairman, as my distinguished chairman has so well explained it, this is the fiscal year 1987 agricultural, rural development and related agencies appropriations bill, part 1.

It is the fifth regular fiscal year 1987 bill to come before us this year, but it really should have been the first.

It's a good bill, but we should have passed it back in April or May and had it signed into law so that we could have plenty of time to consider all of the supplementals that we may need before the October recess. We needed three so far this year. We may still need another one. Who knows how many we'll need in 1987?

A struggling young artist up in a Berkshire hamlet once remarked to me that painters, sculptors, or writers never really finish their work; they merely abandon it.

I am reminded of that young artist as I look over the bill before us. We have worked hard. We have produced something that many will admire. It is good work, and it is a bill that I support.

But it is not complete. There is no way we can pretend that this will get us through the entire year. We have provided the budget estimate for the CCC—$16.8 billion—but it is $8 billion less than we have appropriated so far this year. I don't know of anyone who's revising the costs of the new farm bill downward these days. Over 80 percent of our corn, wheat, and rice growers are participating in farm support programs this year. I understand that USDA is even willing to pay DOD to store our staggering grain surpluses on military bases. We don't even have anyplace to put the billions of bushels of wheat and the millions of pounds of honey that we own! We have doubled the estimated cost of that 5-year farm bill from $50 billion to $100 billion in less than 7 months.

To address these growing but uncertain needs, we have reserved a paltry $3.1 billion in 302(b) authority. That says a few things to this Member: We have once again opened the door for fat supplemental. And we have just begun to spend.

But, before I begin to address what's missing, let me point out that, except for the limitations on some CCC expenditures, this is, for the first time in months, a true agriculture appropriations bill. We have acted responsibly. We have not included any new, unauthorized, multibillion dollar programs. And, we have, for the most part, stayed within our budget resolution allocations.

I myself have looked at this bill every which way—upside down, sideways, inside out.

I know that many of you too must be wondering how our committee can report out an agriculture bill, never mind a good agriculture bill, that is $7.38 billion below the bare-bones levels of 1986.

I'm sure that many are also wondering how we can restore $7 billion worth of programs and still come in at $74.7 million below the heartless requests of the administration.

And I'm certain that most of you are wondering how you can explain a vote in support of these substantial reductions to your farmers and your rural communities.

The fact of the matter is that we have indeed produced a bill that comes in below last year's whopping $50 billion levels, and one that is under our 302(b) discretionary budget authority allocation by $3.144 billion.

This is a bill that rightfully restores a page-long list of programs proposed for termination or reduction by the President, including the extension programs, marketing grants to States, rural housing loans and grants, rural development programs, and emergency food assistance. We have restored conservation programs to the 86-adjusted levels, and—for the most part—we have provided the full amount of food and nutrition assistance that will be required in fiscal year 1987.

And yet, even after taking care of these programs and our most pressing new initiatives like the report to give us updated information on annual honey production, and $27 million for a new plant and Animal Sciences Research Center, we are still below the 1986 levels. Levels that were so unspeakably low up until last month that we had to provide another $5.4 billion in the urgent supplemental.

That old craftmaster, that great wizard, Harry Houdini should be here to see this.

I said it before, and I'll say it again. The bill is a good one. We have provided $12.7 million for human nutrition research on aging, we have maintained the integrated pest management program at $7.2 million, we have included $5.8 million for the Animal Welfare Act, $137 million for the elderly feeding program, $10 million for the AIDS-related research, $3.5 million for orphan product grants, $1.67 billion for the WIC Program, and $50 million for TEFAP.

But let's not fool ourselves.

We have accomplished this magic by reducing administrative support in almost every single office including the Inspector General.

We have underfunded building maintenance and rental payments and then asked GSA to rethink its billing practices.

We have underfunded by $1.2 billion the necessary reimbursements to the agriculture credit, rural development, and rural housing insurance funds.

We have provided $775 million worth of additional child nutrition funds subject to a supplemental budget request.

And we have provided—down to the penny—an estimate of need for the CCC that might last us through December if we're lucky.

I consider this bill to be chapter 1, part 1. It's good reading. It's a start. But the plot will thicken, and we shouldn't be surprised by whodunit.

I think it was the Irish bard, George Bernard Shaw, who once said:

"There are two great tragedies in life. One is not to get your heart's desire. The other is to get it."

There are over 400 Members, I would bet, who got their heart's desire in this bill. So, it should come as no surprise that this is a tragedy to Jim Miller.

According to his statement of administration policy dated July 21, and I quote, "the bill in its present form is unacceptable and would be recommended for veto."

OMB has estimated that the bill exceeds the 1986 enacted level by $300 million, and that it exceeds the President's request by $1.7 billion for discretionary spending. In addition, they estimate that credit activity is $6.9 billion greater than the President's request.

The major objections are to our continuation of funds for the REA, rural housing, and rural development; and the increases that we have allowed for conservation and other discretionary programs such as Extension, APHIS and the Agricultural Research Service. Finally, the administration objects to the fact that we did not include several unauthorized user fee proposals and that we have significantly underfunded the three FmHA revolving funds.

I would also point out to my colleagues that this bill exceeds our subcommittee's outlay allocation for discretionary programs by $173 million, and for mandatory programs by $8 million.

Despite these objections, Mr. Chairman, I hope that we will pass this bill which funds some very important housing development, research, and nutrition programs. Then we ought to get down to work reforming these skyrocketing farm support programs before the next urgent supplemental, when we might have to seek the kind of Budget Act waivers that will leave us all quacking like lame ducks.

CONSERVATION PROGRAMS

Mr. Chairman, in the area of conservation, our committee recommends programs totaling $806.3 million, a $74 million reduction from fiscal year 1986-adjusted levels and an increase of $349 million over the administration's request.

Our bill includes $604.5 million for the Soil Conservation Services, and maintains our resources conservation and development programs at $25.02 million.

For the ASCS agricultural conservation program, we have rejected the termination of activities proposed by the President, and restored the program to the fiscal year 1986-adjusted level of $180.7 million.

I am particularly pleased that the committee agreed to include language that will enable ACP participants to exceed the $3,500 annual payment limitation in any given year so long as the average Federal cost-sharing payment does not exceed $3,500 over the life of the contract. I worked to include this language to address the concerns of the conservation-minded farmers in my area, and am pleased to note that the Secretary of Agriculture supported this change.

This will provide a tremendous benefit to livestock operators attempting to be responsive to environmental pressures, including animal waste disposals, and many other related concerns.

Finally, we have included $550 million for the new Soil Conservation Reserve Program, one of the few new worthwhile programs to come out of the 1985 farm bill. While I am disappointed by our committee's decision to place a ceiling on the program funded through the CCC, I assure my colleague that I will work to secure any additional funds needs to meet our commitments should this level prove inadequate.

HOUSING

I am pleased to report that our committee has fully restored our Farmers Home Administration rural housing loan and grant programs. We have rejected the administration's request for program terminations and have recommended $1.4 billion in section 502 loans, $670 million in section 515 loans, $7.6 million for mutual and self-help housing grants and $19.1 million for rural housing preservation grants.

RURAL DEVELOPMENT

H.R. 5177 contains $766 million in program restorations for the rural development loan and grant programs of the Farmers Home Administration. This includes $325 million for water and sewer facility loans, $96 million for community facility loans and $109.4 million for rural water and waste disposal grants. Each of these activities had been proposed for termination in fiscal year 1987.

RESEARCH AND EXTENSION

As I had indicated earlier, our committee has restored $328 million for the Extension Service, maintaining the programs at fiscal year 1986-adjusted levels. I am particularly pleased that we agreed to earmark $970,000 for farm safety, $3.3 million for urban gardening, $7.2 million for pest management, $1.6 million for pesticide impact assessments and $57.6 million for the expanded food and nutrition education.

The committee has included $24,000 to continue a program fist getting underway at the nonprofit Hilltown Community Development Corporation to expand its rural product market development and marketing assistance project. And we have provided $500,000 for the new appropriate technology transfer for rural areas [ATTRA] initiative to expedite the transfer of new low-input farming technologies and community resource management systems to our farmers and rural communities.

For the Agricultural Research Service, our committee has included $496.7 million, including a $1 million increase over the request for the Human Nutrition Research Center on Aging at Tuft University. We understand that this increase will enable the center to continue their efforts to acquire gas chromatography/mass spectrometry capabilities. With this important research tool, the center can begin safe, nonradioactive stable isotope studies to determine the rate of absorption and retention of the vitamins and minerals greatly needed in our senior citizen propulation. It is our further hope that the center will increase its utilization of capacity by approximately 5 percent over its current 55 percent rate, and that the center will support nutrition and health sciences graduate research and education programs with its resources and facilities.

For the Cooperative State Research Service, our committee has provided $269 million, an increase of $23 million over the administration's request, but $7 million below fiscal year 1986-adjusted levels. I am particularly pleased that we have included $60,000 for a special research grant for the University of Massachusetts at Amherst. These funds will be used for new product development and research on growing agricultural products without chemical controls, and are specifically designed to assist in the adaptation of a European vegetable, the Belgian endive, to this country and western Massachusetts in particular. This research will help to spur the development of new agricultural products and methods that will protect our environment from potential damage by herbicides and pesticides.

Finally, I am also pleased to report that we have included an additional $95,000 to continue our valuable research on cranberry diseases and breeding.

ANIMAL AND PLANT HEALTH

Our committee has added $42.7 million to the President's request for APHIS, providing a total of $298.2 million for fiscal year 1987. Included in this total are $5.878 million for the Animal Welfare Act, an increase of $1.25 million over fiscal year 1986, a restoration of animal damage control activities proposed for elimination, and $5.1 million for continued research on the gypsy moth.

We have also included a second year of funding for the livestock guarding dog project conducted by the New England Farm Center with cooperative efforts underway in Minnesota. We have also included report language encouraging additional cooperation and support for this research through the Extension Service.

AGRICULTURAL MARKETING

Among the $34.2 million recommended for the Agricultural Marketing Service, we have restored the Federal-State marketing improvement to the $942,000 level. I consider this program to be one of the most worthwhile cooperative ventures designed to foster innovative marketing projects. In Massachusetts, these FSMIP funds have provided the critical seed money for dozens of farmers' markets, specialty-food producers, grower cooperatives and commodity associations.

FOOD AND NUTRITION ASSISTANCE

Our committee has increased the administration's request for food and nutrition programs by a total of $398.1 million, and has provided an additional $775 million for the child nutrition programs subject to a supplemental budget request.

H.R. 5177 provides $4.23 billion for all the child nutrition programs including school lunch, breakfast, summer and child care. We have also included $1.67 million for the WIC Program, a $91 million increase over fiscal year 1986, and a $54.5 million increase over the request. We have reserved an additional $25.5 million in our 302(B) allocation for any supplemental funding requirements that may arise in fiscal year 1987.

For food stamps, we have provided the full amount that we believe will be required under current law for fiscal year 1987, $12.65 billion. This is a $46.9 million increase over fiscal year 1986 adjusted levels, and $341 million over the request.

The committee agreed to provide $137.2 million for the elderly feeding program, a $5.2 million increase over the request; and $50 million for the Temporary Emergency Food Assistance Program, the same as the fiscal year 1986-adjusted level, and a complete restoration of the proposed terminations.

Mr. WHITTEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan [Mr. TRAXLER].

Mr. TRAXLER. Mr. Chairman, I rise in complete support of H.R. 5177, the appropriations bill for the Department of Agriculture, rural development, and related agencies for fiscal 1987. This bill is one which all of our colleagues can support because it provides for the real needs that face our farmers, while complying with our national need for budget restraint.

I want to offer my particular compliments to our distinguished chairman, the gentleman from Mississippi [Mr. WHITTEN] for once again leading us through the budgetary minefield as only he can do. There can be question about Chairman WHITTEN's personal concern for the American farmer and the quality of life in rural areas, as well as his compassion for those who need the feeding programs offered by USDA.

Special recognition must also be given to our ranking minority member, the gentlelady from Nebraska [Mrs. SMITH] for her efforts to be sure that this bill is truly a bipartisan effort. Her work as a member of our subcommittee is superb, and I for one truly appreciate it.

Mr. Chairman, it is no secret that farmers are facing difficult times. Farm prices are down. Our exports are down. More farmers are facing personal financial difficulty than at any other time in recent memory. Yet the budget the President sent to us suggested that we could afford to get rid of the tools that help many of our farmers survive, including large cuts in our foreign market development programs, elimination of a large number of research programs of particular interest to a significant number of 9 rowers, the elimination of a number of cooperative extension programs that are helping farmers survive these difficult times, and elimination of every single rural development program offered by the Farmers Home Administration.

I am proud to tell you that our subcommittee had the courage to say "no" to this wholesale abandonment of programs important to so many Americans in farming areas. We had to trim a number of programs in order to do it, but we felt that it was far more important that we do some judicious pruning than allow the lightening of OMB's sharp ax to fall.

I want to tell you about a number of programs of particular significance in this bill. Some of these programs have strong national importance, while others have particular significance to the people I represent in Michigan. Our bill exemplifies an effort to blend a consideration of national concerns with a recognition of the importance of particular regional concerns.

Title I is the nuts and bolts of agricultural programs. It is here that we fund the basic agricultural programs. One of the most important activities funded in this area is agricultural research and extension activities.

AGRICULTURAL RESEARCH SERVICE

For the Agricultural Research Service, or appropriation is an increase of nearly $21 million over fiscal 1986. The priorities that we set are somewhat different than those presented to us by the Department of Agriculture, and the reduction below the President's budget reflects efforts to bring the appropriation in conformity with the levels actually available during the current fiscal year.

I want to call special attention to the continuation of funding for food toxicology work being done in connection with contamination in the Great Lakes. This project has made significant progress in identifying one of the most pressing problems facing the Great Lakes food chain, and will lead toward a major effort to respond to problems of food toxicology.

POTATO SCAB

We provide $50,000 to accelerate research work on potato scab. Potato producers are finding that there are greater demands on the quality of their production. Processors are simply demanding more, and in order to keep pace certain research efforts must be upgraded. Potato scab is one of the most pressing problems facing producers, and work must move along more quickly to solve it.

WHEAT BUNT

We also provide $50,000 for wheat bunt research specifically designed to deal with the tilletia controversia organism. This problem is particularly prevalent in Michigan, and the work done at other locations—according to the scientists doing the work—does not apply to the Michigan situation.

EASTERN SOFT WHEAT QUALITY

Additionally, $19,000 is being provided for wheat protein research to be cooperatively conducted by the Eastern Soft Wheat Quality Laboratory and Michigan State University. Protein content is another one of those factors becoming increasingly important to processors, and protein levels must be improved if farmers are to be able to maintain the marketability of their production.

SPECIFIC OBJECTIVE RESEARCH

Our report also calls attention to another important research problem—the ability of research to respond to specific objectives that are larger than a single discipline. We call upon the Department to provide us with information regarding the difficulties association with assembling a team of public and private researchers, from all disciplines including social sciences, and private industry that can move us in this direction. This is an issue that will be important to us in the future, and I encourage our colleagues to pay close attention to further developments.

CSRS RESEARCH

We also fund the Cooperative State Research Service in this portion of our bill. CSRS provides funds on a formula basis for use by the various land grant colleges across the country. This formula funding establishes one of the strongest foundations for agricultural research anywhere in the world.

Our funding for this agency again complies with actual spending levels in fiscal 1986. We also restored a large number of specific research programs under the special research grant portion of this agency. We continue several Michigan projects, including bean and beet research, dairy and beef photoperiod research, blueberry shoestring virus research, potato research,

asparagus yield decline, stone fruit decline, wood utilization, and apple quality research. All of these projects are continued at the same dollar level available in fiscal 1986.

WOOD UTILIZATION RESEARCH

However, I do want to call particular attention to one modification with the wood utilization research project. CSRS advised our subcommittee several weeks ago that while the Midwestern portion of this project had originally been assigned to Purdue, some other considerations have made it necessary for the project to be assigned to Michigan State University. Our report in highlighting Michigan clearly demonstrates our subcommittee's expectation that the Midwestern lead on this project will remain in Michigan at least through fiscal 1987.

COOPERATIVE EXTENSION SERVICE

Contrary to the design of the President's budget, the Cooperative Extension Service will continue as a vibrant part of USDA during fiscal 1987. Frankly, the budget submitted for this agency was shortsighted, unrealistic, and unappreciative of the excellent efforts made by Extension personnel in helping farmers deal with very difficult times. Certainly no one can be excused from trying to still further improve the agency's response to the real needs of our Nation. But to propose the wholesale elimination of many of the Extension's special programs and to slash nearly half of the basic operating budget for this agency is simply ridiculous. We restore the bulk of these programs and the basic formula funding to fiscal 1986 levels. The budget is not overly generous, but does attempt to hold the basic structure of the programs to let those served by them know that we support the programs, and to tell those who operate them that we appreciate their service. Some of the finest people I know are county extension directors, and they deserve to be treated better than the President's budget had proposed.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

We make a number of significant restorations in the Animal and Plant Health Inspection Service. We continue funding at current levels for the brucellosis eradication program. Now is not the time to trim back efforts on this program. We restore funding for the Animal Welfare Act once again, rejecting the notion that enforcement of the act should be turned over to other authorities. That proposal is simply not sensible in today's interstate economy.

AGRICULTURE COOPERATIVE SERVICE

We also maintain the Agricultural Cooperative Service at fiscal 1986 levels in recognition of the fact that we need to strengthen, not weaken, our cooperative structure. Farmers are constantly being told they need do more to market their production. Cooperatives are an essential tool for doing this, so we cannot afford to slacken support for the programs that are supposed to help them.

RURAL DEVELOPMENT

Title II funds all of the rural development programs. This was a very difficult title to develop simply because the President's budget suggested that there is no longer a need for these programs. Nothing could be further from the truth. The budget proposed that a number of housing and environmental programs of interest to rural areas be eliminated. It was suggested that these programs could be eliminated because programs offered by the Department of Housing and Urban Development or by the Environmental Protection Agency could take their place. The only problem with this suggestion was that many of the HUD and EPA programs either had frozen funding, or were scheduled for their own extinction over the next few years.

Our bill rejects this philosophy and restores these programs to fiscal 1986 levels for the most part. When the need is met, we can cut our resources. While the need exists, we cannot afford to tell the Americans who live in these areas that we can't afford to respond to their concerns. The programs most immediately affected by our action involve the water and sewer loan and grant programs, rural housing programs, business and industrial loans, and community facility loan programs.

FARM OPERATING

For financing farm operating and ownership programs, our budget is limited. Farm ownership loans are trimmed back, while farm operating loans receive a modest increase. Funding priority shifts to guaranteed loans, a policy with which I have particular reservations. Farmers Home does not provide unlimited suport for farmers as some of our less informed colleagues might suggest. Rather it is getting tougher and tougher for farmers to get the assistance they need, and in some instances it is because FmHA is getting tougher than it needs to be. Our report expresses our disagreement over the so-called total cash flow requirement being imposed by FmHA this year, and we will continue to monitor the agency's response to the needs of farmers in accordance with the provisions of law, not policy orientation.

RURAL ELECTRIC AND TELEPHONE

We also continue our support for the rural electrification and telephone programs. The issue here is very simply a philosophical one. The administration believes that these programs should be eliminated and will continue to pursue this goal. Our subcommittee disagrees. Life in rural areas is better because of the power and communication services provided through REA financing. We see needs for service expansion and revitalization. Rural areas, facing some of their toughest economic times in decades, either frequently cannot afford commercial financing, or cannot find any. Our appropriation continues our traditional minimum and maximum loan structures, and we expect the Department to comply with our intent, not to frustrate applications by creating more hoops for applicants to jump through.

SOIL CONSERVATION SERVICE

We have restored funding for the Soil Conservation Service as well. We again disagree with the President's efforts to discontinue these important programs. At a time when we are hearing of so many farmers facing great difficulties as a result of drought, we need to recognize that this adverse weather is taking its toll on soil. Wind erosion is likely to increase, and the assistance of the Soil Conservation Service will be even more critical. We cannot afford to weaken such an important component of our Nation's conservation policy.

One item of particular note in the SCS budget is continued funding for a back-irrigation project in Michigan. The amount is increased to $100,000 in fiscal 1987, with the increase of $40,000 slated to be used for a full-time project coordinator. This project holds great promise for finding alternative ways to irrigate crops in a low-cost fashion while preserving the quantity and quality of water supplies in farm areas. The availability of water is an issue of major concern, and this is why we must explore every reasonable avenue of maximizing our ability to reuse water resources.

AGRICULTURE CONSERVATION PROGRAM

And it should not be a surprise to anyone that we have restored the cornerstone of our conservation efforts, the Agricultural Conservation Program. We know that every Secretary of Agriculture is going to eliminate funding for this program, and they know that we are going to restore it. This is a perfect example of the kind of games that go on in the development of budgets.

NUTRITION PROGRAMS

Title III provides funding for the various feeding programs offered by the Department. It represents a major percentage of our total appropriation because it demonstrates that we have a great and growing need for feeding programs, despite what some in the administration might say.

We rejected every single proposal to limit the availability of these programs through legislative design because it is not within the jurisdiction of the Appropriations Committee to take such action. But more importantly, even if we could make these changes we wouldn't because they rep-

resent bad policy in the face of the needs of poor Americans.

We fully fund all child nutrition programs, leaving a portion available only if the administration submits a budget request for the amount. The budget for these programs was predicated on savings from various legislative proposals which have not even been fully introduced let alone enacted to date.

We took the same action with the Special Milk Program in rejecting legislative proposals, and continuing funding for this important program.

We provide an increase for the Women, Infants, and Children Feeding Program to allow for some program expansion. The accomplishments of this program are well documented, and we know that there is a need for more expansion. We want the program to operate successfully, and this is why we reject the Department's efforts to modify the formula for the distribution of WIC funds.

We also provide an increase for the Commodity Supplemental Food Program. This increase comes in two components: A specific increase of $2,892,000 in the appropriation, and a prohibition on transferring funds to the Commodity Credit Corporation for the reimbursement of the value of commodities donated to CSFP from CCC. This prohibition should leave approximately $4.4 million available for serving people in need, based on testimony submitted by the Food and Nutrition Service.

The Department had proposed earlier this year to transfer $3.95 million to CCC for commodities used by CSFP in fiscal 1986. We rejected that approach, and when the Department failed to take action in line with our directive, we mandated the return of funds to CSFP within the supplemental appropriations bill. That return has been accomplished and has already resulted in notable accomplishments. First, it has meant that about 22,000 elderly individuals who are on waiting lists for the program in Detroit, New Orleans, and Des Moines can now get the food assistance they need. Second, it has meant that all program operators have been given caseload increases for serving mothers, infants, and children, totaling 12,000. This will take about half of this additional money returned from CCC this year.

We know as a result of testimony that a number of applications have been filed to start new CSFP programs. Arizona, New Mexico, New York, and Rhode Island have all filed applications. Another one will be filed by Michigan. The funds that FNS currently has available can be used to finance an expansion into these new areas. I understand that FNS does not intend to consider these applications because they want to stretch this money into fiscal year 1987 to finance the expansion recently approved. While I appreciate the need to be sure of fiscal year 1987 funding, it is my view and the view of this committee that the program should be expanded, that the funds should be expended in the fiscal year for which they have been appropriated. We will certainly entertain any request for supplemental funds for this program when it is submitted, and we have consistently provided money when the need has been demonstrated. It is true that the appropriation for this program is a 2-year appropriation. But that is to allow for the retention of unexpended balances, not to intentionally create fund shifting in order to artificially limit the size of the program.

I want to publicly again thank the chairman of the Domestic Marketing, Consumer Relations and Nutrition Subcommittee of the House Agriculture Committee, Mr. PANETTA, for his excellent assistance in expanding the Elderly Commodity Food Program as part of the 1985 farm bill. Now we need to get this program into all CSFP areas that have a need for it, and this is contingent upon the Department completing action on the long-awaited regulations for this program.

I want to say at this point that it should be noted that the Agriculture Appropriations Subcommittee has consistently provided additional funds to meet the need for the elderly program, and has in the past specifically appropriated additional funds to expand CSFP for mothers, infants, and children. This practice will continue because no one of us is a Solomon who can determine whether the young or the old should eat. We know that the young need nutritional support to grow for a successful adulthood. But none of us should appear to be prepared to say that some elderly person has lived long enough by designing a priority scheme for who should be served. The only person who should be served is the person who is hungry. If both young and old are hungry, and if both young and old need assistance, then both young and old should receive it. Our goal should be eliminating hunger, not just eliminating it for certain socioeconomic groups that appeal to us.

Let me also point out that we expect the Department to continue to provide bonus commodities to CSFP operators, and we know that they will receive administrative funds for them because of provisions in the 1985 farm bill. If we have the food available, then we must use it for the good of those who need it.

We also continue the funding for the Temporary Emergency Food Assistance Program. This program continues to be needed throughout the country. In fact, we need the Department to pay greater attention to the needs of areas that are not receiving adequate supplies of these food items. Many food distributors are finding that they receive insufficient amounts of food to meet the needs in their communities. This is because the State authorities operating the program are not able to get all that they need.

I know that the Department claims that this program has displaced certain amounts of sales of food items, but, quite frankly, I don't believe it. To the extent that poor people are finding it difficult to make ends meet, I have a hard time believing that people are simply replacing purchased food with donated food. And to the extent that they are, doesn't that tell us something about how difficult their situation must be? This is one of those value judgments that any caring society must be forced to make.

INTERNATIONAL AGRICULTURE PROGRAMS

Title IV provides funding for our International Agricultural Programs, including Public Law 480. I remember USDA officials telling us that if American farm prices just come down, export opportunities will open up.

Mr. Secretary, where are they?

Farm exports are dropping. Market shares are dropping. And at this time when exports are supposed to be the "salvation" of American agriculture, the President's budget proposed to slash the Market Cooperators' Program, which is an essential tool in helping to regain some of those foreign markets and assists us in finding new ones. This program is not a free ride. The cooperators have to provide resources and time to make it work.

SUPPORT FOR BILL

In recognition of the importance of this program, we have restored funding. We expect this program to continue to be successful, and we will monitor it closely.

Mr. Chairman, we have a bill here that serves the needs of all Americans, from the mightiest of us to the poorest of us. It takes care of producers, it recognizes the needs of processors, and it pays great attention to the demands of consumers. It certainly merits the support of everyone of our colleagues.

I urge the adoption of H.R. 5177, the fiscal 1987 appropriations bill for Agriculture, rural development, and related agencies.

Mrs. SMITH of Nebraska. Mr. Chairman, I yield 3 minutes to the gentleman from Kentucky [Mr. ROGERS].

Mr. ROGERS. Mr. Chairman, I will not take the full time. Mr. Chairman, I want to say it is a pleasure working with the members of this subcommittee. The chairman and the ranking member of this subcommittee, diligent workers who believe fervently in the cause of agriculture, really legends in their own time in the history of agriculture in this country, and it is a pleasure working with them and the other dedicated members of the subcommittee.

□ 1740

I want to commend this bill to our colleagues. It is a good bill. In a difficult time for agriculture it is a difficult time for us here in the Congress dealing with the problems of agriculture, especially the funding p;roblems, to be frank about it. But this bill contains funding for programs important to our farmers, including ASCS, Crop Insurance Program, FmHA operating and ownership loans, the Foreign Agricultural Service, including the Cooperator Progam. It includes funding for programs important to our rural communities as well, the water and sewer grants and loans, the REA loans, Soil Conservation Service programs, and of course the Extension Service activities so important in this country.

The bill also then contains funding for programs important for people in general throughout the country. We have heard mention of the Food Stamp Program, which is a big part of this budget, the WIC Program and the Child Nutrition Program. This is a well-balanced bill, in my opinion. It meets the food and agriculture needs of our country. It comes at a time when the country is in almost unprecedented agricultural difficulty especially in certain sections of the country.

But I urge our colleagues to support this bill, which is, I think, a good reasonable approach to the Nation's agricultural needs.

Mr. WHITTEN. Mr. Chairman, I yield such time as he may require to the gentleman from Texas [Mr. DE LA GARZA], the chairman of the Committee on Agriculture.

Mr. DE LA GARZA. I thank my distinguished chairman for yielding to me. First, as chairman of the authorizing committee, let me commend the chairman and all the members of the subcommittee and those members of the full committee for the work they have done in this endeavor. I assure you that my commendation comes not only from myself but from all of the other members of our committee for the work that they have done, and coming in under budget as they have. I think it might be well to mention very briefly that we in agriculture in spite of the very difficult times we are having throughout the United States, in the Southeast, in the Midwest, all the other areas of our country, we have done the responsible job. In the past 5 years or so, we have reduced over $20 billion in the authorizing legislation in cooperation with the Committee on Appropriations. We have come in under the budget. But I think it would be well to note that everything agriculture, if you were to just dismantle the Department of Agriculture, the impact on the total budget would not be but slightly over 3 percent.

The commodity market that is now the theme of so many prominent newspapers throughout the United States, that, at best, is not much more than 1 percent of the total budget. Yet we have the best-fed people in the world for the lowest amount of disposable income in the world per family. So that is due to the work of the members of the Committee on Agriculture, authorizing committee, working with the chairman and ranking members and members of the Committee on Appropriations.

I would like to commend the gentleman for the excellent work that you have done to carry out the intent in this instance of the authorization and basically to give the assistance that we give to rural America and to the producers of this great country of ours and still be responsible budgetwise.

Mr. WHITTEN. I yield myself such time as I may consume.

I thank the gentleman for his kind statement. I point out again that this bill, contrary to what most folks believe, has to do with rural development, it has to do with 84 percent of the United States because 74 percent, I believe, of our population lives in 16 percent of the land area of this country. In my own remarks that I made earlier that we have consumer programs in here to the tune of $19 billion. We have the programs in here that go to those cities and towns of 15,000 in population or less in the rural areas. Involved here is by far the biggest part of the United States.

Something has to be done. I think we have done so in our bill. We will be glad to work with the gentleman from Texas, who is chairman of the authorizing committee.

I think it is going to take all we can do plus a whole lot of others if we are ever to get this straightened out.

Mrs. SMITH of Nebraska. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Missouri [Mr. COLEMAN].

Mr. COLEMAN of Missouri. I thank the gentlewoman for yielding time to me.

Mr. Chairman, the farm crisis has struck a harsh blow to many rural families who are struggling under the double burden of financial hardship and emotional stress. While we continue working to keep farmers on their farms, we must not neglect those who have already been forced off their farms.

For those families who have lost their farm, finding new fields of employment is a traumatic experience that impacts heavily on the entire family. Even those families who have kept their farms find as financial pressures continue, we are beginning to see more and more social problems develop in rural communities at a rate we've never seen before. Incidents of family violence, alcohol, and drug abuse and runaway youth are increasing in rural communities.

It is critical that we provide what ever assistance is possible to help these families through this difficult period. Farmers need emotional and professional support that can be provided through rural outreach programs.

An amendment I successfully passed to the 1985 farm bill established a Federal grant program for Extension Services to develop and administer job training, counseling, and educational programs for farm families that have been hard hit by the farm crisis and those displaced from farming.

I drafted the Farm Assistance Grant Program for the farm bill after a study I requested from the U.S. Department of Agriculture on displaced farmers which documented families facing difficult problems were not receiving the guidance and support they need.

I want to commend the chairman and ranking lady for working with me and including in this appropriations bill funding for three farm assistance grants of $500,000 each to establish pilot programs in Missouri, Iowa, and Nebraska.

Many farmers have known no other work but farming. When they're forced to take a second job or seek new employment, many feel lost. Half the battle is for farmers to recognize they have self-worth. The other half is recognizing that a farmer has skills that can be adapted to other jobs.

Under my program, professionals will work with farmers and help them identify farm skills that can be applied to many other jobs. Career counselors can also help farmers write resumés and develop individualized financial plans.

With the help of these Federal grants, Extension Services will be able to develop outreach programs in rural areas to provide families with access to educational counseling and mental health services to help relieve stress-related problems.

The programs should be implemented through the Extension Services because the Extensions have the structure in place to reach the most farmers.

With the help of this program, we can help farm families through this difficult transition.

Mr. WHITTEN. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia [Mr. OLIN].

Mr. OLIN. Mr. Chairman, the gentleman from Mississippi, I would certainly like to commend him and all the other members of the committee for the way this bill has been put together. It shows a very high sensitivity to the subject which the gentleman is well noted for and with only, maybe,

one exception I think the bill is a fine, fine bill.

I rise here, however, to add one point of emphasis. And that is to call attention of the Members to the fact that it is fairly likely that by the time 1987 is over, that this appropriation will be exceeded by somewhere between $7 billion and $17 billion. That is an important item because in addition to trying to help the farmers, we are also trying to get the budget balanced, we are trying to wend our way through Gramm-Rudman and figure out how to work that program out.

Mr. Chairman, I think that, as I read the bill, perhaps the area that is contributing to the difficulty is the question of the CCC, the cost of the farm crop support programs. As everybody knows who is in the field of agriculture, we budgeted last year $16.9 billion for that program. We overexpended it by about $7 billion or $8 billion, covered by supplemental appropriations. This year we are budgeting the same amount as last year. Already the committee recognizes that the expenditures for 1986 for commodity credit will be at least $24 billion, $25 billion. The Department of Agriculture is seeing an increase in the commodity credit charges. Certainly they are going to be as big as the year before. The estimates of the Department now, instead of being $16 billion or $17 billion for next year are as much as $31 billion to $35 billion.

It is quite possible that before the year is over, we are going to have to have supplementals about doubling the CCC cost.

Mr. Chairman, I understand the methodology and the reason for budgeting this way. I commend the gentleman for his objectives.

On the other hand, we should not want to fool the Members of the House in planning Gramm-Rudman action and in planning for deficit reduction because we are going to end up considerably above budget. That means the deficits are going to be higher than we thought they were going to be. I do not know how the OMB or CBO are going to deal with that. They may overlook it. It is possible. But if they do, we will end up at the end of 1987 with a problem because the deficit will not go down as far as we are figuring it is going to go down. We will have a bigger cut.

Mr. Chairman, I think we ought to get this out in the open, get the costs of the program down or raise the money to pay for the program and solve the problem a little sooner.

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

May I say to my colleague from Virginia that he is right about what he says. The cause, however, is because they would not follow the recommendations of this committee. We are forcing the American producers of basic commodities to sell below cost of production and then, under the current program, make it up by a check out of the Treasury. There is no telling what that is going to amount to.

Had we supported this price by using the Commodity Credit Corporation, whatever the Corporation took in they could sell in world trade at competitive prices. That is permitted by the law now. Repeatedly we tried to let the Congress vote to limit production so we would not be saddled with this present situation.

We were defeated each and every time.

So the cause, I would say again, is just failure to use the law—still on the books—that would have prevented this.

Mr. OLIN. If the gentleman will yield, I think the gentleman makes a very good point. Perhaps, by being sure this problem is out in the open we might stimulate some action to get it solved, perhaps along the lines the chairman has suggested.

Mr. WHITTEN. Well, the House has passed two bills that would have prevented this. We could not get it through over in the other body. I think we need an understanding that you cannot raise the cost of production, as we are, you cannot reduce the volume of production, as we are, and then reduce the farmer's price without creating a situation like we have now.

Now, perishable commodities are a different thing. We buy the surpluses and put them to good use. They are in good shape. They have the best price-support system in the world.

We buy the surplus and balance the supply and demand. Here we have brought it on ourselves, no question about it.

Mrs. SMITH of Nebraska. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. I thank the gentlewoman for yielding.

Mr. Chairman, I congratulate the members of the committee and the subcommittee of the work they have done on this. I want to just very briefly speak about one program here which I have a great deal of personal interest in, and that is the $41.5 million which is provided for the Commodity Supplemental Food Program, known as CSFP.

There are a number of States which currently have applications pending for new CSFP programs; among them my State, New Mexico, Rhode Island, New York. So far no action has been taken on this. The dollars that are included in this appropriation bill are important because it will allow us to continue not only the programs that are in place but the new ones that may possibly be funded and also continue all of those into the next fiscal year.

In the fiscal year 1986 supplemental appropriations bill there was language that required the Secretary of Agriculture to restore $3.95 million to CSFP which had been transferred to the Commodity Credit Corporation, and my colleagues may recall that. During the debate I had a colloquy with the distinguished chairman of the Committee on Appropriations and the chairman of this subcommittee on this matter.

□ 1755

The chairman pointed out, as our colloquy pointed out, new CSFP applications could be accepted using these funds which were being transferred back, provided there were sufficient appropriations available and there was no reduction in the participation levels at existing sites. So far, the Food and Nutrition Service has not taken steps to accept Arizona's application or these other applications for CSFP funding.

Given the fact that these dollars are in here not only to continue the existing programs, but the anticipated increase in new programs that we have anticipated with this appropriation, I hope there will be prompt action by the Food and Nutrition Service to take action on the applications which are pending.

Mr. WHITTEN. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri [Mr. VOLKMER].

Mr. VOLKMER. Mr. Chairman, I, too, wish to rise to thank the gentleman from Mississippi [Mr. WHITTEN], the gentlewoman from Nebraska [Mrs. SMITH], and also the full Committee on Appropriations and the subcommittee handling this legislation.

At this time, I would like to engage the chairman of the full committee in a colloquy.

Mr. Chairman, I would like to ask for clarification on a research program that has been funded by your committee dealing with a study the University of Missouri is conducting. The study is focusing on determining the efficacy and safety of the use of biomass from dairy processing waste as feed supplement for livestock and on the qualities of such biomass for use as fertilizer.

Based upon the first year's work described before your committee by Dr. Jordan, Administrator of Cooperative State Research Service of USDA, it appears that the study has successfully determined that biomass as a fertilizer has economic value when applied to land in proximity to the processing plant. Dr. Jordan also stated that the value of biomass as a fertilizer will be related to transportation costs and must be equated to the costs of commercial fertilizers.

My question is does this research grant permit the funds to be used in studying how the biomass can be put

in a form for easy transporting, storing and use as a fertilizer at distances away from the point of origination of the biomass? That is, can the research involve agriculture engineering or other qualified departments in the problem of mechanical dewatering and formulation of products that can be stored and shipped economically?

Mr. WHITTEN. If the gentleman will yield, yes, that is my understanding. It is certainly our intention that the research may include studies on transforming the waste into an economically useful fertilizer product, and we hope they are successful.

Mrs. SMITH of Nebraska. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Wisconsin [Mr. SCHUETTE].

Mr. SCHUETTE. Mr. Chairman, I thank the gentlewoman from Nebraska for yielding this time to me.

Mr. Chairman, I, too, want to commend the members of the committee and Chairman WHITTEN for their leadership on this and their commitment and devotion to agriculture, as well as the leadership of Mrs. SMITH of Nebraska on this issue.

We all know the background of this debate and the discussion and the need for this legislation today. American agriculture today is going through one of the most difficult times since the Great Depression, with land values that have dropped, prices that have plummeted, the need to push and move and market our grain, and the administration proposal for the fiscal year 1987 budget.

We saw massive reduction in rural housing. We saw massive reduction in the SCS, the Soil Conservation Service, massive reductions in cooperative extension and in REA.

But here is some positive news for American agriculture and farm families with this legislation today. We see in the agricultural appropriation increases to retain funding for rural housing, for the Soil Conservation Services, for cooperative extension and the work they do across the Nation, and for REA. Plus ASCS, we have seen that funded as well, and how important it is in Michigan and other areas across the country, child nutrition, school lunch programs, increased by $120 million. That is positive news for rural America. As well as women, infants, and children programs increased by $91 million.

So there is a broad focus of this bill for rural America.

I say let us continue to help rural America. I say let us continue to help production agriculture. And I say let us continue to help American farm families by passage of this legislation.

I urge my colleagues to vote in favor of this measure.

Mr. WHITTEN. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. PANETTA].

Mr. PANETTA. Mr. Chairman, I rise in strong support of the Agriculture, rural development, and related agencies appropriation bill, 1987. As chairman of the Subcommittee on Domestic Marketing, Consumer Relations, and Nutrition of the House Agriculture Committee, I want to comment specifically on a number of the provisions in the nutrition bill.

First, the Committee on Appropriations includes $12.7 billion in budget authority for the food stamp program and the block grant for nutrition assistance for Puerto Rico. Clearly, it is too early to predict whether this amount will be insufficient, too much or just right. There are significant uncertainties about the overall cost of the program given the state of the economy and questions about whether the regulatory and administrative savings which the administration assumes can be achieved. In any event, we assume that the program will be fully funded. The Food Security Act of 1985 included an authorization ceiling for fiscal year 1987 of $13.936 billion, which should be sufficient to cover all likely eventualities unless there were a dramatic downturn in the economy.

I want to specifically note how pleased I am that this bill fully funds the block grant for nutrition assistance for Puerto Rico at the authorized level of $852.75 million.

The Committee on Appropriations noted in its report on the bill that if this block grant were funded at $825 million as the administration proposed, it would provide 16 percent less in food purchases than when the block grant was first implemented in 1982.

This bill also fully funds the Temporary Emergency Food Assistance Program [TEFAP] at $50 million. The administration has requested no funds for this program. This program provides crucial administrative funding that enables emergency feeding organizations to provide some of our agriculture surpluses to needy and homeless Americans.

Under this bill, funding for the Commodity Supplemental Food Program [CSFP] would be $41.5 million. This is an increase of $4.7 million over the current appropriation and $2.9 million over the administration's request. The CSFP program provides supplemental food to infants and children up to age 6, and to pregnant, postpartum and breast-feeding women who are at nutritional risk, have low incomes, and live in approved project areas. In addition, this program operates commodity distribution projects directed at low-income persons. In its report on the bill, the Appropriations Committee makes clear its opposition to using CSFP funds to purchase surplus commodities from the Commodity Credit Corporation. This is a procedure which I have opposed because it reduces funding available for the CSFP program. The bill includes language which would prohibit this practice.

I am pleased to announce that the Subcommittee on Domestic Marketing, Consumer Relations, and Nutrition is holding oversight hearings on both the TEFAP and CSFP programs on July 29, 1986. The importance of these programs in meeting the nutrition needs of low-income Americans has too often been overlooked in recent years.

For the Expanded Food and Nutrition Education Program, the bill recommends funding at $57.6 million, which is the same amount available in the current year. The administration requested no funds for this program.

In summary, within the budgetary constraints under which we must operate, H.R. 5177 provides adequate funding for the important nutrition programs under the jurisdiction of the Subcommittee on Domestic Marketing, Consumer Relations, and Nutrition. I want to thank the chairman of that committee, the distinguished gentleman from Mississippi for his cooperation.

Mrs. SMITH of Nebraska. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Wisconsin [Mr. GUNDERSON].

Mr. GUNDERSON. Mr. Chairman, I appreciate the opportunity to make some general comments on the bill before us today, H.R. 5177, the Agriculture appropriations bill for fiscal year 1987; but first I would like to commend the chairman, ranking member, and all the members of the Appropriations Committee for their diligent work over the last several weeks.

It is no secret to anyone across this country that many of our farmers are struggling to survive. Faced with declining exports and low commodity prices, it becomes imperative that Congress not turn its back on rural America and give its support to the appropriations bill before us today.

Two areas of particular interest to me and my constituents are the Soil Conservation Service and Extension Service, which the Appropriations Committee has adequately restored funding for 1987. These two agencies have been instrumental in making American farmers the most competitive and knowledgeable in the world. Our actions today prove that Congress can meet the goals of deficit reduction and still perserve funding for these valuable rural programs.

While the farm economy is reeling at present, prosperity will return to agriculture in time. We are at a stage in the agriculture industry where the technological changes and innovations that will occur in the next 20 years are

mindboggling. For instance, researchers right now are working on a substance that, when injected daily into dairy cows, will increase milk production from 20 to 40 percent. This and other changes will affect how farmers and ranchers will do their business in the future.

For Congress to not look beyond its own boundaries at the big picture of the changes in American agriculture would be a grave mistake. The farmers and ranchers of this country must have the opportunity to be competitive whether it's with their neighbor down the road or a producer on the other side of the world. Keeping a strong Soil Conservation Service and Extension Service is a step in the right direction.

It is also gratifying to see that the funding for the Rural Electrification Administration [REA] has been restored to a level equal to the 1986 appropriation. Since its beginning in 1935, the REA has been and continues to benefit the residents of rural America. More than $12.5 billion has been collected from its electric and telephone borrowers while total losses have amounted to $44,478. When reviewing these figures and the benefit rural America has seen over the past 51 years, it is easy to justify the continuation of this vital Government program.

In light of the budget constraints faced by Congress, I am quite pleased of the appropriation levels for the various research services, inspection services, and the Farmers Home Administration. I am however concerned about the spending authority of $16.8 billion to the Commodity Credit Corporation (CCC).

The Appropriations Committee has estimated that outlays by the CCC will be just over $29 billion with receipts at of $13 billion. Projections indicate that outlays by the CCC in fiscal year 1987 will be much more than the estimation made by the committee. Personally, I believe the CCC is going to need more funding through the fiscal year.

Nevertheless, I commend the chairman of the Appropriations Committee for his leadership in establishing a single level of funding for the entire year rather than the method of funding the CCC that has occurred in the past.

The administration proposal to permit the CCC permanent authority to reimburse its net losses directly from the Treasury Department as needed, rather than having to go through the appropriations process, is very desirable way to avoid delays in funding the CCC if it does indeed run out of money. The problem, however, is that it is open-ended. During a time when we are faced with budget constraints, Government spending needs to be monitored.

The President's budget projected that the net realized losses for the CCC would be $16.8 billion. I'm pleased that the committee had the foresight to appropriate no less than that in this appropriation bill.

I have not addressed all the various funding levels recommended by the Appropriations Committee. There are some areas that I believe would benefit from an increase in funding levels and perhaps other sections should be reduced; however, all in all, I believe the committee has done an excellent job of targeting funds where they are needed most—to the farmers and rural citizens of this country.

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

Mr. DE LA GARZA. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, I do this only for clarification perhaps or information from the gentleman from Mississippi. We provided in the farm authorizing legislation emergency financing for the Federal Crop Insurance Corporation. There is a limitation in the bill here. But there is the concern that there may not be adequate funding with the drought in the Southeast and other problem areas.

□ 1805

I wonder if the distinguished chairman could enlighten me as to what would be the situation under circumstances such as that?

I yield to the gentleman for his response.

Mr. WHITTEN. May I say that I have checked this, and according to the information that we get from the Department, there is no limit on what they can do for the remainder of this year.

Insofar as 1987 is concerned, there will be $135 million in the FCIC fund—$100 million for drought in the CCC, and $290 million in premium income. Our purpose is not to void our obligation but to make available money to do it. We think it will do that.

I assure the gentleman if it should not, we will move it as rapidly as we know how. This seems to be adequate.

Mr. DE LA GARZA. I appreciate the information from the gentleman. My understanding is that in the perception of the situation by the gentleman from Mississippi that these appear to be adequate funds, but the agreement is that should there be further need then they can come to the Congress?

Mr. WHITTEN. We can do it. Of course, my colleague realizes this year we had to deal with the overall budget, and we had to deal with Gramm-Rudman. That which we were not quite sure we had to have we did not include in the bill. The ceilings we put in we think are adequate.

May I digress a little bit in connection with this. The legislative committee under the distinguished gentleman's chairmanship provided in case of floods that certain provisions could be made in the way of providing assistance. In the conference we added to that the word "drought." So that helps those farmers affected by the current drought.

I would like to add for the record too, our colleague, Mr. FISH of New York talked to me earlier about the folks in his area wanting to help the people in the South. We wanted to be sure that the Department of Agriculture had adequate money to take care of the needs of the shipments.

I assured the gentleman from New York [Mr. FISH] that we would call on the Department to use their transfer authority to meet that need and help pay the cost of relieving, as far as the rest of the country wishes to, the terrible situation we have in the Southeast.

The CHAIRMAN. The time of the gentleman from Texas [Mr. DE LA GARZA] has expired.

Mr. WHITTEN. Mr. Chairman, I yield myself 1 minute.

Mr. WHITTEN. I am glad to say that in my immediate area in the South we have finally got rain in ample time to make a good crop.

Mr. DE LA GARZA. For that we thank the Good Lord and I appreciate the gentleman giving me this information. I know that it is not the intent of your committee and certainly not of ours that we in any way restrict the Crop Insurance Corporation but that we cooperate with them, and if the need be there, that we give them that assistance necessary.

Mr. WHITTEN. Certainly the conditions require that.

Mr. DE LA GARZA. I thank the gentleman.

Mrs. SMITH of Nebraska. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. I thank the gentlewoman for yielding me this time.

Mr. Chairman, I rise in support of the pending bill which makes appropriations for the Department of Agriculture for fiscal year 1987, and the amendment that will be offered by the gentleman from South Dakota. That amendment would earmark $100 million for the general CCC fund toward the CCC grain storage facility loan program.

At a time when major elements in agriculture have suffered some of the worst economic hardships in history, now is not the time for the Government to abandon those farmers and agribusiness families. I am very pleased to see this bill protect those badly needed programs for agriculture while at the same time showing some fiscal responsibility in other programs that are becoming outdated and ineffi-

cient. I commend our colleagues on the Agriculture Appropriation Subcommittee for that effort, while maintaining or increasing funding for programs which are a necessity for the survival of productive, efficient farmers, ranchers, and rural communities which are suffering from the plight of the agriculture economy.

With regard to an amendment to be offered by the gentleman from South Dakota, I support not only for what it does, but the message it will send to the USDA that we badly need a CCC storage facility loan program. In Nebraska, more than 690 million bushels of corn last year was still in storage June 1, an increase of 52 percent over a comparable figure a year earlier. Nebraska's wheat and grain sorghum carryover stocks were also running about 35 percent more than last year. In almost all parts of our State the crops look excellent. Indeed that is true throughout the Midwest and the Great Plains. As we all know, this great blessing also presents us with serious logistical—storage—problems. Since the crop generally looks good, it has been predicted that Nebraska might have an estimated 75 million bushel grain storage deficit this fall.

While increasing agricultural exports is the ultimate solution to the storage problem, the USDA can make some administrative improvements to the regulations governing grain storage and handling. Even though USDA has indicated that it is not necessary to implement a CCC storage facility loan, I believe they should make it available as soon as possible.

In Nebraska there are several grain producers that have no onfarm storage; they will be hardest hit by this storage crisis. Elevators and cooperatives are already full of grain, and the farmer without any onfarm storage will have no place to go with his harvested grain this fall. Those particular farmers seeking storage facilities for their farm should have the same opportunity for a CCC storage loan as farmers had in the past. Since harvest is just around the corner, any action on the storage loan program should be taken without further delay.

Although the Daschle amendment would not make the CCC loan facility program mandatory, I believe it makes a statement to the USDA that expresses our sentiment that we have a serious grain storage problem in the Midwest and Great Plains. The USDA has said that programs to expand permanent storage facilities would not be consistent with the administration's long-term objective to reduce large year-to-year carryover of grain inventories. However, I believe permanent storage facilities could be offered at least on a limited basis.

Several farmers in my State, who have endured economic hard times, are now ready to build storage facilities for their hog or cattle operations or to save money on drying cost. They didn't have any previous onfarm storage, but now deserve to participate in the same storage loan program as was available in the past. Application of the storage loan program would not only help relieve some of the tight storage conditions this fall, but it will also give many farmers an opportunity to start an onfarm storage program without relying on the Government's CCC warehouses.

As a representative from a great agricultural district with extraordinary grain production, I fully support this Daschle amendment and urge my colleagues to vote for its adoption as well as the adoption of this appropriations bill.

Mr. WHITTEN. Mr. Chairman, I yield 3 minutes to the gentleman from Arkansas [Mr. ALEXANDER].

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

Mr. Chairman, I rise in support of H.R. 5177, the bill to provide funding for the Agriculture, rural development and related agencies programs and, as a preface to my remarks, I wish to engage the chairman of the committee in a colloquy.

Mr. Chairman, the Administrator of the Rural Electrification Administration has authority to provide security to nongovernmental lenders in the form of a shared first mortgage on all the properties and assets of the rural electric systems participating in these projects.

To expedite the construction of and to facilitate the availability of loans from private capital sources for two hydroelectric projects on the Arkansas River—Arkansas River Lock and Dam No. 13; and Kaw Hydroelectic Project—for the benefit of rural electric systems, we will urge the Administrator of REA to assist these projects.

Does the chairman agree the Administrator has this authority and should look with favor upon these projects?

Mr. WHITTEN. I have no knowledge of the particular projects. The Secretary does have such authority and upon application being made, he should of course consider such application and hopefully approve.

Mr. ALEXANDER. I compliment you on your foresight demonstrated by funding a startup of the ATTRA, Appropriate Technology Transfer Program to be managed at Agricenter International in Memphis, TN. This program, which was developed by the National Center for Appropriate Technology for them to manage at Agricenter, will convey technical assistance and training on low-input farming and community resource management. These are technologies which can help farmers and communities cut operating costs, a much needed farm and rural management approach during these crisis times.

I look forward to working with the National Center for Appropriate Technology in their steps to carry out the startup of this program at Agricenter International after giving the program my full support through the committee process. Since the program will be transferring these technologies mainly through the Extension Service and other USDA networks, though there will be a 900-line open to the rural communities and farmers, we will be able to get a great deal of educational leverage out of the funds. Thank you, Mr. Chairman, for your support of this needed program.

Mr. Chairman, this bill is vitally important to our farmers and the people of our rural communities across the Nation. And, it is vitally important to the people of our cities, for without the products of our farmers our city dwellers would go hungry. These basic truths have been recognized by our members of the Subcommittee on Agriculture, Rural Development and Related Agencies in formulating this bill. The chairman, subcommittee members and their staff should be congratulated for the fine work they have done in preparing this bill for consideration.

Our farmers are being crushed by the worst agricultural depression since the 1930's. Farm after farm in Arkansas and across the Nation are being crushed by the weight of falling prices, falling land values, falling exports, and rising costs.

Farmers are hardworking, reverent, and patriotic citizens. They deserve a better understanding of their problems and better treatment from their government. Farmers, more than ever, need the support of their government. This bill recognizes the serious economic and social crisis occurring in rural America. It provides for the continuation of the economic and technical support that our rural communities need for survival.

Farm income has plummeted in the past 5 years. It has reached the lowest point since the beginning years of the Great Depression. From 1980 to 1985, net farm income averaged $8.36 billion. During the Hoover Presidency, between 1929 to 1932, average net farm income was $8.2 billion.

When farm income declines, so does spending on Main Street, and at the equipment, fertilizer, and seed dealers. When spending on Main Street declines jobs disappear and businesses close their doors. Falling farm income added to rising unemployment due to factory closings equal economic depression in Arkansas.

Gramm-Rudman further cuts farm income. Agricultural program spending reductions for fiscal year 1986 will be $1.3 billion of which $824 million will be taken from farm income and price support programs. That's $824 million directly out of farmers' pock-

ets at a time when their pockets only have loose change in them. This loss of income to farmers deals a crippling blow to the entire economy. In my home State of Arkansas, which is already suffering from high unemployment and slow economic growth, will take another body blow in its hopes for recovery.

In 1986, Arkansas farmers should receive an estimated $400 million in farm program payments. However, because of Gramm-Rudman, Arkansas farmers will get $17.2 million less. According to USDA's Economic Research Service, every dollar in a farmer's pocket adds $3 to the economy. Thus, this $17.2 million loss to Arkansas farmers means a $51.6 million loss to our entire State. In 1987, Arkansas could lose as much as 15 percent of their expected $400 million in farm program payments because of Gramm-Rudman. This means a $60 million loss to farmers and a $180 million loss to the Arkansas economy. And, it almost certainly means more jobs lost in businesses along Main Street and, possibly, more businesses closing.

Gramm-Rudman compounds the damage being done by the policy of deflation and depression which is turning America's heartland into a wasteland. America is beginning to look like Australia, two rich coastal economies connected by a barren wasteland. We must have a new farm policy, one based on profit and a new jobs policy that restores America's eroding business and industrial base.

Clearly, American agriculture is reeling in the stranglehold of disaster. At this most critical time, Congress must act to increase farm income and strengthen programs which serve farm communities.

One of the most valuable technical programs which serves American agriculture and rural communities is the Cooperative Extension Service. This bill includes funding for the Extension Service at the current year level. At this funding level, the Extension Service will be able to continue to offer valuable technical assistance to farmers in production, harvest and financial management, and training through such programs as 4-H, food and nutrition education, farm safety, and home economics.

The people of the First District of Arkansas have expressed their appreciation and strong support of the Extension Service programs by sending me over 1,000 letters protesting this administration's budget request to cut the Service by 59 percent. These people are users and beneficiaries of Extension Service. They have attested to its enormous contribution to their communities and in their daily lives.

This bill includes funding for another very important project for farmers, not only those in First District of Arkansas, but in other parts of the Nation where agriculture water use and conservation is extremely important. Included in this bill is $452,000 for continuation of the Eastern Arkansas Water Conservation Study.

Because of the foresight and leadership of Jeff Ellis, farmers in Jackson County, AR, recognized the need for this study in the midst of the 1980 drought. Using their own resources and assistance from the Arkansas Soil and Water Conservation Commission, they did preliminary work on the study. By 1984 the results earned the support of the Arkansas Association of Conservation Districts and funding from the Congress.

The information already generated by the study is helping Arkansas farmers to improve their water use efficiency, reduce crop production costs, and conserve precious and declining water resources.

The need for such study to protect and preserve our vital water resources is evidenced by the severe drought which is devastating much of the Southeastern United States. Farmers there are being forced to sell their cattle early and watch their crops wither in the fields. In Arkansas, we hope that the Eastern Arkansas Water Conservation Study will not only help our farmers avoid the terrible consequences of another drought like that of 1980 and 1983, but that its results can be used in other farming regions to help farmers protect themselves from the destruction effects of drought.

The purpose of the Department of Agriculture is to assist farmers, both financially and technically. This appropriations bill allows USDA to carry out its responsibilities, while taking into consideration the need to reduce Federal deficit spending. I strongly support this bill because it promotes a policy of helping farmers through these difficult times. Farmers are the foundation of the First District of Arkansas and this country. For our Nation to prosper, we, in the Congress, must help ensure that farmers prosper. Passage of this bill is one step along that road.

Mrs. SMITH of Nebraska. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. FISH].

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

Mr. Chairman, if I might, I would like to say that today, Members of the New York delegation and our Members of the other body have learned that farmers in New York State from 10 counties want to respond appropriately to the drought area in our Southern States. They want to send an enormous quantity of hay as soon as possible in the early part of next week.

We, of course, applaud this typical American response to a fellow man in need and want to do what we can to help. The problem, as usual, involves expense, the expenses of getting the hay from the farm and we are basically very small farms. We do not have the large vehicles to get the hay to a central location, and then from the central location to the Southern States.

So far as transportation, we are exploring the best ways. Unfortunately, the White House, having financed the generosity of the State of Illinois, does not feel that they can repeat.

□ 1815

So I am here to ask for the gentleman's advice and for his help as to how we may be thinking in terms of meeting the expenses that may be incurred.

Mr. WHITTEN. Mr. Chairman, if the gentleman will yield, may I say to my colleague, the gentleman from New York, that earlier I had mentioned his conversation with me, and I wish to thank him and, through him, the people in his area for their attitude and for their willingness to help.

The situation is desperate. As I mentioned earlier, in my immediate area we did get rain, but in most of the Southeastern region the situation is unbelievably bad. We have tried to help, and as I mentioned earlier, in connection with the legislative bill that we had on the last supplemental bill, I had the word, "drought," added to that where they had "floods," which helps in some ways.

Within the Department they have authority to make many transfers, and I now call on them to cooperate fully. This money should be available by October 1. I will be glad to follow it up with a telephone call to the Secretary, urging them to go ahead and use funds they may have on hand, and I will be sure that we restore those before we get through with the bill before us.

So again I thank the gentleman very much. We will do everything we know how to do to see that this is made available. Of course, as the gentleman knows, the money in this bill becomes available on October 1. What we would like to do is see that they go ahead with funds on hand and make it up out of the bill we have before us here.

Mr. FISH. Mr. Chairman, it is very generous of the committee chairman to offer to replenish the funds if indeed it becomes necessary to transfer funds from the Secretary.

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

Mr. FISH. I am happy to yield to my neighboring colleague from the state of New York.

Mr. SOLOMON. Mr. Chairman, I would certainly like to thank the gentleman from the lower part of the Hudson Valley for calling attention to the fact that in New York State we do

have a large farm belt area. I represent the 20th largest dairy producing congressional district in America, and we do have a strong movement on behalf of all the farmers in that whole Hudson Valley area, but we are running into some difficulties, as the gentleman has pointed out.

It is expensive to fly in the hay that we have available. Right in the Albany district now we have some 400 tons that are available. Conrail has been good enough to donate 10 boxcars that are 50 feet long. But we run into a problem again of trying to transport the hay from the farmers to the distribution point for both Stewart Air Force Base, let us say, in the gentleman's district and the Selkirk Yards in my district.

I am just wondering about this: Since this is a State National Guard expense and since they are hard pressed as we know, I might ask, was the gentleman being told that maybe the State National Guard or the Federal National Guard can be reimbursed for the expenses they may have had? For instance, in the New York City area we have a transportation unit with 18-wheel trucks that are available, but, of course, it is a terrible expense they would have to go to.

Is there money that would be available possibly for transfer from these various accounts so that they might be reimbursed?

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

Mr. FISH. I yield to the gentleman from Mississippi.

Mr. WHITTEN. Mr. Chairman, in my long experience here I have always learned to call on reserves to take care of the thing at hand. They have so many places where they can reach that I put no restrictions on it. I do not say, "Do it this way" or "Do it that way." I just say, "Do it, and we will make it up."

Mr. SOLOMON. Mr. Chairman, if the gentleman will yield further, that surely sounds like good news, and again I want to thank the chairman of the committee, and I also thank the gentleman from New York for yielding.

The CHAIRMAN. The time of the gentleman from New York [Mr. FISH] has expired.

Mr. WHITTEN. Mr. Chairman, I have no further requests for time.

Mrs. SMITH of Nebraska. Mr. Chairman, I have no further requests for time, but I yield myself such time as I may consume just to say this:

On this subject we have been discussing I would like to add that I want to thank all the people from Nebraska for calling in and wanting to donate hay, and that it would certainly help the situation if we could just get some help with the transportation. I will certainly do everything in my power to help.

Mr. AuCOIN. Mr. Chairman, I represent the First Congressional District of Oregon—a diverse area stretching from the high technology corridors of Portland to the high production farms of the Willamette Valley and the Oregon coast.

Oregonians know that sustained economic recovery depends on economic diversification. And something more. Long-term recovery means that while we work to promote new industry, we've also got to work to protect our rich natural resource base.

That's why in my testimony to the Agriculture Appropriations Subcommittee earlier this year, I asked that the committee reject administration plans for deep cuts in a number of important agriculture programs. I'm pleased to see that the committee said "no" to the White House, and provided adequate funds for Cooperative Extension, Soil Conservation, Agricultural Research and Cooperator Export Promotion Programs.

Passage of this bill is a first step toward assuring that the Soil Conservation Service won't have to implement plans to lay off 24 employees in Oregon, that wheat exporters can continue using the Cooperator Progam to increase sales to the Pacific rim—and reverse a 50-percent drop in overseas sales of Pacific Northwest White Wheat.

The bill will also assure that the 4-H, Nutrition and Education Programs run by the Cooperative Extension Program can be used to better prepare the coming generation of farmers for the new challenges ahead.

This bill also provides funds to met the soil erosion problems of Oregon nurserymen, the fastest growing agriculture industry in the State. It will allow the Oregon Soil Conservation Service to continue an innovative Animal Waste and Water Quality Program in Tillamook, OR, and ensure that the ASCS has the funds it needs to implement Federal farm programs in a timely fashion.

Oregon agriculture is a $5.4 billion industry Unfortunately, this legislation won't solve the problems of oversupply and shrinking foreign markets now pressing Oregon growers. But it gives us the tools we need to make wise decisions about solving these problems in the future.

Mr. FRENZEL. Mr. Chairman, I have presented no across-the-board amendments to H.R. 5177 because my amendments are based on freeze of budget authority at current year levels. This bill lists 1986 budget authority at 49 and 1987 at 41; $7.4 billion of additional budget authority would be required to create a freeze. I have no interest in adding expense.

Nevertheless, I have little confidence that H.R. 5177 will save any money. On the contrary, major entitlements seem to be seriously underfunded. The committee's normal procedure is to underfund mandatory spending and then meet obligations by passing a supplemental appropriation next year. Supplementals may have become a way of life for the committee, but to me they are a wretched way to appropriate.

The Commodity Credit Corporation for instance seems to be seriously underfunded to the tune of more than $2 billion. Although the bill is supposed to be $7.4 billion less in budget authority than last year, but if CCC appropriations were the same as last year, H.R. 5177 would be larger than last year.

The Food Stamp Program is funded at a level less than last year, as are all nutrition services. More billions may be required in a supplemental here. My preference would be for realistic estimates of actual spending rates, so that Congress would know what to expect.

For the reasons noted I have little confidence in this bill. I shall vote against it not because I question the spending levels, but because I do not believe H.R. 5177 represents realistic budgeting procedures.

Mr. BROWN of California. Mr. Chairman, I rise in support of H.R. 5177 and would like to acknowledge the fine work which Mr. WHITTEN and the members of the Appropriations Committee have done on this bill. These are difficult time for American farmers and this bill may be one of the most important pieces of legislation that we pass this year.

I would like to take a moment to review some of the programs dealt with in this bill in which I have a special interest, namely those programs in the Department of Agriculture's Science and Education Administration. I am pleased that the bill reverses some of the extremely shortsighted cuts which were proposed in the administration's budget request. While we do need to reduce Federal spending, cutting vital research and education functions will cause great long-term harm. We are on the verge of a number of major research breakthroughs which will significantly reduce the operating costs for our farmers, but this will occur only if our current level of research and education funding is maintained.

I am pleased that the bill proposes an increase for the Agriculture Research Service [ARS] in fiscal year 1987. The ARS is engaged in a number of exciting areas of research, especially in the area of biotechnology, and we must maintain these efforts. In California, we are making progress on the Plant Gene Expression Center which will be a focal point for Federal, university, and private research efforts to bring the promise of biotechnology to reality.

I must express my heartfelt appreciation to Chairman WHITTEN and the committee for providing the initial funding for a new salinity research laboratory at Riverside, CA. The existing facility is an aging one which desperately needs modernizing to keep pace with the scope of the soil and water salinity problems facing western, irrigated agriculture. In California, 3 million acres, almost one-third of our irrigated acreage, are affected by salinity problems, and that figure will increase by about 600,000 acres in the next 15 years unless remedial action is taken.

At the same time we are seeing problems with the concentration of toxics in surface water due to current irrigation practices. The most prominent example of this is the situation which has occurred at Kesterson Wildlife Refuge. The physical and chemical processes which have concentrated selenium at Kesterson are the same ones which produce many of our other soil and water salinity problems. By increasing our research efforts at Riverside, we will be working toward solutions to some of our toxics problems as well. It is a

tribute to Chairman WHITTEN's farsightedness, and that of the other committee members, that this new laboratory was given consideration in this bill.

It is also a tribute to Mr. WHITTEN and the committee that they have taken steps to restore the ill-advised cuts which were made to the Cooperative State Research Service (CSRS] budget. These research programs, conducted at our land-grant institutions, are the backbone of our agricultural research efforts. While I must, as always, take slight difference with the funding levels proposed for the Competitive Research Grants Program, I appreciate the difficult choices which the committee faced in making the needed restorations to the CSRS funding.

I am also pleased that Mr. WHITTEN and the committee restored funding for the Extension Service. I was astounded when the administration proposed cutting extension by over 50 percent, making a major change in the Extension Service mission. If the administration seeks to change the direction of the Extension Service, let them propose legislation and not use the back-door approach of these massive cuts.

One additional note of interest is the committee's restoration of the funding for animal welfare enforcement under the Animal and Plant Health Inspection Service [APHIS] budget. I cannot understand how the USDA, under such pressure from animal welfare groups, and in light of recent legislation to modernize the treatment of laboratory animals, could propose elimination of the enforcement funding for this program. I am pleased that the committee saw the correct course of action on this.

I realize that the programs which I have just described are minor when compared to the overwhelming problems which face agriculture in this country. But we cannot forget these essential research and education programs because they brought American agriculture out of its primitive state and made our production the envy of the world. And these same programs hold the only hope that we have for settling our current problems and entering a new era for America's farmers.

This vision of the future is reflected in the committee's actions and in the leadership of Chairman WHITTEN in his unflagging support for science and education in agriculture. I thank the committee and Mr. WHITTEN for their efforts.

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

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

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 5177

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, and Related Agencies programs for the fiscal year ending September 30, 1987, and for other purposes; namely:

TITLE I—AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING AND MARKETING

OFFICE OF THE SECRETARY

For necessary expenses of the Office of the Secretary of Agriculture, including not to exceed $75,000 for employment under 5 U.S.C. 3109, $1,648,000: *Provided,* That not to exceed $8,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary expenses of the Office of the Assistant Secretary for Administration to carry out the programs funded in this Act, $455,000.

Rental Payments (USDA)

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Department of Agriculture which are included in this Act, $48,728,000: *Provided,* That in the event an agency within the Department of Agriculture should require modification of space needs, the Secretary of Agriculture may transfer a share of that agency's appropriation made available by this Act to this appropriation, or may transfer a share of this appropriation to that agency's appropriation, but such transfers shall not exceed 10 per centum of the funds made available for space rental and related costs to or from this account.

BUILDING OPERATIONS AND MAINTENANCE

For the operation, maintenance, and repair of the Washington, D.C. Agriculture building complex pursuant to the delegation of authority from the Administrator of General Services authorized by 40 U.S.C. 486, $18,039,000.

ADVISORY COMMITTEES (USDA)

For necessary expenses for activities of Advisory Committees of the Department of Agriculture which are included in this Act, $1,358,000: *Provided,* That no other funds in this Act shall be available to the Department of Agriculture for support of activities of Advisory Committees.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Budget and Program Analysis, $3,611,000; for Personnel, Finance and Management, Operations, Information Resources Management, Advocacy and Enterprise, and Administrative Law Judges and Judicial Officer, $17,569,000; making a total of $21,180,000 for Departmental Administration to provide for necessary expenses for management support services to offices of the Department of Agriculture and for general administration and emergency preparedness of the Department of Agriculture, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department of Agriculture, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109: *Provided,* That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551-558.

WORKING CAPITAL FUND

An amount of $5,708,000 is hereby appropriated to the Departmental Working Capital Fund to increase the Government's equity in this fund and to provide for the purchase of automated data processing, data communication, and other related equipment necessary for the provision of Departmental centralized services to the agencies.

OFFICE OF THE ASSISTANT SECRETARY FOR GOVERNMENTAL AND PUBLIC AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Governmental and Public Affairs to carry out the programs funded in this Act, $318,000.

OFFICE OF GOVERNMENTAL AND PUBLIC AFFAIRS

For necessary expenses to carry on services relating to the coordination of programs involving public affairs, and for the dissemination of agricultural information and the coordination of information, work and programs authorized by Congress in the Department, $7,293,000, of which not to exceed $10,000 shall be available for employment under 5 U.S.C. 3109, and not to exceed $2,000,000 may be used for farmers' bulletins and not fewer than two hundred thirty-two thousand two hundred and fifty copies for the use of the Senate and House of Representatives of part 2 of the annual report of the Secretary (known as the Yearbook of Agriculture) as authorized by 44 U.S.C. 1301: *Provided,* That in the preparation of motion pictures or exhibits by the Department, this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

For necessary expenses for liaison with the Congress on legislative matters, $465,000.

For necessary expenses for programs involving intergovernmental affairs and liaison within the executive branch, $440,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), $44,461,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(8) of the Inspector General Act of 1978 (Public Law 95-452), and including a sum not to exceed $50,000 for employment under 5 U.S.C. 3109; and including a sum not to exceed $75,000 for certain confidential operational expenses including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95-452 and Section 1337 of Public Law 97-98.

OFFICE OF THE GENERAL COUNSEL

For the necessary expenses of the Office of the General Counsel, $16,832,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ECONOMICS

For necessary expenses of the Office of the Assistant Secretary for Economics to carry out the programs funded in this Act, $448,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service in conducting economic research and service relating to agricultural production, marketing, and distribution, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627), and other laws, including economics of marketing; analyses relating to farm prices, income and population, and demand for farm products,

use of resources in agriculture, adjustments, costs and returns in farming, and farm finance; research relating to the economic and marketing aspects of farmer cooperatives; and for analyses of supply and demand for farm products in foreign countries and their effect on prospects for United States exports, progress in economic development and its relation to sales of farm products, assembly and analysis of agricultural trade statistics and analysis of international financial and monetary programs and policies as they affect the competitive position of United States farm products, $43,982,000; of which not less than $200,000 shall be available for investigation, determination and finding as to the effect upon the production of food and upon the agricultural economy of any proposed action affecting such subject matter pending before the Administrator of the Environmental Protection Agency for presentation, in the public interest, before said Administrator, other agencies or before the courts: *Provided*, That not less than $350,000 of the funds contained in this appropriation shall be available to continue to gather statistics and conduct a special study on the price spread between the farmer and the consumer: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225): *Provided further*, That not less than $145,000 of the funds contained in this appropriation shall be available for analysis of statistics and related facts on foreign production and full and complete information on methods used by other countries to move farm commodities in world trade on a competitive basis.

STATISTICAL REPORTING SERVICE

For necessary expenses of the Statistical Reporting Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, and marketing surveys, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627) and other laws, $56,787,000: *Provided*, That no part of the funds herein appropriated shall be available for any expense incident to publishing estimates of apple production for other than the commercial crop: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $40,000 shall be available for employment under 5 U.S.C. 3109.

WORLD AGRICULTURAL OUTLOOK BOARD

For necessary expenses of the World Agricultural Outlook Board to coordinate and review all commodity and aggregate agricultural and food data used to develop outlook and situation material within the Department of Agriculture, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), $1,608,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

OFFICE OF THE ASSISTANT SECRETARY FOR SCIENCE AND EDUCATION

For necessary salaries and expenses for the Office of the Assistant Secretary for Science and Education to administer the laws enacted by the Congress for the Agricultural Research Service, Cooperative State Research Service, Extension Service, and National Agricultural Library, $350,000.

AGRICULTURAL RESEARCH SERVICE

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for), home economics or nutrition and consumer use, and to coordinate and provide program leadership for higher education work of the Department, and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100; $496,748,000: *Provided*, That appropriations hereunder shall be available for temporary employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $115,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That funds appropriated herein can be used to provide financial assistance to the organizers of national and international conferences, if such conferences are in support of agency programs: *Provided further*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That uniform allowances for each uniformed employee of the Agricultural Research Service shall not be in excess of $400 annually: *Provided further*, That of the appropriations hereunder not less than $10,526,600 shall be available to conduct marketing research: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided the cost of constructing any one building shall not exceed $150,000, except for headhouses connecting greenhouses which shall each be limited to $500,000, and except for ten buildings to be constructed or improved at a cost not to exceed $275,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 per centum of the current replacement value of the building or $150,000 whichever is greater: *Provided further*, That the limitations on alterations contained in this Act shall not apply to a total of $250,000 for facilities at Beltsville, Maryland: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That the limitation on purchase of land shall not apply to the purchase of land at Fresno, California: *Provided further*, That not to exceed $190,000 of this appropriation may be transferred to and merged with the appropriation for the Office of the Assistant Secretary for Science and Education for the scientific review of international issues involving agricultural chemicals and food additives.

Special fund: To provide for additional labor, subprofessional, and junior scientific help to be employed under contracts and cooperative agreements to strengthen the work at Federal research installations in the field, $2,000,000.

BUILDINGS AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities and for grants to States and other eligible recipients for such purposes, as necessary to carry out the agricultural research, extension and teaching programs of the Department of Agriculture, where not otherwise provided, $35,500,000: *Provided*, That these funds may be transferred to such other accounts in this Act as may be appropriate to carry out these purposes: *Provided further*, That facilities to house Bonsai collections at the National Arboretum may be constructed with funds accepted under the provisions of Public Law 94-129 (20 U.S.C. 195) and the limitation on construction contained in the Act of August 24, 1912 (40 U.S.C. 68) shall not apply to the construction of such facilities.

COOPERATIVE STATE RESEARCH SERVICE

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, including $148,792,000 to carry into effect the provisions of the Hatch Act approved March 2, 1887, as amended by the Act approved August 11, 1955 (7 U.S.C. 361a-361i), and further amended by Public Law 92-318 approved June 23, 1972, and further amended by Public Law 93-471 approved October 26, 1974, including administration by the United States Department of Agriculture, and penalty mail costs of agricultural experiment stations under section 6 of the Hatch Act of 1887, as amended, and payments under section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301n.); $12,412,000 for grants for cooperative forestry research under the Act approved October 10, 1962 (16 U.S.C. 582a—582a-7), as amended by Public Law 92-318 approved June 23, 1972, including administrative expenses, and payments under section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301n.); $22,320,000 for payments to the 1890 land-grant colleges, including Tuskegee University, for research under section 1445 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (Public Law 95-113), as amended, including administration by the United States Department of Agriculture, and penalty mail costs of the 1890 land-grant colleges, including Tuskegee University; $26,778,000 for contracts and grants for agricultural research under the Act of August 4, 1965, as amended (7 U.S.C. 450i); $32,804,000 for competitive research grants, including administrative expenses; $5,476,000 for the support of animal health and disease programs authorized by section 1433 of Public Law 95-113, including administrative expenses; $1,143,000 for research authorized by the Critical Agricultural Materials Act of 1984; $475,000 for rangeland research grants as authorized by subtitle M of the National Agricultural Research, Extension, and Teaching Policy Act of 1977, as amended; $9,508,000 for grants to upgrade 1890 land-grant college research facilities as authorized by section 1433 of Public Law 97-98, to remain available until expended; $4,754,000 for higher education strengthening grants under section 1417(a) of Public Law 95-113, as amended (7 U.S.C. 3152(a)); $2,000,000 for grants as authorized by section 1475 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977; and $2,630,000 for necessary expenses of Cooperative State Research Service activities, including administration of payments to State agricultural experiment stations, funds for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $100,000 for employment under 5 U.S.C. 3109; in all, $269,092,000.

EXTENSION SERVICE

(including transfers of funds)

Payments to States, Puerto Rico, Guam, the Virgin Islands, Micronesia, and American Samoa: For payments for cooperative agricultural extension work under the Smith-Lever Act, as amended by the Act of June 26, 1953, the Act of August 11, 1955, the Act of October 5, 1962 (7 U.S.C. 341-349), section 506 of the Act of June 23, 1972, and the Act of September 29, 1977 (7 U.S.C. 341-349), as amended, and section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301n.), to be distributed under sections 3(b) and 3(c) of said Act, for retirement and employees' compensation costs for extension agents and for costs of penalty mail for cooperative extension agents and State extension directors, $229,713,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, $57,635,000, of which $38,627,000 shall be derived by transfer from the appropriation "Food Stamp Program" and merged with this appropriation; payments for the urban gardening program under section 3(d) of the Act, $3,329,000; payments for the pest management program under section 3(d) of the Act, $7,164,000; payments for the farm safety program under section 3(d) of the Act, $970,000; payments for the pesticide impact assessment program under section 3(d) of the Act, $1,633,000; payments for a financial management assistance program under section 3(d) of the Act, $1,427,000; payments for an integrated reproductive management program under section 3(d) of the Act, $47,000; payments for the rural development centers under section 3(d) of the Act, $689,000; payments for extension work under section 209(c) of Public Law 93-471, $935,000; for special grants for financially stressed farmers and dislocated farmers as authorized by section 1440 of Public Law 99-198, $1,500,000; payments for extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321-326, 328) and Tuskegee University, $16,877,000; in all, $321,919,000; of which not less than $79,400,000 is for Home Economics: *Provided*, That funds hereby appropriated pursuant to section 3(c) of the Act of June 26, 1953, and section 506 of the Act of June 23, 1972, as amended, shall not be paid to any State, Puerto Rico, Guam, or the Virgin Islands, Micronesia, and American Samoa prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.

Federal administration and coordination: For administration of the Smith-Lever Act, as amended by the Act of June 26, 1953, the Act of August 11, 1955, the Act of October 5, 1962, section 506 of the Act of June 23, 1972, section 209(d) of Public Law 93-471, and the Act of September 29, 1977 (7 U.S.C. 341-349), as amended, and section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301n.), and to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, $6,025,000; of which not less than $2,300,000 is for Home Economics.

NATIONAL AGRICULTURAL LIBRARY

For necessary expenses of the National Agricultural Library, $10,936,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $35,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That not to exceed $575,000 shall be available pursuant to 7 U.S.C. 2250 for the alteration and repair of buildings and improvements.

OFFICE OF THE ASSISTANT SECRETARY FOR MARKETING AND INSPECTION SERVICES

For necessary salaries and expenses for the Office of the Assistant Secretary for Marketing and Inspection Services to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service, Food Safety and Inspection Service, Federal Grain Inspection Service, Agricultural Cooperative Service, Agricultural Marketing Service (including Office of Transportation) and Packers and Stockyards Administration, $327,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, including those pursuant to the Act of February 28, 1947, as amended (21 U.S.C. 114b-c), necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; to discharge the authorities of the Secretary of Agriculture under the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426-426b); and to protect the environment, as authorized by law, $295,929,000; of which $3,000,000 shall be available for the control of outbreaks of insects, plant diseases and animal diseases to the extent necessary to meet emergency conditions: *Provided*, That $1,000,000 of the funds for control of the fire ant shall be placed in reserve for matching purposes with States which may come into the program: *Provided further*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 per centum: *Provided further*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $40,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed two, of which one shall be for replacement only: *Provided further*, That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as he may deem necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious diseases or pests of animals, poultry, or plants, and for expenses in accordance with the Act of February 28, 1947, as amended, and section 102 of the Act of September 21, 1944, as amended, and any unexpended balances of funds transferred for such emergency purposes in the next preceding fiscal year shall be merged with such transferred amounts.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $2,246,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry on services authorized by the Federal Meat Inspection Act, as amended, and the Poultry Products Inspection Act, as amended, $361,400,000: *Provided*, That this appropriation shall be available for field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $75,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 per centum of the current replacement value of the building.

FEDERAL GRAIN INSPECTION SERVICE

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, as amended, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, as amended, including field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $20,000 for employment under 5 U.S.C. 3109, $6,697,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but, unless otherwise provided, the cost of altering any one building during the fiscal year shall not exceed 10 per centum of the current replacement value of the building: *Provided further*, That none of the funds provided by this Act may be used to pay the salaries of any person or persons who require, or who authorize payments from fee-supported funds to any person or persons who require, nonexport, nonterminal interior elevators to maintain records not involving official inspection or official weighing in the United States under Public Law 94-582 other than those necessary to fulfill the purposes of such Act.

INSPECTION AND WEIGHING SERVICES

LIMITATION ON INSPECTION AND WEIGHING SERVICE EXPENSES

Not to exceed $36,829,000 (from fees collected) shall be obligated during the current fiscal year for Inspection and Weighing Services.

AGRICULTURAL COOPERATIVE SERVICE

For necessary expenses to carry out the Cooperative Marketing Act of July 2, 1926 (7 U.S.C. 451-457), and for activities relating to the marketing aspects of cooperatives, including economic research and analysis and the application of economic research findings, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627), and for activities with institutions or organizations throughout the world concerning the development and operation of agricultural cooperatives (7 U.S.C. 3291), $4,469,000; of which $99,000 shall be available for a field office in Hawaii: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $15,000 shall be available for employment under 5 U.S.C. 3109.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses to carry on services related to consumer protection, agricultural marketing and distribution and regulatory programs as authorized by law, and for administration and coordination of payments to States; including field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to

exceed $70,000 for employment under 5 U.S.C. 3109, $30,945,000; of which not less than $1,501,000 shall be available for the Wholesale Market Development Program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but, unless otherwise provided, the cost of altering any one building during the fiscal year shall not exceed 10 per centum of the current replacement value of the building.

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $28,164,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than $6,773,000 for formulation and administration of Marketing Agreements and Orders pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $942,000.

OFFICE OF TRANSPORTATION

For necessary expenses to carry on services related to agricultural transportation programs as authorized by law; including field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $20,000 for employment under 5 U.S.C. 3109, $2,340,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but, unless otherwise provided, the cost of altering any one building during the fiscal year shall not exceed 10 per centum of the current replacement value of the building.

PACKERS AND STOCKYARDS ADMINISTRATION

For necessary expenses for administration of the Packers and Stockyards Act, as authorized by law, and for certifying procedures used to protect purchasers of farm products, including field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $5,000 for employment under 5 U.S.C. 3109, $8,945,000.

FARM INCOME STABILIZATION

OFFICE OF THE UNDER SECRETARY FOR INTERNATIONAL AFFAIRS AND COMMODITY PROGRAMS

For necessary salaries and expenses for the Office of the Under Secretary for International Affairs and Commodity Programs to administer the laws enacted by Congress for the Agricultural Stabilization and Conservation Service, Office of International Cooperation and Development, Foreign Agricultural Service, and the Commodity Credit Corporation, $473,000.

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary administrative expenses of the Agricultural Stabilization and Conservation Service, including expenses to formulate and carry out programs authorized by title III of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1301-1393); the Agricultural Act of 1949, as amended (7 U.S.C. 1421 et seq.); sections 7 to 15, 16(a), 16(f), and 17 of the Soil Conservation and Domestic Allotment Act, as amended and supplemented (16 U.S.C. 590g-590o, 590p(a), 590p(f), and 590q); sections 1001 to 1004, 1006 to 1008, and 1010 of the Agricultural Act of 1970 as added by the Agriculture and Consumer Protection Act of 1973 (16 U.S.C. 1501 to 1504, 1506 to 1508, and 1510); the Water Bank Act, as amended (16 U.S.C. 1301-1311); the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101); sections 401, 402, and 404 to 406 of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 to 2205); the United States Warehouse Act, as amended (7 U.S.C. 241-273); and laws pertaining to the Commodity Credit Corporation, not to exceed $449,403,000, to be derived by transfer from the Commodity Credit Corporation fund: *Provided*, That other funds made available to the Agricultural Stabilization and Conservation Service for authorized activities may be advanced to and merged with this account: *Provided further*, That these funds shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $100,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That no part of the funds made available under this Act shall be used (1) to influence the vote in any referendum; (2) to influence agricultural legislation, except as permitted in 18 U.S.C. 1913; or (3) for salaries or other expenses of members of county and community committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended, for engaging in any activities other than advisory and supervisory duties and delegated program functions prescribed in administrative regulations.

DAIRY INDEMNITY PROGRAM

For necessary expenses involved in making indemnity payments to dairy farmers for milk or cows producing such milk and manufacturers of dairy products who have been directed to remove their milk or dairy products from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government, and in making indemnity payments for milk, or cows producing such milk, at a fair market value to any dairy farmer who is directed to remove his milk from commercial markets because of (1) the presence of products of nuclear radiation or fallout if such contamination is not due to the fault of the farmer, or (2) residues of chemicals or toxic substances not included under the first sentence of the Act of August 13, 1968, as amended (7 U.S.C. 450j), if such chemicals or toxic substances were not used in a manner contrary to applicable regulations or labeling instructions provided at the time of use and the contamination is not due to the fault of the farmer, $95,000: *Provided*, That none of the funds contained in this Act shall be used to make indemnity payments to any farmer whose milk was removed from commercial markets as a result of his willful failure to follow procedures prescribed by the Federal Government.

CORPORATIONS

The following corporations and agencies are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided:

FEDERAL CROP INSURANCE CORPORATION

ADMINISTRATIVE AND OPERATING EXPENSES

For administrative and operating expenses, as authorized by the Federal Crop Insurance Act, as amended (7 U.S.C. 1516), $209,568,000: *Provided*, That not to exceed $700 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 508(b) of the Federal Crop Insurance Act, as amended, $135,743,000.

COMMODITY CREDIT CORPORATION

REIMBURSEMENT FOR NET REALIZED LOSSES

To reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to the Act of August 17, 1961 (15 U.S.C. 713a-11, 713a-12), $16,808,806,000, such funds to be available, together with other resources available to the Corporation, to finance the Corporation's programs and activities during fiscal year 1987: *Provided*, That of the foregoing amount, not to exceed the following amounts shall be available for the following programs: export guaranteed loan claims, $683,350,000; conservation reserve program, $550,000,000; export enhancement program, $667,000,000; Federal crop insurance program, $100,000,000; targeted export assistance program, $325,000,000; and interest payments to the United States Treasury, $1,932,000,000.

SHORT-TERM EXPORT CREDIT

The Commodity Credit Corporation shall make available not less than $5,000,000,000 in credit guarantees under its export credit guarantee program for short-term credit extended to finance the export sales of United States agricultural commodities and the products thereof, as authorized by section 1125(b) of the Food Security Act of 1985 (Public Law 99-198).

INTERMEDIATE EXPORT CREDIT

The Commodity Credit Corporation shall make available not less than $500,000,000 in credit guarantees under its export guarantee program for intermediate-term credit extended to finance the export sales of United States agricultural commodities and the products thereof, as authorized by section 1131(3)(B) of the Food Security Act of 1985 (Public Law 99-198).

GENERAL SALES MANAGER

(INCLUDING TRANSFERS OF FUNDS)

Not to exceed $5,827,000 may be transferred from the Commodity Credit Corporation funds to support the General Sales Manager who shall work to expand and strengthen sales of United States commod-

ities (including those of the Corporation) in world markets pursuant to existing authority (including that contained in the Corporation's charter), and that such funds shall be used by the General Sales Manager to carry out the above activities. The General Sales Manager shall report directly to the Board of Directors of the Corporation of which the Secretary of Agriculture is a member. The General Sales Manager shall obtain, assimilate, and analyze all available information on developments related to private sales, as well as those funded by the Corporation, including grade and quality as sold and as delivered, including information relating to the effectiveness of greater reliance by the General Sales Manager upon loan guarantees as contrasted to direct loans for financing commercial export sales of agricultural commodities out of private stocks on credit terms, as provided in titles I and II of the Agricultural Trade Act of 1978, Public Law 95-501, and shall submit quarterly reports to the appropriate committees of Congress concerning such developments.

Mr. WHITTEN (during the reading). Mr. Chairman, I ask unanimous consent that title I be considered as read, printed in the RECORD and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Does any Member wish to make a point of order against title I?

AMENDMENT OFFERED BY MR. DE LA GARZA

Mr. DE LA GARZA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DE LA GARZA: On page 17, line 14, strike out "$295,929,000" and insert in lieu thereof "$296,229,000".

Mr. DE LA GARZA. Mr. Chairman, the amendment would increase the appropriation for the Animal and Plant Health Inspection Service by $300,000. The additional $300,000 is to be used by the Animal and Plant Health Inspection Service's Animal Damage Control Program to control or eradicate grackles in those areas where they are causing economic loss to citrus.

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

Mr. DE LA GARZA. I yield to the gentleman from Mississippi.

Mr. WHITTEN. Mr. Chairman, the chairman of the legislative committee and I have discussed this matter, and on this side we will be glad to accept the amendment.

May I say to my colleague that following our conversation I assured the Department of Agriculture that this amendment would be accepted in hopes that they could proceed immediately to relieve this problem.

Mr. DE LA GARZA. Mr. Chairman, I thank the gentleman.

Mrs. SMITH of Nebraska. Mr. Chairman, if the gentleman will yield, we have reviewed the amendment on this side, and we have no objection to it.

Mr. DE LA GARZA. I thank my distinguished colleague, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. DE LA GARZA].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DASCHLE

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

The Clerk read as follows:

Amendment offered by Mr. DASCHLE: Page 27, line 25, after the semicolon insert "storage facility loan program under section 4(h) of the Commodity Credit Corporation Charter Act, $100,000,000;".

Mr. DASCHLE. Mr. Chairman, I would like to quote from an article which appeared just this afternoon on the Associated Press wire:

The Nation's agricultural heartland faces critical shortages of storage space for the bumper crop of corn to be harvested this fall, and it may already be too late to do anything about it, Congress was told Thursday.

Merrill Marxman, a consultant for commercial grain warehouses, told a House Agriculture subcommittee that storage problems this fall may be the worst in the Nation's history.

He said a 28-State survey showed that of 20.7 billion bushels of total on-and off-farm storage capacity, 19.2 billion bushels is already being used, or 93 percent of capacity.

The corn crop to be harvested beginning in early September is expected to total 7.6 billion bushels. If farmers are unable to store their grain in approved space, it must either be sold at harvest, when prices are depressed, or stored under conditions that jeopardize its quality, such as in piles on the ground.

With that information, Mr. Chairman, I am today offering an amendment to this bill which would earmark $100 million in CCC funds for loans to farmers in critical need of additional storage facilities.

Crop reports like this and similar reports from the State of South Dakota and other States in the upper Midwest indicate that a record harvest is due this fall. Last year's corn crop was the largest in history at 8.9 billion bushels. A record 5 billion bushels is left over in storage. The expectation is that there will be 8 billion bushels of corn in this year's crop. At the beginning of last month, the United States held 1.9 billion bushels of wheat, a record overstock, and 847 million bushels of soybeans, which is almost 40 percent more than at the same time last year.

Already reports from the South Dakota State ASCS office indicate that 15 million bushels of grain are waiting for loadout orders: 5 million bushels of corn, 5 million bushels of wheat, 4 million bushels of soybeans, and some barley.

The Kansas City office is receiving loadout orders at the rate of 24 million bushels per week and issuing them at a rate of 16 million bushels per week.

Providing the farmer with loans for storage is really a short-term solution. The grain can sit for a short time, possibly 90 days, but ultimately it is going to be stored in approved facilities to protect it from damage.

Last week some of us urged the Secretary to take a number of steps to relieve the coming crunch, and they included loans for storage facilities but also included adding the Soviet Union and China to the list of countries eligible for grain subsidies in the form of export bonuses; expanding food assistance programs in this country and abroad; and bartering U.S. farm products for minerals and oil.

We need to address the storage problems in the short run, but more importantly, we need to solve this problem in the long run. We cannot lose sight of the need for trade reform and a workable and affordable farm policy that gives the farmer the price he needs and deserves.

In conclusion, Mr. Chairman, on-farm or community storage is really only a short-term solution, a preliminary solution, but the short-term solution is the only thing we have available to us at this point, and I am hoping the Senate will include this as part of their bill as well.

Mr. Chairman, first, an issue of immediate concern to farmers preparing for harvest is the need for adequate storage facilities. If there is to be another bumper crop this year, then USDA cannot afford to wait. It must get to the crux of the problem and deal with it in timely manner.

With the fall harvest rapidly approaching, it is critical that farmers have adequate storage space available for their harvest. Today I am offering an amendment to the agriculture appropriations bill, which would earmark $100 million in CCC funds for loans to farmers in critical need of additional storage facilities.

Crop reports for the State of South Dakota and, indeed, across the Midwest, indicate that a record harvest is due this fall. Last year's corn crop was the largest in history at 8.9 billion bushels. A record 5 billion bushels is left over in storage. The expectation is that there will be 8 billion bushels of corn this year. At the beginning of last month, the United States held 1.9 billion bushels of wheat, a record overstock, and 847 million bushels of soybeans, almost 40 percent more than at the same time last year.

Already reports from the South Dakota State ASCS office indicate that 15 million bushels of grain are waiting for loadout orders: 5 million bushels of corn, 5 million bushels of wheat, 4 million bushels of soybeans and some barley. An inquiry of USDA revealed that 170 million bushels of CCC grain currently in storage nationally is waiting for loadout.

The Kansas City ASCS office is receiving loadout orders at a rate of 24

million bushels per week and issuing them at a rate of 16 million bushels per week.

The American farmer will once again be called upon to bear the burden of a failed farm policy. The farmer should not be punished for a farm bill that asks him to accept a lower price in exchange for a hopeless effort to increase exports.

An increase in exports has not occurred. In fact, we find ourselves in a situation quite to the contrary. For the first time since the Government began keeping records, the United States is running an agricultural trade deficit; farm imports exceeded exports by $350 million in May. We have lowered our prices, but exports are falling.

The provisions contained in the 1985 farm bill have encouraged the American farmer to overproduce for foreign markets that no longer exist. The challenge is to move this overproduction now.

During a recent visit to Sioux Falls, SD, Vice President GEORGE BUSH stated that 1985 farm bill will "pave the way to a competitive future." The future is here, and it now appears our farmers are not going to move their grain through the channels and to the ports.

The price of corn has fallen to $1.71 per bushel, the lowest that it has been in 12 years, wheat is priced at about $2.98 per bushel, the lowest level in 9 years, and oats are selling as low as $1 a bushel. These lower prices are, according to the administration, insuring that our agricultural products are more attractive to foreign buyers.

If this is indeed so, why is ASCS 8 million bushels behind in loadouts even before the fall harvest? Why is there a surplus of grain if a lower price for grain is the answer to our overseas trade imbalance? If lower prices are the solution to regaining our fair share of the foreign market, then there should be no shortage space for grain.

On the contrary, low farm prices have caused excessive levels of forfeitures. Thus, excessive stocks are causing additional pressure on available storage.

And the administration's answer is more barges on the Mississippi. The Mississippi can't hold enough barges.

Providing the farmer with loans for storage is a short-term solution. The grain can sit for a short time—possibly 90 days—but ultimately it has to be stored in approved facilities to protect it from damage.

Last week I urged Secretary Lyng to take a number of steps to relieve the coming crunch. These steps included loans for storage facilities. They also included the following: adding the Soviet Union and China to the list of countries eligible for grain subsidies in the form of export bonuses; expanding food assistance programs in this country and abroad; and bartering United States farm products for minerals and oil.

Yes, we need to address the storage problem in the short run. But, more importantly, we must solve this problem in the long run. We must not lose sight of the need for trade reform and a workable, affordable farm policy that gives the farmer the price he needs and deserves.

In conclusion, on-farm or community storage is only a partial solution, but short of a miracle in the trade arena, there is no alternative.

HEARTLAND SAID CRITICALLY SHORT OF CORN STORAGE SPACE

(By Jim Drinkard)

WASHINGTON.—The nation's agricultural heartland faces critical shortages of storage space for the bumper crop of corn to be harvested this fall, and it may already be too late to do anything about it, Congress was told Thursday.

Merrill Marxman, a consultant for commercial grain warehouses, told a House Agriculture subcommittee that storage problems this fall may be the worst in the nation's history.

He said a 28-state survey showed that of 20.7 billion bushels of total on-and off-farm storage capacity, 19.2 billion bushels is already being used, or 93 percent of capacity.

The corn crop to be harvested beginning in early September is expected to total 7.6 billion bushels. If farmers are unable to store their grain in approved space, it must either be sold at harvest, when prices are depressed, or stored under conditions that jeopardize its quality, such as in piles on the ground.

The tightest storage situations are in Michigan, Arkansas, California, Illinois, Ohio and Indiana, Marxman said.

The Agriculture Department has announced a long list of steps designed to relieve storage space pressure, including approval of 250 million bushels of emergency or temporary storage, cutting of paperwork for moving grain and soliciting 1,000 river barges to press into service as grain warehouses.

We feel . . . there will be near adequate storage capacity, although we do recognize there is a potential for temporary localized tight situations, principally in the major corn production areas, said Richard Goldberg, deputy under secretary of agriculture for commodity programs.

All our data indicates that we should be able to handle it.

But Marxman and some lawmakers said nothing the department has done so far will alleviate the problem.

"At this late date, there is nothing the administration or Congress can do to solve the problem," said Rep. Cooper Evans, R-Iowa. "A freight train is about to run over us."

Several lawmakers said the situation should prompt the Reagan administration to take extraordinary steps to move grain into export channels, including expanding the current $1 billion Export Enhancement Program to include "unfriendly" countries like the Soviet Union.

"One could not help but wonder if we would even have a severe storage problem if the USDA used all the export promotion tools available to it," said Rep. Doug Bereuter, R-Neb.

It is absolutely ridiculous to give one grain customer a bargain . . . while at the same time a reliable and dependable grain customer like the Soviet Union has to pay a higher price, he said.

Citing foreign policy consideration, the administration has resisted expanding the program. Agribusiness representatives have criticized the current approach as ineffective, saying it may have actually harmed—rather than helped—farm exports.

Earlier this week, the Senate approved language directing the administration to expand the program to include such traditional customers as the Soviet Union and to eliminate current administration restrictions.

SOME GROWERS TO HARVEST MILLIONS OF SUBSIDY DOLLARS UNDER NEW LAW

(By Jim Drinkard)

WASHINGTON.—A single California farming operation will harvest $20 million in federal subsidies this year, part of a bumper crop of multimillion-dollar payments that the government is laying out in America's struggle to regain its former dominance in farm exports.

"Multimillion-dollar payments in rice and cotton will not be uncommon," Robert Thompson, the Agriculture Department's chief economist, said recently. "It will get obscene."

"They're going to be big, and very controversial," said Rep. Tony Coelho, D-Calif., a member of the House Agriculture Committee, which helped write the law. "We knew that when we did this. But the only way to turn it around is to get those big guys cooperating so we can help the family farmer as well."

The estimates are that the government will lay out upwards of $30 billion for farm aid this year.

The apparent top recipient of subsidies under the new farm law is agribusiness giant J.G. Boswell Co., a farming operation growing more than 62,000 acres of irrigated cotton and 30,000 acres of wheat in the rich San Joaquin Valley near Fresno, Calif.

Figures computed by the Agricultural Stabilization and Conservation Service, the Agriculture Department's subsidy arm, show that Boswell will collect nearly $10.4 million in payments on those crops, based on current prices.

In addition, the operation may receive that much or more as the marketing handler for its own cotton, said Bob Crockett, crop program specialist for the state ASCS office in Sacramento, Calif.

It's going to hit $20 million, that's what we figure, he said.

Wes McAden, Boswell's Washington lobbyist, said economic uncertainty forces the farm to accept payments.

It's mandatory economically. You don't know where the market's going, said McAden. The only uncertainty is how low its going.

This year's subsidy payments promise to dwarf those made under the $10 billion "payment-in-kind" program in 1983, which caused a public outcry and damaged the credibility of farm programs. Boswell in recent years has refrained from participating in federal crop programs, including PIK.

Another Kings County, Calif. operation, Salyer American, will collect nearly $3.4 million on its 28,000 acres of cotton, the ASCS said. Large payments are certain to go to other growers of cotton, rice, wheat, corn and milk in major producing areas because of new provisions in the 1985 farm law.

One large diary producer, Gerrit Degraaf of Riverside County, Calif., will receive $9.8 million under a federal subsidy to encourage dairy herd slaughter. Joe E. Gonsalves of Kings County will be paid $8 million to get out of dairying, ASCS figures show.

As in 1983, the size of the payments is likely to trigger calls for changes in the farm law, which is designed as a long-term program to restore slumping export sales by lowering prices.

"It's going to be a publicity disaster," said Rep. Pat Roberts, R-Kan., a member of the House Agriculture Committee.

We're in danger of trashing this program before it's had a chance to work.

The law producing the huge payments was drafted a year ago in a growing atmosphere of despair over the United States' loss of export markets.

From a high of $43.8 billion in 1981, overseas sales have slumped to an expected $27.5 billion this year. In May, the nation suffered its first one-month farm trade deficit in nearly 30 years, and there may be another deficit this month.

Congress answer was: cut prices to attract customers. But to soften the blow of dropping prices for farmers, suffering their worst economic times since the Depression, the lawmakers built in huge subsidies.

In past years, individual subsidy payments have been curbed by a $50,000 ceiling on checks to any single producer. The new law creates numerous intentional loopholes in the payment limit.

For example, cotton and rice farmers may continue to borrow from the government at harvest time to pay their bills while they wait to sell their crops. But instead of paying back the full amount of the loan, they need only pay back what the crops brought at market. The difference expected to be roughly half of the loan in the case of rice and about 20 percent in the case of cotton the farmer simply pockets.

For wheat and corn growers, a portion of their income subsidy payment under the new law is exempt from the payment limit. And a growing number of subsidized farmers are splitting up their farms into smaller units, frequently parceling them out among family members or other partners, to collect multiple subsidy checks of $50,000 each.

In return for the income guarantees, farmers must agree to cut the amount of acreage they plant by 25 percent for cotton, 35 percent for rice in an attempt to curtail production.

The effect of all this will be to push total costs for farm programs, whch just a few years ago hovered at about $4 billion a year, to a record $30 billion this year, according to some private estimates. Even the government's official estimate is about to be boosted to $26 billion, also a record.

One reason is that the new law has attracted unprecedented participation levels. Almost no farmers particularly the big operators can afford to stay out of the government crop program because of the uncertainty of dropping prices.

"Now that we have (national) treasuries running the market down, they finally decided they couldn't stay out of it. Financially it would break them," said Kenneth Frick, ASCS administrator in California.

But lobbyist McAden said the program is meeting its goal of restoring exports, at least in the rice and cotton programs.

"Congress took a heck of a gamble. But the program's working. Clearly, if it turns this thing around and puts us back into the market, then I think you'd have to say it's worth it," he said.

But McAden conceded there will be pressure on Congress to rewrite the law when it becomes evident that farm programs are putting further pressure on the federal budget deficit. "The politics will be difficult. You wonder who's going to claim the baby when the time comes," he said.

The Boswell company, which has its headquarters in Los Angeles, farms 147,000 acres, making it the biggest farm operator in the state, according to a 1980 report by the California Institute for Rural Studies.

Newspaper files show that Col. J.G. Boswell founded the company in 1924 by buying a cotton gin and 440 acres of river bottom land. His nephew, J.G. Boswell II, turned the company into an agribusiness giant.

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

Mr. DASCHLE. I yield to the gentleman from North Dakota.

Mr. DORGAN of North Dakota. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I want to underscore the fact that this is not just a South Dakota problem, as the gentleman from South Dakota indicated. It is a regional problem, a problem throughout the Farm Belt. We have this problem in North Dakota as well, and if we do not do something to relieve the storage problem, we are going to face some real chaos.

It is appropriate for the gentleman to say that this is one small difficulty that we have to overcome shortly in the scheme of a very large problem that we face to straighten out this agricultural mess in this country.

The amendment the gentleman is offering is very, very important in the short term to North Dakota, South Dakota, and Iowa, as well as the other States in the Midwest, and I certainly want to express my support of the amendment.

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

Mr. DASCHLE. I yield to the gentleman from Iowa.

Mr. BEDELL. Mr. Chairman, I want to commend the gentleman for his concern over this issue. We had hearings today in the subcommittee which I chair. The Department of Agriculture indicates that they think they have things well under control and that there is going to be adequate storage. I can tell you that they are the only people I can find in the whole country that think there is not going to be a serious problem.

My people are extremely concerned over where we are going to put the crops that we have coming on this fall.

I certainly appreciate the gentleman's concern in this regard.

Mr. DASCHLE. Well, the concern seems to be a national one. There does not seem to be much facility found to be available anywhere.

Mr. BEDELL. Mr. Chairman, will the gentleman yield further?

Mr. DASCHLE. I yield to the gentleman from Iowa.

Mr. BEDELL. Mr. Chairman, it is national for everybody, except the Department of Agriculture, as near as I can determine.

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

Mr. DASCHLE. I yield to the gentleman from Indiana.

Mr. McCLOSKEY. Mr. Chairman, I want to commend the gentleman on his statement.

I would emphasize along the lines of what the gentleman from North Dakota [Mr. DORGAN] said that this is not a local or a small problem, but it is regional, at least. It is all over the Midwest. In southern Indiana we are facing one of the greatest crop disasters we have ever had.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

(By unanimous consent, Mr. DASCHLE was allowed to proceed for 2 additional minutes.)

Mr. McCLOSKEY. Mr. Chairman, will the gentleman yield further?

Mr. DASCHLE. I yield to the gentleman from Indiana.

Mr. McCLOSKEY. As I was saying, Mr. Chairman, in southern Indiana we are facing one of the worst crop disasters in some 50 years, in Gibson, Knox, and Davies Counties, corn and grain is piling up all over the place. As has been indicated by several other speakers, the Department of Agriculture does not seem to really realize what a vast and important crisis this is, so I would commend the gentleman.

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

Mr. DASCHLE. I yield to the distinguished chairman, the gentleman from Mississippi.

Mr. WHITTEN. Mr. Chairman, I am familiar with the amendment. I think it fits in with other provisions in this bill. On this side we have no trouble accepting it.

Mr. DASCHLE. Mr. Chairman, I thank the gentleman for his support.

Mrs. SMITH of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. DASCHLE. I yield to the gentlewoman from Nebraska.

Mrs. SMITH of Nebraska. Mr. Chairman, we have studied this amendment carefully. I commend the gentleman. We accept it.

I would like to say that we have the same problem in Nebraska. I checked with the ASCS State office today and they tell me that we may have 145 million bushels more than we have room for in commercial storage facilities, even before the harvest, just with the 1985 CCC grain that the farmers will be turning in for commercial storage, so it is very tight.

Mr. DASCHLE. Mr. Chairman, I thank the gentlewoman for her support.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. DASCHLE].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title I? If not, the Clerk will read.

The Clerk read as follows:

TITLE II—RURAL DEVELOPMENT PROGRAMS

RURAL DEVELOPMENT ASSISTANCE

OFFICE OF THE UNDER SECRETARY FOR SMALL COMMUNITY AND RURAL DEVELOPMENT

For necessary salaries and expenses for the Office of the Under Secretary for Small Community and Rural Development to administer programs under the laws enacted by the Congress for the Farmers Home Administration, Rural Electrification Administration, Federal Crop Insurance Corporation, and rural development activities of the Department of Agriculture, $394,000.

FARMERS HOME ADMINISTRATION

RURAL HOUSING INSURANCE FUND

For direct loans and related advances pursuant to section 517(m) of the Housing Act of 1949, as amended, $14,355,000 shall be available from funds in the Rural Housing Insurance Fund, and for insured loans as authorized by title V of the Housing Act of 1949, as amended, $2,021,758,000; of which not less than $2,021,184,000 shall be available for subsidized interest loans to low-income borrowers, as determined by the Secretary, and for subsequent loans to existing borrowers or to purchasers under assumption agreements or credit sales; and not to exceed $10,000,000 to enter into collection and servicing contracts pursuant to the provisions of section 3(f)(3) of the Federal Claims Act of 1966 (31 U.S.C. 952).

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) of the Housing Act of 1949, as amended, total new obligations shall not exceed $160,310,000 to be added to and merged with the authority provided for this purpose in prior fiscal years: *Provided*, That not to exceed $33,495,000 is available for additional units financed by section 515 of the Housing Act of 1949, as amended, including not less than $4,785,000 for additional units financed under sections 514 and 516 of the Housing Act of 1949: *Provided further*, That agreements entered into or renewed during fiscal year 1987 shall be funded for a five-year period, although the life of any such agreement may be extended to fully utilize amounts obligated: *Provided further*, That agreements entered into or renewed during fiscal years 1984, 1985, and 1986, may also be extended beyond five years to fully utilize amounts obligated.

For an additional amount to reimburse the Rural Housing Insurance Fund for interest subsidies and losses sustained in prior years, but not previously reimbursed, in carrying out the provisions of title V of the Housing Act of 1949, as amended (42 U.S.C. 1483, 1487e, and 1490a(c)), including $2,247,000 as authorized by section 521(c) of the Act, $2,296,283,000, and for an additional amount as authorized by section 521(c) of the Act as may be necessary to reimburse the fund to carry out a rental assistance program under section 521(a)(2) of the Housing Act of 1949, as amended.

AGRICULTURAL CREDIT INSURANCE FUND

For direct and guaranteed loans as authorized by 7 U.S.C. 1928-1929, to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, $515,000,000 of which $325,000,000 shall be guaranteed loans; $17,000,000 for water development, use, and conservation loans of which $5,000,000 shall be guaranteed loans; operating loans, $3,468,000,000 of which $2,170,000,000 shall be guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, $3,828,000; and for emergency insured and guaranteed loans, $700,000,000 to meet the needs resulting from natural disasters.

For an additional amount to reimburse the Agricultural Credit Insurance Fund for interest subsidies and losses sustained in prior years, but not previously reimbursed, in carrying out the provisions of the Consolidated Farm and Rural Development Act, as amended (7 U.S.C. 1988(a)), $1,723,403,000.

RURAL DEVELOPMENT INSURANCE FUND

For direct and guaranteed loans as authorized by 7 U.S.C. 1928 and 86 Stat. 661-664, to be available from funds in the Rural Development Insurance Fund, as follows: insured water and sewer facility loans, $325,380,000; guaranteed industrial development loans, $95,700,000; and insured community facility loans, $95,700,000.

For an additional amount to reimburse the Rural Development Insurance Fund for interest subsidies and losses sustained in prior years, but not previously reimbursed, in carrying out the provisions of the Consolidated Farm and Rural Development Act, as amended (7 U.S.C. 1988(a)), $656,645,000.

RURAL WATER AND WASTE DISPOSAL GRANTS

For grants pursuant to sections 306(a)(2) and 306(a)(6) of the Consolidated Farm and Rural Development Act, as amended (7 U.S.C. 1926), $109,395,000, to remain available until expended, pursuant to section 306(d) of the above Act.

VERY LOW-INCOME HOUSING REPAIR GRANTS

For grants to the very low-income elderly for essential repairs to dwellings pursuant to section 504 of the Housing Act of 1949, as amended, $11,891,000.

RURAL HOUSING FOR DOMESTIC FARM LABOR

For financial assistance to eligible nonprofit organizations for housing for domestic farm labor, pursuant to section 516 of the Housing Act of 1949, as amended (42 U.S.C. 1486), $9,513,000.

MUTUAL AND SELF-HELP HOUSING

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $7,610,000.

RURAL COMMUNITY FIRE PROTECTION GRANTS

For grants pursuant to section 7 of the Cooperative Forestry Assistance Act of 1978 (Public Law 95-313), $3,091,000 to fund up to 50 per centum of the cost of organizing, training, and equipping rural volunteer fire departments.

COMPENSATION FOR CONSTRUCTION DEFECTS

For compensation for construction defects as authorized by section 509(c) of the Housing Act of 1949, as amended, $713,000.

RURAL HOUSING PRESERVATION GRANTS

For grants for rural housing preservation as authorized by section 552 of the Housing and Urban-Rural Recovery Act of 1983 (Public Law 98-181), $19,140,000.

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farmers Home Administration, not otherwise provided for, in administering the programs authorized by the Consolidated Farm and Rural Development Act (7 U.S.C. 1921-1995), as amended; title V of the Housing Act of 1949, as amended (42 U.S.C. 1471-1490h); the Rural Rehabilitation Corporation Trust Liquidation Act, approved May 3, 1950 (40 U.S.C. 440-444), for administering the loan program authorized by title III A of the Economic Opportunity Act of 1964 (Public Law 88-452 approved August 20, 1964), as amended, and such other programs which Farmers Home Administration has the responsibility for administering, $381,867,000, together with not more than $3,000,000 of the charges collected in connection with the insurance of loans as authorized by section 309(e) of the Consolidated Farm and Rural Development Act, as amended, and section 517(i) of the Housing Act of 1949, as amended, or in connection with charges made on borrowers under section 502(a) of the Housing Act of 1949, as amended: *Provided*, That, in addition, not to exceed $1,000,000 of the funds available for the various programs administered by this agency may be transferred to this appropriation for temporary field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), to meet unusual or heavy workload increases: *Provided further*, That not to exceed $500,000 of this appropriation may be used for employment under 5 U.S.C. 3109: *Provided further*, That not to exceed $1,997,000 of this appropriation shall be available for contracting with the National Rural Water Association or other equally qualified national organization for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That, in addition to any other authority that the Secretary may have to defer principal and interest and forego foreclosure, the Secretary may permit, at the request of the borrower, the deferral of principal and interest on any outstanding loan made, insured, or held by the Secretary under this title, or under the provisions of any other law administered by the Farmers Home Administration, and may forego foreclosure of any such loan, for such period as the Secretary deems necessary upon a showing by the borrower that due to circumstances beyond the borrower's control, the borrower is temporarily unable to continue making payments of such principal and interest when due without unduly impairing the standard of living of the borrower. The Secretary may permit interest that accrues during the deferral period on any loan deferred under this section to bear no interest during or after such period: *Provided further*, That, if the security instrument securing such loan is foreclosed, such interest as is included in the purchase price at such foreclosure shall become part of the principal and draw interest from the date of foreclosure at the rate prescribed by law.

RURAL ELECTRIFICATION ADMINISTRATION

To carry into effect the provisions of the Rural Electrification Act of 1936, as amended (7 U.S.C. 901-950(b)), as follows:

RURAL ELECTRIFICATION AND TELEPHONE REVOLVING FUND LOAN AUTHORIZATIONS

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), shall be

made as follows: rural electrification loans, not less than $622,050,000 nor more than $933,075,000; and rural telephone loans, not less than $239,250,000 nor more than $311,025,000; to remain available until expended: *Provided*, That loans made pursuant to section 306 of that Act are in addition to these amounts but during 1987 total commitments to guarantee loans pursuant to section 306 shall be not less than $933,075,000 nor more than $2,100,165,000 of contingent liability for total loan principal: *Provided further*, That as a condition of approval of insured electric loans during fiscal year 1987, borrowers shall obtain concurrent supplemental financing in accordance with the applicable criteria and ratios in effect as of July 15, 1982: *Provided further*, That no funds appropriated in this Act may be used to deny or reduce loans or loan advances based upon a borrower's level of general funds.

REIMBURSEMENT TO THE RURAL ELECTRIFICATION AND TELEPHONE REVOLVING FUND

For an additional amount to reimburse the rural electrification and telephone revolving fund for interest subsidies and losses sustained in prior years, but not previously reimbursed, in carrying out the provisions of the Rural Electrification Act of 1936, as amended (7 U.S.C. 901-950(b)), $100,000,000.

RURAL TELEPHONE BANK

For the purchase of Class A stock of the Rural Telephone Bank, $28,710,000, to remain available until expended (7 U.S.C. 901-950(b)).

The Rural Telephone Bank is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to such corporation in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out its authorized programs for the current fiscal year. During 1987, and within the resources and authority available, gross obligations for the principal amount of direct loans shall be not less than $177,045,000 nor more than $210,540,000.

RURAL COMMUNICATION DEVELOPMENT FUND

To reimburse the Rural Communication Development Fund for interest subsidies and losses sustained in prior years, but not previously reimbursed, in making Community Antenna Television loans and loan guarantees under sections 306 and 310B of the Consolidated Farm and Rural Development Act, as amended, $1,591,000.

SALARIES AND EXPENSES

For administrative expenses to carry out the provisions of the Rural Electrification Act of 1936, as amended (7 U.S.C. 901-950(b)), and to administer the loan and loan guarantee programs for Community Antenna Television facilities as authorized by the Consolidated Farm and Rural Development Act (7 U.S.C. 1921-1995), and for which commitments were made prior to fiscal year 1987, including not to exceed $7,000 for financial and credit reports, funds for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $103,000 for employment under 5 U.S.C. 3109, $29,447,000.

CONSERVATION

OFFICE OF THE ASSISTANT SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses for the Office of the Assistant Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Soil Conservation Service, $363,000.

SOIL CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-590f) including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100; purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $361,520,000 of which not less than $4,870,000 is for snow survey and water forecasting and not less than $3,972,000 is for operation of the plant materials centers: *Provided*, That of the foregoing amounts not less than $289,000,000 is for personnel compensation and benefits: *Provided further*, That the cost of any permanent building purchased, erected, or as improved, exclusive of the cost of constructing a water supply or sanitary system and connecting the same to any such building and with the exception of buildings acquired in conjunction with land being purchased for other purposes, shall not exceed $10,000, except for one building to be constructed at a cost not to exceed $100,000 and eight buildings to be constructed or improved at a cost not to exceed $50,000 per building and except that alterations or improvements to other existing permanent buildings costing $5,000 or more may be made in any fiscal year in an amount not to exceed $2,000 per building: *Provided further*, That when buildings or other structures are erected on non-Federal land that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further*, That no part of this appropriation may be expended for soil and water conservation operations under the Act of April 27, 1935 (16 U.S.C. 590a-590f) in demonstration projects: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225) and not to exceed $25,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service.

RIVER BASIN SURVEYS AND INVESTIGATIONS

For necessary expenses to conduct research, investigations, and surveys of the watersheds of rivers and other waterways, in accordance with section 6 of the Watershed Protection and Flood Prevention Act approved August 4, 1954, as amended (16 U.S.C. 1006-1009), $14,166,000: *Provided*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $60,000 shall be available for employment under 5 U.S.C. 3109.

WATERSHED PLANNING

For necessary expenses for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1001-1008), $8,480,000: *Provided*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $50,000 shall be available for employment under 5 U.S.C. 3109.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954, as amended (16 U.S.C. 1001-1005, 1007-1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), and in accordance with the provisions of laws relating to the activities of the Department, $174,885,000 (of which $26,271,000 shall be available for the watersheds authorized under the Flood Control Act approved June 22, 1936 (33 U.S.C. 701, 16 U.S.C. 1006a), as amended and supplemented): *Provided*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $4,755,000 shall be available for emergency measures as provided by sections 403-405 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203-2205), and not to exceed $200,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That $13,398,000 in loans may be insured, or made to be sold and insured, under the Agricultural Credit Insurance Fund of the Farmers Home Administration (7 U.S.C. 1931): *Provided further*, That not to exceed $1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93-205), as amended, including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction.

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1010-1011; 76 Stat. 607), and the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), and the provisions of the Agriculture and Food Act of 1981 (16 U.S.C. 3451-3461), $25,020,000: *Provided*, That $1,914,000 in loans may be insured, or made to be sold and insured, under the Agricultural Credit Insurance Fund of the Farmers Home Administration (7 U.S.C. 1931): *Provided further*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $50,000 shall be available for employment under 5 U.S.C. 3109.

GREAT PLAINS CONSERVATION PROGRAM

For necessary expenses to carry into effect a program of conservation in the Great Plains area, pursuant to section 16(b) of the Soil Conservation and Domestic Allotment Act, as added by the Act of August 7, 1956, as amended (16 U.S.C. 590p(b)), $20,474,000, to remain available until expended.

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

AGRICULTURAL CONSERVATION PROGRAM

For necessary expenses to carry into effect the program authorized in sections 7 to 15, 16(a), 16(f), and 17 of the Soil Conservation and Domestic Allotment Act approved February 29, 1936, as amended and supplemented (16 U.S.C. 590g-590o, 590p(a), 590p(f), and 590q), and sections 1001-1004, 1006-1008, and 1010 of the Agricultural Act of 1970, as added by the Agriculture and Consumer Protection Act of 1973 (16 U.S.C. 1501-1504, 1506-1508, and 1510), and including not to exceed $15,000 for the preparation and display of exhibits, including such displays at State, interstate, and international fairs within the United States, $180,739,000, to remain available until expended for agreements, excluding administration but including technical assistance and related expenses, except that no participant in the Agricultural Conservation Program shall receive more than $3,500 per year, except where the participants from two or more farms or ranches join to carry out approved practices designed to conserve or improve the agricultural resources of the community, or where a participant has a long-term agreement, in which case the total payment shall not exceed the annual payment limitation multiplied by the number of years of the agreement: *Provided,* That no portion of the funds for the current year's program may be utilized to provide financial or technical assistance for drainage on wetlands now designated as Wetlands Types 3 (III) through 20 (XX) in United States Department of the Interior, Fish and Wildlife Circular 39, Wetlands of the United States, 1956: *Provided further,* That such amounts shall be available for the purchase of seeds, fertilizers, lime, trees, or any other conservation materials, or any soil-terracing services, and making grants thereof to agricultural producers to aid them in carrying out approved farming practices as authorized by the Soil Conservation and Domestic Allotment Act, as amended, as determined and recommended by the county committees, approved by the State committees and the Secretary, under programs provided for herein: *Provided further,* That such assistance will not be used for carrying out measures and practices that are primarily production-oriented or that have little or no conservation or pollution abatement benefits: *Provided further,* That not to exceed 5 per centum of the allocation for the current year's program for any county may, on the recommendation of such county committee and approval of the State committee, be withheld and allotted to the Soil Conservation Service for services of its technicians in formulating and carrying out the Agricultural Conservation Program in the participating counties, and shall not be utilized by the Soil Conservation Service for any purpose other than technical and other assistance in such counties, and in addition, on the recommendation of such county committee and approval of the State committee, not to exceed 1 per centum may be made available to any other Federal, State, or local public agency for the same purpose and under the same conditions: *Provided further,* That for the current year's program $2,500,000 shall be available for technical assistance in formulating and carrying out rural environmental practices: *Provided further,* That no part of any funds available to the Department, or any bureau, office, corporation, or other agency constituting a part of such Department, shall be used in the current fiscal year for the payment of salary or travel expenses of any person who has been convicted of violating the Act entitled "An Act to prevent pernicious political activities" approved August 2, 1939, as amended, or who has been found in accordance with the provisions of title 18 U.S.C. 1913 to have violated or attempted to violate such section which prohibits the use of Federal appropriations for the payment of personal services or other expenses designed to influence in any manner a Member of Congress to favor or oppose any legislation or appropriation by Congress except upon request of any Member or through the proper official channels.

FORESTRY INCENTIVES PROGRAM

For necessary expenses, not otherwise provided for, to carry out the program of forestry incentives, as authorized in the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101), including technical assistance and related expenses, $11,891,000, to remain available until expended, as authorized by that Act.

WATER BANK PROGRAM

For necessary expenses to carry into effect the provisions of the Water Bank Act (16 U.S.C. 1301-1311), $5,000,000, to remain available until expended.

COLORADO RIVER BASIN SALINITY CONTROL PROGRAM

For necessary expenses for carrying out the purposes of section 202 of title II of the Colorado River Basin Salinity Control Act, as amended (43 U.S.C. 1592), to be used to reduce salinity in the Colorado River and to enhance the supply and quality of water available for use in the United States and the Republic of Mexico, $3,804,000, for investigations and surveys, for technical assistance in developing conservation practices and in the preparation of salinity control plans, for the establishment of on-farm irrigation management systems, including related lateral improvement measures, for making cost-share payments to agricultural landowners and operators, Indian tribes, irrigation districts and associations, local governmental and nongovernmental entities, and other landowners to aid them in carrying out approved conservation practices as determined and recommended by the county committees, approved by the State committees and the Secretary, and for associated costs of program planning, information and education, and program monitoring and evaluation: *Provided,* That the Soil Conservation Service shall provide technical assistance and the Agricultural Stabilization and Conservation Service shall provide administrative services for the program, including but not limited to, the negotiation and administration of agreements and the disbursement of payments: *Provided further,* That such program shall be coordinated with the regular Agricultural Conservation Program and with research programs of other agencies.

Mr. WHITTEN (during the reading). Mr. Chairman, I ask unanimous consent that title II be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any points of order against title II?

Mr. WHITTEN. Mr. Chairman, there is a typographical error in the ceiling on REA guaranteed loans that we wish to correct. The correct amount appears on page 84 of the committee report.

I ask unanimous consent that the following typographical error in the bill be corrected:

On page 36, line 26 strike "$2,100,165,000" and insert "$2,100,615,000".

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

There was no objection.

The CHAIRMAN. Are there any amendments to title II? If not, the Clerk will read.

TITLE III—DOMESTIC FOOD PROGRAMS

OFFICE OF THE ASSISTANT SECRETARY FOR FOOD AND CONSUMER SERVICES

For necessary salaries and expenses for the Office of the Assistant Secretary for Food and Consumer Services to administer the laws enacted by the Congress for the Food and Nutrition Service and the Human Nutrition Information Service, $330,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751-1761, 1766 and 1769b) and the applicable provisions other than sections 3 and 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1773-1785, and 1788-1789); $4,233,617,000, to remain available through September 30, 1988, of which $937,680,000 is hereby appropriated and $3,295,937,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): *Provided,* That, of funds provided herein, $775,281,000 shall be available only to the extent an official budget request is transmitted to the Congress: *Provided further,* That funds appropriated for the purpose of section 7 of the Child Nutrition Act of 1966 shall be allocated among the States but the distribution of such funds to an individual State is contingent upon that State's agreement to participate in studies and surveys of programs authorized under the National School Lunch Act and the Child Nutrition Act of 1966, when such studies and surveys have been directed by the Congress and requested by the Secretary of Agriculture: *Provided further,* That if the Secretary of Agriculture determines that a State's administration of any program under the National School Lunch Act or the Child Nutrition Act of 1966 (other than section 17), or the regulations issued pursuant to these Acts, is seriously deficient, and the State fails to correct the deficiency within a specified period of time, the Secretary may withhold from the State some or all of the funds allocated to the State under section 7 of the Child Nutrition Act of 1966 and under section 13(k)(1) of the National School Lunch Act; upon a subsequent determination by the Secretary that the programs are operated in an acceptable manner some or all of the funds withheld may be allocated: *Provided further,* That if the funds available for nutrition education and training grants authorized under section 19 of the Child Nutrition Act of 1966, as amended, require a ratable reduction in those grants, the minimum

grant for each State shall be $50,000: *Provided further,* That only final reimbursement claims for service of meals, supplements, and milk submitted to State agencies by eligible schools, summer camps, institutions, and service institutions within sixty days following the month for which the reimbursement is claimed shall be eligible for reimbursement from funds appropriated under this Act. States may receive program funds appropriated under this Act for meals, supplements, and milk served during any month only if the final program operations report for such month is submitted to the Department within ninety days following that month. Exceptions to these claims or reports submission requirements may be made at the discretion of the Secretary.

SPECIAL MILK PROGRAM

For necessary expenses, to carry out the special milk program, as authorized by section 3 of the Child Nutrition Act of 1966 (42 U.S.C. 1772), $14,869,000, to remain available through September 30, 1987: *Provided,* That only final reimbursement claims for milk submitted to State agencies within sixty days following the month for which the reimbursement is claimed shall be eligible for reimbursement from funds appropriated under this Act. States may receive program funds appropriated under this Act only if the final program operations report for such month is submitted to the Department within ninety days following that month. Exceptions to these claims or reports submission requirements may be made at the discretion of the Secretary.

FEEDING PROGRAM FOR WOMEN, INFANTS AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental food program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $1,671,500,000, to remain available through September 30, 1988.

COMMODITY SUPPLEMENTAL FOOD PROGRAM

For necessary expenses to carry out the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c (note)), including not less than $2,950,000 for the projects in Detroit, New Orleans, and Des Moines, $41,497,000: *Provided,* That funds provided herein shall remain available through September 30, 1988: *Provided further,* That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program.

FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011-2027, 2029), $12,684,665,000: *Provided,* That funds provided herein shall remain available through September 30, 1987, in accordance with section 18(a) of the Food Stamp Act: *Provided further,* That up to 5 per centum of the foregoing amount may be placed in reserve to be apportioned pursuant to section 3679 of the Revised Statutes, as amended, for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided further,* That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: *Provided further,* That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further,* That $345,000,000 of the funds provided herein shall be available only to the extent necessary after the Secretary has employed the regulatory and administrative methods available to him under the law to curtail fraud, waste and abuse in the program: *Provided further,* That $852,750,000 of the foregoing amount shall be available for Nutrition Assistance for Puerto Rico as authorized by 7 U.S.C. 2028.

FOOD DONATIONS PROGRAMS FOR SELECTED GROUPS

For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c (note)) and section 4(b) of the Food Stamp Act (7 U.S.C. 2013), $193,589,000.

TEMPORARY EMERGENCY FOOD ASSISTANCE PROGRAM

For necessary expenses to carry out the Temporary Emergency Food Assistance Act of 1983, as amended, $50,000,000: *Provided,* That, in accordance with section 202 of Public Law 98-92, these funds shall be available only if the Secretary determines the existence of excess commodities.

FOOD PROGRAM ADMINISTRATION

For necessary administrative expenses of the Domestic Food Programs funded under this Act, $82,578,000; of which $5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp coupon handling, and assistance in the prevention, identification and prosecution of fraud and other violations of law: *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $150,000 shall be available for employment under 5 U.S.C. 3109.

HUMAN NUTRITION INFORMATION SERVICE

For necessary expenses to enable the Human Nutrition Information Service to perform applied research and demonstrations relating to human nutrition and consumer use and economics of food utilization, $8,976,000: *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

Mr. WHITTEN (during the reading). Mr. Chairman, I ask unanimous consent that title III be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any points of order against title III?

Are there any amendments to title III? If not, the Clerk will read.

The Clerk read as follows:

TITLE IV—INTERNATIONAL PROGRAMS

FOREIGN AGRICULTURAL SERVICE

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954, as amended (7 U.S.C. 1761-1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed $110,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $81,109,000: *Provided,* That not less than $255,000 of this appropriation shall be available to obtain statistics and related facts on foreign production and full and complete information on methods used by other countries to move farm commodities in world trade on a competitive basis.

PUBLIC LAW 480

(INCLUDING TRANSFERS OF FUNDS)

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1691, 1701-1715, 1721-1726, 1727-1727f, 1731-1736g), as follows: (1) financing the sale of agricultural commodities for convertible foreign currencies and for dollars on credit terms pursuant to titles I and III of said Act, or for convertible foreign currency for use under 7 U.S.C. 1708, and for furnishing commodities to carry out the Food for Progress Act of 1985, not more than $831,600,000; of which $451,600,000 is hereby appropriated and the balance derived from proceeds from sales of foreign currencies and dollar loan repayments, repayments on long-term credit sales and carryover balances, and (2) commodities supplied in connection with dispositions abroad, pursuant to title II of said Act, not more than $713,118,000, of which $713,118,000 is hereby appropriated: *Provided,* That not to exceed 15 per centum of the funds made available to carry out any title of this paragraph may be used to carry out any other title of this paragraph.

OFFICE OF INTERNATIONAL COOPERATION AND DEVELOPMENT

For necessary expenses of the Office of International Cooperation and Development to coordinate, plan, and direct activities involving international development, technical assistance and training, and international scientific and technical cooperation in the Department of Agriculture, including those authorized by the Food and Agriculture Act of 1977 (7 U.S.C. 3291), $3,513,000; and the Office may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1736) and the foreign assistance programs of the International Development Cooperation Administration (22 U.S.C. 2392).

SCIENTIFIC ACTIVITIES OVERSEAS

(FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies owed to or owned by the United States for market development research authorized by section 104(b)(1) and for agricultural and forestry research and other functions related thereto authorized by section 104(b)(3) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704 (b)(1), (3)), $2,500,000: *Provided,* That this appropriation shall be available, in addition to other appropriations for these purposes, for payments in the foregoing currencies: *Provided further,* That funds appropriated herein shall be used for payments in such foreign currencies as the Department determines are needed and can be used most effectively to carry out the purposes of this paragraph: *Provided further,* That not to exceed $25,000 of this appropriation shall be available for payments in foreign currencies for expenses of employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), as amended by 5 U.S.C. 3109.

Mr. WHITTEN (during the reading). Mr. Chairman, I ask unanimous consent that title IV be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any points of order against title IV?

Are there any amendments to title IV?

Mr. WHITTEN. Mr. Chairman, there are two typographical errors in the amounts available for title II of the Public Law 490 program that we wish to correct. The correct amounts appear in the tables at the end of the committee report and all scoring of the bill has been based on those figures.

I ask unanimous consent that the following typographical errors in the bill be corrected:

On page 55, line 13 strike "$713,118,000" which appears in two places and insert "$731,118,000".

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

There was no objection.

The CHAIRMAN. Are there any amendments to title IV? If not, the Clerk will read.

The Clerk read as follows:

TITLE V—RELATED AGENCIES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration; for rental of special purpose space in the District of Columbia or elsewhere; and for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; $410,540,000: *Provided*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $1,879,000.

RENTAL PAYMENTS (FDA)

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Food and Drug Administration which are included in this Act, $24,627,000: *Provided*, That in the event the Food and Drug Administration should require modification of space needs, a share of the salaries and expenses appropriation may be transferred to this appropriation, or a share of this appropriation may be transferred to the salaries and expenses appropriation, but such transfers shall not exceed 10 per centum of the funds made available for Rental Payments (FDA) to or from this account.

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act, as amended (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles; the rental of space (to include multiple year leases) in the District of Columbia and elsewhere; and not to exceed $25,000 for employment under 5 U.S.C. 3109; $29,161,000; including not to exceed $700 for official reception and representation expenses.

FARM CREDIT ADMINISTRATION

LIMITATION ON REVOLVING FUND FOR ADMINISTRATIVE EXPENSES

Not to exceed $39,420,000 (from assessments collected from farm credit system banks) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249.

TITLE VI—GENERAL PROVISIONS

SEC. 601. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

SEC. 602. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the fiscal year 1987 under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed seven hundred thirty-four (734) passenger motor vehicles, of which seven hundred twenty-six (726) shall be for replacement only, and for the hire of such vehicles.

SEC. 603. Funds in this Act available to the Department of Agriculture shall be available for uniforms or allowances as authorized by law (5 U.S.C. 5901-5902).

SEC. 604. Not less than $1,500,000 of the appropriations of the Department of Agriculture in this Act for research and service work authorized by the Acts of August 14, 1946, July 28, 1954, and September 6, 1958 (7 U.S.C. 427, 1621-1629; 42 U.S.C. 1891-1893), shall be available for contracting in accordance with said Acts.

SEC. 605. No part of the funds contained in this Act may be used to make production or other payments to a person, persons, or corporations upon a final finding by court of competent jurisdiction that such party is guilty of growing, cultivating, harvesting, processing or storing marihuana, or other such prohibited drug-producing plants on any part of lands owned or controlled by such persons or corporations.

SEC. 606. Advances of money to chiefs of field parties from any appropriation in this Act for the Department of Agriculture may be made by authority of the Secretary of Agriculture.

SEC. 607. The cumulative total of transfers to the Working Capital Fund for the purpose of accumulating growth capital for data services and National Finance Center operations shall not exceed $2,000,000: *Provided*, That no funds in this Act appropriated to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency administrator: *Provided further*, That not to exceed $40,999,000 shall be charged against the Working Capital Fund for personnel compensation and benefits.

SEC. 608. New obligational authority provided for the following appropriation items in this Act shall remain available until expended: Public Law 480; Mutual and Self-Help Housing; Watershed and Flood Prevention Operations; Resource Conservation and Development; Colorado River Basin Salinity Control Program; Animal and Plant Health Inspection Service, Buildings and Facilities; Agricultural Stabilization and Conservation Service Salaries and Expenses funds made available to county committees; the Federal Crop Insurance Corporation Fund; Rural Housing for Domestic Farm Labor; Agricultural Research Service, Buildings and Facilities; Scientific Activities Overseas (Foreign Currency Program); Dairy Indemnity Program; and Buildings and Facilities, Food and Drug Administration.

SEC. 609. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 610. Not to exceed $50,000 of the appropriation available to the Department of Agriculture in this Act shall be available to provide appropriate orientation and language training pursuant to Public Law 94-449.

SEC. 611. Notwithstanding any other provision of law, employees of the agencies of the Department of Agriculture, including employees of the Agricultural Stabilization and Conservation county committees, may be utilized to provide part-time and intermittent assistance to other agencies of the Department, without reimbursement, during periods when they are not otherwise fully utilized, and ceilings on full-time equivalent staff years established for or by the Department of Agriculture shall exclude overtime as well as staff years expended as a result of carrying out programs associated with natural disasters, such as forest fires, droughts, floods, and other acts of God.

SEC. 612. Funds provided by this Act for personnel compensation and benefits shall be available for obligation for that purpose only.

SEC. 613. No part of any appropriation contained in this Act shall be expended by any executive agency, as referred to in the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.), pursuant to any obligation for services by contract, unless such executive agency has awarded and entered into such contract as provided by law.

SEC. 614. None of the funds appropriated or otherwise made available by this Act shall be available to implement, administer, or enforce any regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with the applicable law of the United States.

SEC. 615. Certificates of beneficial ownership sold by the Farmers Home Administration in connection with the Agricultural Credit Insurance Fund, Rural Housing Insurance Fund, and the Rural Development Insurance Fund shall be not less than 65 per centum of the value of the loans closed during the fiscal year.

SEC. 616. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 per centum of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all

agencies for which appropriations are provided in this Act.

SEC. 617. None of the funds in this Act shall be used to carry out any activity related to phasing out the Resource Conservation and Development Program.

SEC. 618. None of the funds in this Act shall be used to prevent or interfere with the right and obligation of the Commodity Credit Corporation to sell surplus agricultural commodities in world trade at competitive prices as authorized by law.

SEC. 619. Notwithstanding any other provision of this Act, commodities acquired by the Department in connection with Commodity Credit Corporation and section 32 price support operations may be used, as authorized by law (15 U.S.C. 714c and 7 U.S.C. 612c), to provide commodities to individuals in cases of hardship as determined by the Secretary of Agriculture.

SEC. 620. During fiscal year 1987, notwithstanding any other provision of law, no funds may be paid out of the Treasury of the United States or out of any fund of a Government corporation to any private individual or corporation in satisfaction of any assurance agreement or payment guarantee or other form of loan guarantee entered into by any agency or corporation of the United States Government with respect to loans made and credits extended to the Polish People's Republic, unless the Polish People's Republic has been declared to be in default of its debt to such individual or corporation or unless the President has provided a monthly written report to the Speaker of the House of Representatives and the President of the Senate explaining the manner in which the national interest of the United States has been served by any payments during the previous month under loan guarantee or credit assurance agreement with respect to loans made or credits extended to the Polish People's Republic in the absence of a declaration of default.

SEC. 621. None of the funds in this Act shall be available to reimburse the General Services Administration for payment of space rental and related costs in excess of the amounts specified in this Act.

SEC. 622. In fiscal year 1987, the Secretary of Agriculture shall initiate construction on not less than twenty new projects under the Watershed Protection and Flood Prevention Act (Public Law 566) and not less than five new projects under the Flood Control Act (Public Law 534).

SEC. 623. Funds provided by this Act may be used for translation of publications of the Department of Agriculture into foreign languages when determined by the Secretary to be in the public interest.

SEC. 624. None of the funds appropriated by this or any other Act may be used to relocate the Hawaii State Office of the Farmers Home Administration from Hilo, Hawaii, to Honolulu, Hawaii.

SEC. 625. Provisions of law prohibiting or restricting personal services contracts shall not apply to veterinarians employed by the Department to take animal blood samples, test and vaccinate animals, and perform branding and tagging activities on a fee-for-service basis.

SEC. 626. None of the funds provided in this Act may be used to reduce programs by establishing an end-of-year employment ceiling on full-time equivalent staff years below the level set herein for the following agencies: Farmers Home Administration, 12,700; Agricultural Stabilization and Conservation Service, 2,550; and Soil Conservation Service, 14,177.

SEC. 627. Funds provided in this act may be used for one-year contracts which are to be performed in two fiscal years so long as the total amount for such contracts is obligated in the year for which the funds are appropriated.

SEC. 628. Funds appropriated by this Act shall be applied only to the objects for which appropriations were made except as otherwise provided by law, as required by 31 U.S.C. 1301.

SEC. 629. None of the funds in this Act shall be available to restrict the authority of the Commodity Credit Corporation to lease space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

Mr. WHITTEN (during the reading). Mr. Chairman, I ask unanimous consent that titles V and VI be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any points of order against title V or title VI?

Are there any amendments?

AMENDMENT OFFERED BY MR. MORRISON OF CONNECTICUT

Mr. MORRISON of Connecticut. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MORRISON of Connecticut: At the end of title VI, insert the following new section:

"SEC. 630. Notwithstanding any other provision of this Act, each amount appropriated or otherwise made available by this Act not required to be appropriated or otherwise made available by previously enacted law is hereby reduced by 0.896 percent."

Mr. MORRISON of Connecticut (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 Connecticut?

There was no objection.

Mr. MORRISON of Connecticut. Mr. Chairman, up until this point on each of our appropriations bills, we have had an amendment offered with respect to the spending level. I think that it is important that the same amendment be considered with respect to this legislation.

Now, I think it is important that we understand what has been going on in the budget process and in the appropriation process and where we are in this particular piece of legislation.

Under the budget process, we have an assignment of overall budget authority to the Appropriations Committee, which is assigned to the subcommittees under the 302(b) process. Under that process, each appropriation that we have been considering has been conforming to the budget with respect to budget authority. That is what has been coming before us; but unfortunately, with respect to outlays, which are the dollars that matter under Gramm-Rudman and the dollars that matter with respect to the actual budget deficit of the Government, the outlays have in each instance exceeded the estimate of expenditures that the 302(b) allocation would allow. That creates a problem and a problem of deeper cuts in any kind of sequestration or other conforming action with respect to the budget targets for 1987.

Now, the House has passed some of these amendments and rejected some of these amendments. The gentleman from Minnesota [Mr. FRENZEL] in offering the amendments has perhaps offered a different rationale in terms of freezing budget authority at 1986, or whatever; but my amendment does something very simple and straightforward. It makes a cut in budget authority that would be predicted and calculated to reduce outlays to within the 302(b) outlay limit estimated by the Congressional Budget Office. That is what this amendment is intended to do. It is intended to conform this appropriation to the limits on spending that are actually in the budget resolution as reassigned and redistributed by the Appropriations Committee.

It is important that we enforce the budget. I agree with that position and I think all the Members of the House agree with that.

The budget is more than just budget authority figures. The budget is budget authority and outlays. While the Appropriations Committee has the proper discretion to distribute the budget authority among the subcommittees, it does not have the authority to exceed the outlays that grow from that distribution. If we do not control these outlays in each of these circumstances, while we will be within the budget on budget authority, we will be over the budget when it comes to the actual expenditures, and we will have that much more to do and that much more of a problem in conforming our spending to the targets that we have set in Gramm-Rudman.

Mr. GLICKMAN. Mr. Chairman, will my colleague yield?

Mr. MORRISON of Connecticut. I am happy to yield to the gentleman from Kansas.

Mr. GLICKMAN. Mr. Chairman, I would just like to ask my colleague, and maybe the chairman of the committee, there are some line items in this budget that reflect entitlement-type programs; for example, the Commodity Credit Corporation reflects payments to be made, deficiency payments to be made, the difference in target prices and loan rates for all the commodities.

Now, I just want to know how this cut would affect those programs in

which the payments have to be made under law.

Mr. MORRISON of Connecticut. I would be happy to respond to that. There is no question that to correctly and as completely as possible allocate this cut, as has been true in the other cuts that we have approved, it would be preferable if we could go through item by item and make the adjustment.

If the House adopts this amendment, it is quite clear that in the further process of the consideration of this legislation there may have to be some further adjustments in actually cutting more here and adding more there; but it is quite important that this House make a statement that it expects the outlay figures to also conform to the budget, and that is really the purpose of this amendment.

I would suggest that the committee in conference and the Senate in consideration of this bill is well within its authority and could well implement the concern of the gentleman.

Mr. GLICKMAN. Again, if the gentleman will yield further, what is the percentage cut the gentleman is talking about here?

Mr. MORRISON of Connecticut. The percentage here is less than 1 percent. It is 0.896 percent. It is not a large percentage. The amount by which the outlays are exceeded is not large in percentage terms; however, it is $173 million.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

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

Mr. MORRISON of Connecticut. Mr. Chairman, earlier today we cut $13 million out of the D.C. appropriation on the point that that was over the limit in expenditures. We are talking about far more than 10 times that amount of money at stake here.

The percentage is small. Adjustments can be made further in the process, but I think it is essential that the House be on record that our budget means something, not only for budget authority, but for outlays, because outlays are where the deficit comes from.

Mr. GLICKMAN. Mr. Chairman, I thank the gentleman.

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

Mr. MORRISON of Connecticut. I am happy to yield to the distinguished gentleman from Mississippi.

Mr. WHITTEN. Mr. Chairman, may I say to the gentleman, I know his intention is good, but may I point out some things.

It is a Senate rule that requires a ceiling on outlays. It is true that in the last minute in order to get an agreement between the House and Senate, you agree to abide by the Senate rules.

Last year in the fiscal year 1985 supplemental we had 341 Senate amendments. In the recent supplemental bill, they added 224 amendments. If we go to conference having limited ourselves to the Senate provision, there is no need to go to conference.

If we are going to tie our hands, I would be tempted to ask for a continuing resolution and just put it together to start with.

We cannot afford on the House side to go to the Senate with our hands tied to their outlay rules; if you do, you have no conference.

Can you imagine going to conference with 224 amendments?

Now, I have the highest regard for all of you on the Budget Committee, but what they are doing now is at the last minute, after we have had our hearings, in order to get along with the Senate you come in here and ask us to abide by the Senate rules.

The gentleman is right. It is in the agreement. Last year, the gentleman may remember, we finally got a budget agreement by letting the Senate obligate $10 billion for military spending but they would not let us spend it.

So I just say that this is the time to have a showdown on this.

Again, I have the highest regard for all these operations. But they are based on assumptions and projections.

Mr. MORRISON of Connecticut. Mr. Chairman, I understand the gentleman's problem, but we also have a developing problem in this and each appropriations bill in each and every case where the outlays which are scheduled, which are estimated off the budget authority which has been distributed, is in excess of what we have agreed to in the budget; not only with the Senate, but we have agreed and passed on this House floor.

The problem we are creating gets larger and larger each time we pass one of those appropriations, which are a larger amount of outlays.

I think it is quite important to point out that we have a very serious difference between the budget authority and the outlays in the Department of Defense.

The problem that is going to arise, it amounts to $6 billion, depending on whether or not we feel bound by outlays or bound by budget authority.

So it is particularly important that the House create a rule for itself, which is that we are going to live within the outlays. I think the Senate has to live within the outlays, too. The conference is still concerned with the priorities as to where the budget authority and where the outlays are going to be allocated.

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

Mr. MORRISON of Connecticut. I yield to the gentleman from Florida.

□ 1840

Mr. MACKAY. I appreciate the gentleman's yielding.

Mr. Chairman, the fact of the matter is that this year is different from previous years, and the reason that this year is different is that 3 weeks from now there is going to be a snapshot taken, and the measurement is not going to be budget authority, it is going to be outlays.

The question of who is irrelevant and who has hallucinations is not really a question between us and the Senate. The fact of the matter is that we made this decision last year, and if we do not get the outlays in compliance with the budget that we passed less than a month ago, then about 3 weeks from now we are going to start into a series of sequestration votes in which we decide to unappropriate or hold back the very outlay money that we now say is irrelevant.

I think that the gentleman has an excellent point, and I think that this is the place in the debate that this point has got to be made.

Mrs. SMITH of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. MORRISON of Connecticut. I am happy to yield to the gentlewoman.

Mrs. SMITH of Nebraska. Mr. Chairman, may I remind the gentleman that we are still under the 1986 appropriation, we are under the President's recommendation, and we are under 302(b). We have done a great deal of cutting. We have worked for months on this bill to try to make it the best possible bill we could.

I think at this late date to start changing it would be a great mistake. I have a whole page of reductions that we have made in this legislation, and we have done it carefully and judiciously after hearing a great many witnesses, and had a long record of testimony. I would be very much opposed to making a change at this time.

Mr. MORRISON of Connecticut. I think that the gentlewoman is certainly correct that this is under certain past expenditure levels, but the fact is that it is not in conformity in the amount of money that it is going to spend in comparison to the 1987 budget. The outlays are what counts.

We all know, having gone through sequestration and having recently approved the sequestration order, that what counts at the bottom line is outlays, and we cannot pretend that budget authority alone is what is at stake here. It is for that reason that I offer this amendment, not because it is easy for any function to sustain a cut. Every function could well spend more money than is being spent, but if we do not conform to our budget with respect to outlays, we are just asking for future problems, and I think that

it is a future problem that we could avoid.

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

Mr. Chairman, may I say that we all know that the purpose of the Committee on the Budget was to help with the operation of Congress. Without witnesses and where it is based on economists' findings, it does get pretty far afield.

I would like to point out here to my colleagues that outlays are determined entirely by the executive branch, not by Congress. I do not know, I doubt that it would be constitutional, but if we in turn turn this over to the executive branch, that raises some serious question constitutionally, because the executive branch determines whether it spends this fiscal year, next fiscal year, and they can play games with the outlay figures.

We have to see that the Government runs, and I would hope that this amendment is defeated.

I have voted for the budget resolution each year. I voted for the findings that they have, notwithstanding the fact that the Budget Committee is doing directly the opposite of that which we set out to do to start with when we set up the Budget Committee.

They were set up for the purpose of controlling backdoor spending. Instead they regulated appropriations, where we have been below the budget. So I just hope that this amendment would be defeated so that we could continue to work together.

I say again, if it is accepted, and if we tie ourselves to spending outlays, we will have to consider how we can handle the whole appropriation process.

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

Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, I think that everyone should understand the point that the way in which this is written, may affect funds that we have provided for mandatory spending programs, and over which we have no control. It would include the money for food stamps, WIC, and elderly feeding programs, the school lunch, the school breakfast, and the summer feeding programs, and moreover it would include corporations and reimbursements to the CCC, the Agricultural Credit Insurance Fund and the Rural Housing Insurance Fund. I think that it would be a great mistake to pass this amendment.

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

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

The fact is that some Members do not fully understand the difference between outlays and budget authority and why in the House allocate budget authority under 302(b) of the Budget Act.

We deal with budget authority. That is like a credit card. Some people are trying to tell us that it does not make any difference how much you charge, or authorize departments to charge, but they say just watch the monthly payment. That is the Senate's approach. Budget authority is like charging on the credit card and outlays is like the monthly payment.

We on appropriations in the House say that we should cut off the credit card at a certain level. The Defense Department has $370 billion of credit or unused budget authority accumulated they have not used yet.

We hear talk about whether or not the Congress will have sequestering. The Congress will not determine that; the administration is going to determine whether or not there is sequestering because they control outlays that have accumulated. No matter what we do in these fiscal year 1987 bills, if the administration wants sequestering, they are going to have it, because all they have to do is to pay out faster on that $370 billion they have built up back there and the outlay increase will more than offset reductions such as would occur under this amendment.

The Congress cannot control whether or not there is sequestering. This amendment would cut $120 million out of food stamps and the WIC feeding programs. They include entitlements. If they run out of money in an entitlement program, people are going to complain because we passed this amendment and demand a supplemental.

That is not the way to proceed. We should control budget authority. This thing of getting all hung up on outlays when we cannot control it, and ignoring budget authority, does not make any sense. That difference is what some of us tried to drive home when we had the Gramm-Rudman conference report up here.

The Senate said, "Well, we want to pay attention to outlays." So they do. But what we pay attention to is budget authority, and we say we should not continue to charge and charge and charge and only look at how much is required for a monthly or annual payment.

Mr. MORRISON of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Connecticut.

Mr. MORRISON of Connecticut. Mr. Chairman, I thank the gentleman for yielding to me, and I certainly agree with the gentleman that you cannot control spending without controlling the credit card, without controlling the budget authority, and in fact this amendment reduces budget authority, which is the only way in which you can reduce outlays.

The fact is that if you ignore outlays completely, you cannot conform to the targets that we have to meet, and I would agree with the gentleman that it puts us in a difficult position, but to continue to ignore the effect of the outlays on the other decisions we have to make, we still have to cut budget authority to meet those outlay targets when it comes to Gramm-Rudman. So the problem is that we had better do it now.

Mr. SMITH of Iowa. The fact is that this bill is under our allocation on budget authority. We are under our 302(b) allocation on budget authority, and sooner or later we are going to find out that under Gramm-Rudman the Congress cannot operate only by watching outlays. It is just a matter of time till the majority finds that out. I do not know if it will be this fall or next spring, but real control of the defecit in the long run will not be accomplished until the majority understand that and act accordingly—I urge a "no" vote on this amendment.

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

Mr. Chairman, I rise in support of the amendment. A number of us are at times somewhat confused about what 302(b) allocations mean, and the difference between budget authority and outlays.

I have a report here, which is the 302(b) report from the Committee on Appropriations, and I would invite other Members who have not thus far become accustomed to this difference to start paying attention, because under Gramm-Rudman we are going to find ourselves in the very, very awkward position in the next few months of unappropriating the very money that is being appropriated today.

Let me just suggest how we got in the spot that we can be under 302(b) budget authority, but be running over by $2 billion or more on outlays. The reason is that the Committee on Appropriations had $2.3 billion of budget authority that was not contemplated by the Committee on the Budget.

I am not saying that that is wrong; that is perfectly legal. They did it in accordance with the rules, and they spread that into 302(b) allocations, and the result is that we do not have to wait until August 15, I can already tell you, if we keep going down this road, we are going to be at least $2.3 billion over the amount that we said less than a month ago we were going to spend.

□ 1850

All I want to do, and all my colleagues are trying to do with this amendment is not hurt agriculture. This is not enough money one way or

the other to matter to agriculture or to food stamps.

All we are trying to do is say we already know the end to this and we do not want to be in the awkward position of saying one thing 1 week and having to take it back 3 weeks later.

I hope this debate will be considered a protest. I hope that the Committee on Appropriations, and if not the Committee on Appropriations, the Committee on Rules will insist that all bills that come up from now on will be within the outlay limitations contemplated by the budget.

The arguments that are being made with all due respect by gentlemen that I respect very much are essentially arguments that we should not have adopted Gramm-Rudman.

They are arguments that should have been made a year ago. If they were made a year ago and were made as passionately as they are being made now, perhaps they should have won. They did not win. They did not carry the day. This is not a battle between the House and the other body. This is a question of whether we are going to be scored under Gramm/Rudman on outlays or budget authority. In fact, we are going to be scored on outlays.

I appreciate the time that has been taken on this. I hope people will consider it very carefully. All I can say is that we are headed down a road that is going to lead to a very embarrassing ending unless we start paying attention to this now.

Mr. MOODY. Mr. Chairman, I move to strike the requisite number of words and I rise in support of the amendment.

I would like to associate myself with the comments of my colleagues. I think we have a problem here. All of us are going to have to live under Gramm/Rudman and all of us have been following with interest the amendments offered by the gentleman from Minnesota [Mr. FRENZEL] over the last several days. They have produced some very interesting results and some very interesting votes on those amendments.

I think there is a conflict here. We have two sets of numbers we are operating with, BA and outlay. The two do not really necessarily match.

When we look back at the BA numbers we are about to vote on, the gentleman from Minnesota [Mr. FRENZEL] is going to explain to us that these imply higher outlay numbers than we thought they did and the gentleman has been garnering a lot of votes on that basis. I would be very curious to hear the gentleman's comments today on this.

But I must say that it is a very compelling argument. If we are going to find ourselves backing into sequestration or backing over these budget lines as a result of outlay, when we are refusing to look at those outlay numbers and only debating numbers here based on BA, then we are, in fact, in deep trouble. I hope we will not do that.

I hope the Members will consider carefully the implications of this amendment.

As small a number as we are really talking about, none of us want to hurt agriculture, nonetheless, the point is still very valid. We have two sets of nonmatched numbers, and in the end, we are going to be judged by outlay and not by BA.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut [Mr. MORRISON].

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

RECORDED VOTE

Mr. MORRISON of Connecticut. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 175, noes 205, not voting 50, as follows:

[Roll No. 252]

AYES—175

Anderson
Andrews
Annunzio
Archer
Armey
Aspin
Atkins
Badham
Barnard
Bartlett
Bates
Bennett
Biliraki
Bliley
Boehlert
Borski
Bosco
Broomfield
Brown (CO)
Bryant
Burton (IN)
Byron
Callahan
Carney
Carper
Chandler
Chapman
Cheney
Coats
Cooper
Coughlin
Courter
Craig
Crane
Daniel
Dannemeyer
Darden
DeLay
DeWine
DioGuardi
Dreier
Dyson
Eckert (NY)
Erdreich
Evans (IA)
Fawell
Feighan
Fiedler
Fields
Frank
Frenzel
Frost
Gallo
Gejdenson
Gibbons
Gingrich
Glickman
Goodling
Gordon
Gradison
Gray (PA)
Green
Gregg
Hall (OH)
Hamilton
Henry
Hiler
Hopkins
Hubbard
Hughes
Hunter
Hutto
Hyde
Ireland
Jacobs
Johnson
Kasich
Kemp
Kennelly
Kolbe
Kostmayer
Kramer
LaFalce
Lagomarsino
Leath (TX)
Lent
Levin (MI)
Lott
Lujan
Luken
Lungren
Mack
MacKay
Markey
Martin (IL)
Mavroules
McCain
McCloskey
McCollum
McCurdy
McGrath
McKernan
Meyers
Mica
Michel
Miller (OH)
Miller (WA)
Molinari
Moody
Moorhead
Morrison (CT)
Murphy
Nelson
Nichols
Nielson
Olin
Oxley
Parris
Penny
Petri
Porter
Pursell
Ray
Regula
Reid
Richardson
Ridge
Rinaldo
Ritter
Roberts
Roemer
Rostenkowski
Roukema
Rowland (CT)
Russo
Saxton
Schaefer
Schneider
Schulze
Seiberling
Sensenbrenner
Shumway
Shuster
Siljander
Sisisky
Slattery
Slaughter
Smith (FL)
Smith (NJ)
Smith, Robert (NH)
Smith, Robert (OR)
St Germain
Stallings
Stenholm
Strang
Stump
Swindall
Tauke
Tauzin
Thomas (CA)
Vander Jagt
Vento
Visclosky
Vucanovich
Walgren
Walker
Weaver
Whittaker
Wolf
Wolpe
Wyden
Wylie
Young (AK)
Young (FL)
Zschau

NOES—205

Ackerman
Akaka
Alexander
Anthony
Applegate
AuCoin
Barton
Bateman
Bedell
Beilenson
Bentley
Bereuter
Berman
Bevill
Biaggi
Boggs
Bonior (MI)
Boulter
Boxer
Brooks
Brown (CA)
Bruce
Burton (CA)
Bustamante
Carr
Chappell
Clay
Clinger
Cobey
Coble
Coelho
Coleman (MO)
Coleman (TX)
Collins
Combest
Conte
Conyers
Coyne
Crockett
Daschle
Daub
Davis
de la Garza
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Duncan
Durbin
Dwyer
Dymally
Eckart (OH)
Edgar
Edwards (CA)
Edwards (OK)
Emerson
English
Evans (IL)
Fascell
Fazio
Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Franklin
Garcia
Gaydos
Gekas
Gilman
Gonzalez
Gray (IL)
Guarini
Gunderson
Hammerschmidt
Hatcher
Hawkins
Hayes
Hefner
Hendon
Hertel
Holt
Howard
Hoyer
Jeffords
Jones (NC)
Jones (OK)
Kanjorski
Kaptur
Kastenmeier
Kildee
Kindness
Kolter
Latta
Leach (IA)
Lehman (CA)
Lehman (FL)
Leland
Levine (CA)
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lloyd
Loeffler
Long
Lowery (CA)
Madigan
Manton
Martinez
Matsui
Mazzoli
McDade
McEwen
McHugh
Miller (CA)
Mineta
Moakley
Mollohan
Montgomery
Morrison (WA)
Mrazek
Murtha
Myers
Natcher
Neal
Nowak
Oakar
Oberstar
Obey
Panetta
Pashayan
Pease
Pepper
Perkins
Pickle
Price
Quillen
Rahall
Rangel
Robinson
Rodino
Roe
Rogers
Roth
Rowland (GA)
Roybal
Rudd
Sabo
Scheuer
Schroeder
Schuette
Sharp
Shelby
Sikorski
Skeen
Skelton
Smith (IA)
Smith (NE)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stangeland
Stark
Stokes
Stratton
Studds
Sundquist
Sweeney
Swift
Synar
Taylor
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Valentine
Volkmer
Watkins
Waxman
Weber
Weiss
Wheat
Whitley
Whitten
Williams
Wilson
Wise
Wortley
Yates
Yatron

NOT VOTING—50

Barnes
Boland
Boner (TN)
Bonker
Boucher
Breaux
Campbell
Chappie
Dornan (CA)
Early
Fowler
Fuqua
Gephardt
Grotberg
Hall, Ralph
Hansen
Hartnett
Hillis
Horton
Huckaby
Jenkins
Jones (TN)
Kleczka
Lantos
Lipinski
Lowry (WA)
Lundine
Marlenee
Martin (NY)
McCandless
McKinney
McMillan
Mikulski
Mitchell
Monson
Moore
Ortiz
Owens
Packard
Rose
Savage
Schumer
Shaw
Smith, Denny (OR)
Snyder
Tallon
Whitehurst
Wirth
Wright
Young (MO)

□ 1910

Messrs. MILLER of California, DINGELL, GUARINI, and SCHEUER changed their votes from "aye" to "no."

Mr. KOLBE and Mr. WALGREN changed their votes from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WALKER

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

The Clerk read as follows:

Amendment offered by Mr. WALKER: Title VI, on page 66, after line 13, add the following section:

SEC. 630. None of the funds appropriated by this Act shall be made available to any individual convicted of the manufacture, distribution of, or possession with intent to manufacture or distribute a controlled substance under section 401 of the Controlled Substances Act (21 U.S.C. 841).

Mr. WALKER (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 Pennsylvania?

There was no objection.

Mr. WALKER. Mr. Chairman, this is an amendment which I understand will be acceptable to the committee. This is an amendment that builds upon section 605 of the bill. It is an amendment to prohibit funds from being made available to any individual convicted of the manufacture or distribution of illegal drugs.

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

Mr. WALKER. I would be glad to yield to the gentleman from Mississippi.

Mr. WHITTEN. I thank the gentleman for yielding.

Mr. Chairman, I have the amendment. I agree with the objective. I am not too sure how it will work, but I believe at this time we will accept the amendment and see if we can work it out in conference.

Mrs. SMITH of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I would be glad to yield to the gentlewoman from Nebraska.

Mrs. SMITH of Nebraska. I thank the gentleman for yielding.

Mr. Chairman, we have reviewed the amendment, and we accept it on this side.

Mr. WALKER. Mr. Chairman, I thank the gentlewoman from Nebraska and the gentleman from Mississippi for their bipartisan efforts to help.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALKER].

The amendment was agreed to.

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

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. VENTO, 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. 5177) making appropriations for Agriculture, Rural Development, and Related Agencies programs for the fiscal year ending September 30, 1987, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

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

There was no objection.

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

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 329, noes 49, not voting 52, as follows:

[Roll No. 253]

AYES—329

Ackerman
Akaka
Alexander
Andrews
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Badham
Barnard
Barton
Bateman
Bedell
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Biaggi
Bilirakis
Boehlert
Boggs
Bonior (MI)
Borski
Bosco
Boulter
Boxer
Brooks
Brown (CA)
Bruce
Bryant
Burton (CA)
Burton (IN)
Bustamante
Byron
Callahan
Carper
Carr
Chandler
Chapman
Chappell
Clay
Clinger
Coats
Cobey
Coble
Coelho
Coleman (MO)
Coleman (TX)
Collins
Combest
Conte
Conyers
Cooper
Coughlin
Courter
Coyne
Craig
Crockett
Daniel
Darden
Daschle
Daub
Davis
de la Garza
Dellums
Derrick
DeWine
Dickinson
Dicks
Dingell
DioGuardi
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Duncan
Durbin
Dwyer
Dymally
Dyson
Eckart (OH)
Eckert (NY)
Edgar
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Evans (IA)
Evans (IL)
Fascell
Fazio
Feighan
Fiedler
Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Franklin
Frost
Gallo
Garcia
Gaydos
Gejdenson
Gekas
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Gray (IL)
Gray (PA)
Green
Guarini
Gunderson
Hall (OH)
Hamilton
Hammerschmidt
Hatcher
Hawkins
Hayes
Hefner
Hendon
Henry
Hiler
Holt
Hopkins
Howard
Hoyer
Hubbard
Hunter
Hutto
Hyde
Jeffords
Johnson
Jones (NC)
Jones (OK)
Kanjorski
Kaptur
Kasich
Kastenmeier
Kemp
Kennelly
Kildee
Kindness
Kolbe
Kolter
Kostmayer
Kramer
LaFalce
Latta
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lloyd
Loeffler
Long
Lott
Lowery (CA)
Lujan
MacKay
Madigan
Manton
Markey
Martin (IL)
Martinez
Matsui
Mavroules
Mazzoli
McCain
McCloskey
McCurdy
McDade
McEwen
McHugh
McKernan
McKinney
Meyers
Mica
Michel
Miller (OH)
Mineta
Moakley
Molinari
Mollohan
Montgomery
Moody
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nichols
Nowak
Oakar
Oberstar
Obey
Oxley
Panetta
Parris
Pashayan
Pease
Penny
Pepper
Perkins
Pickle
Porter
Price
Pursell
Quillen
Rahall
Rangel
Ray
Regula
Reid
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Rodino
Roe
Roemer
Rogers
Rostenkowski
Roth
Roukema
Rowland (CT)
Rowland (GA)
Roybal
Rudd
Sabo
Saxton
Scheuer
Schneider
Schuette
Schulze
Seiberling
Sharp
Shelby
Shuster
Sikorski
Siljander
Sisisky
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith, Robert (OR)
Snowe
Solarz
Solomon
Spence
Spratt
St Germain
Staggers
Stallings
Stangeland
Stenholm
Stokes
Strang
Stratton
Studds
Sundquist
Sweeney
Swift
Synar
Tauke
Tauzin
Taylor
Thomas (CA)
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walgren
Watkins
Waxman
Weber
Weiss
Wheat
Whitley
Whittaker
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wortley
Wyden
Wylie
Yatron
Young (AK)
Zschau

NOES—49

Anderson
Archer
Armey
Bartlett
Bates
Bliley
Broomfield
Brown (CO)
Carney
Cheney
Crane
Dannemeyer
DeLay
Dreier
Fawell
Fields
Frenzel
Gibbons
Gradison
Gregg
Hertel
Hughes
Ireland
Jacobs
Lagomarsino
Luken
Lungren

Mack	Nielson	Smith, Robert (NH)
McCollum	Olin	Stump
McGrath	Petri	Swindall
Miller (CA)	Russo	Walker
Miller (WA)	Schaefer	Weaver
Moorhead	Schroeder	Young (FL)
Morrison (CT)	Sensenbrenner	
Nelson	Shumway	

NOT VOTING—52

Barnes	Hillis	Ortiz
Boland	Horton	Owens
Boner (TN)	Huckaby	Packard
Bonker	Jenkins	Rose
Boucher	Jones (TN)	Savage
Breaux	Kleczka	Schumer
Campbell	Lantos	Shaw
Chappie	Lipinski	Smith, Denny (OR)
Dornan (CA)	Lowry (WA)	Snyder
Early	Lundine	Stark
Fowler	Marlenee	Tallon
Frank	Martin (NY)	Whitehurst
Fuqua	McCandless	Wirth
Gephardt	McMillan	Wright
Grotberg	Mikulski	Yates
Hall, Ralph	Mitchell	Young (MO)
Hansen	Monson	
Hartnett	Moore	

□ 1925

The Clerk announced the following pair:

On this vote:

Mr. McMillan for, with Mr. Monson against.

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3042, DROPOUT PREVENTION AND REENTRY ACT OF 1985

Mr. BEILENSON, from the Committee on Rules, submitted a privileged report (Rept. No. 99-715) on the resolution (H. Res. 511) providing for the consideration of the bill (H.R. 3042) to amend the Elementary and Secondary Education Act of 1965 to provide grants to local educational agencies for dropout prevention demonstration projects, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3263, GIFTED AND TALENTED CHILDREN AND YOUTH EDUCATION ACT OF 1985

Mr. BEILENSON, from the Committee on Rules, submitted a privileged report (Rept. No. 99-716) on the resolution (H. Res. 512) providing for the consideration of the bill (H.R. 3263) to establish a Federal program to strengthen and improve the capability of State and local educational agencies and private nonprofit schools to identify gifted and talented children and youth and to provide those children and youth with appropriate educational opportunities, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3129, SURFACE TRANSPORTATION AND UNIFORM RELOCATION ASSISTANCE ACT OF 1986

Mr. BEILENSON, from the Committee on Rules, submitted a privileged report (Rept. No. 99-717) on the resolution (H. Res. 513) providing for the consideration of the bill (H.R. 3129) to authorize funds for construction of highways, for highway safety programs, and for mass transportation programs, to expand and improve the relocation assistance program, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 1935

LEGISLATIVE PROGRAM

(Mr. MICHEL asked and was given permission to proceed for 1 minute.)

Mr. MICHEL. Mr. Speaker, I rise for the purpose of inquiring of the distinguished acting majority leader the program for next week.

I yield to the gentleman from California [Mr. COELHO] for his response.

Mr. COELHO. I thank the distinguished minority leader for yielding to me.

Mr. Speaker, the program for next week is as follows: On Monday, July 28, the House will meet at noon. There will be seven suspension bills. They are as follows:

H.R. 2518, to discontinue or amend certain requirements for agency reports to Congress;

H.R. 3108, to clarify definition of local service area of low-power TV stations;

H.R. 2826, Horse Pasture Scenic River, NC;

H.R. 4090, Big Cypress Preserve additions, Florida;

H.R. 3684, Malpais National Monument, New Mexico;

H.R. 4162, Alaska Native Claims Settlement Amendments of 1986; and

H.R. 4489, National Forest Ski Area Permit Act.

On Tuesday, July 29, the House will meet at noon. There are no suspension bills, and we will have recorded votes on suspensions debated on Monday at that time, and then we will consider H.R. 5205, Transportation appropriations for fiscal year 1987.

On Wednesday and the balance of the week, the House will meet at 10 a.m. and we will consider the Interior appropriations bill for fiscal year 1987, subject to a rule being granted. Labor-HHS appropriations for fiscal year 1987, subject to a rule being granted, and Treasury-Postal appropriations for fiscal year 1987, subject to a rule being granted.

The House will adjourn by 3 p.m. on Friday, and I want to stress to my distinguished colleague that the House will be in on Friday and there will be votes on Friday next, so all our colleagues should be so alerted.

Conference reports may be brought up at any time and any further program will be announced later.

Mr. MICHEL. I thank the gentleman and I might make the observation that Tuesday, after the business of the day, we will hope to have our annual Democratic-Republican Congressional Baseball Game. Some of us older folks will not be participating actively anymore but it is one of these events that we all like to at least observe if we cannot participate.

If I might, in a personal way, say that Thursday, the gentleman from Illinois has requested an hour special order that we might have eulogies for our late departed friend, George O'Brien. Congressman PHIL CRANE has also joined me in that request so Members might want very well, since we are going to be here particularly on Friday, an appropriate day on which we would pay our respects to our late, departed friend.

Mr. COELHO. If the gentleman will yield further, on Tuesday, we do plan to adjourn by 6 p.m. to take in the Nation's past time, and on Wednesday and Thursday we do intend to stay in very, very late. So the Members should be so alerted.

Mr. MICHEL. I would applaud that move because time is drawing short and I think if we want to meet our scheduled departure date here for, particularly Members with families who have no other time in which to have those vacations with family is in that month of August that we do what we can when we can.

I appreciate the gentleman's information.

ADJOURNMENT TO MONDAY, JULY 28, 1986

Mr. COELHO. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at noon on Monday next.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. COELHO. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

71-059 O-87-41 (Pt. 12)

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

There was no objection.

POLISH AMERICAN HERITAGE MONTH

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 547) to designate August 1986 as "Polish American Heritage Month," 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. GILMAN. Mr. Speaker, reserving the right to object, I do not object but simply would like to inform the House that the minority has no objection to the legislation now being considered.

Under my reservation, I rise in support of House Joint Resolution 547, to designate August 1986 as Polish American Heritage Month.

Mr. Speaker, it is altogether fitting that the House pause to formally commemorate the heritage of millions of Americans of Polish heritage, and to reflect on the ties that bind this Nation with the people of Poland. It is well known how our Nation was significantly aided at its birth by the Polish revolutionary heroes Kazimierz Pulaski and Tadeusz Kosciuszko. In more recent years, waves of Polish immigrants contributed in important ways to the development of our Nation as an industrial and agricultural giant.

Beginning in 1980, the people of Poland stood up bravely for their human rights to determine their own destiny, under the prayerful eyes of the world. The people of the United States, and especially the Polish-American community, watched as Solidarity, the independent trade union movement, rose and then was crushed at the insistence of the Soviet Union. This August, we celebrate the sixth anniversary of the founding of Solidarity, with the hope that that movement will once again be able to take its rightful place as a means of political and social expression, free of government interference.

We should also note the concern of Polish-Americans, indeed of all Americans, at the aftermath in Poland of the Chernobyl nuclear disaster. Poles suffered severely from shortages of pure food because of the accident caused by the carelessness of their Soviet neighbors. The American people rushed to the aid of Ukrainians, Poles, and Russians on a humanitarian basis, and because of the strong ties of history and ethnicity that bind us.

Mr. Speaker, I wish to express my thanks to the gentleman from Pennsylvania [Mr. BORSKI] for being the principal sponsor of this legislation, and working so hard to bring it to the floor. I am pleased to be associated with him in that effort.

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. 547

Whereas, since the 1st immigration of Polish settlers to Jamestown in the 17th century, Poles and Americans of Polish descent have distinguished themselves by contributing to the development of arts, sciences, government, military service, athletics, and education in the United States;

Whereas Kazimierz Pulaski, Tadeusz Kosciuszko, and other sons of Poland came to our shores to fight in the American War of Independence and to give their lives and fortunes for the creation of the United States;

Whereas the Polish Constitution of May 3, 1791, was modeled directly on the Constitution of the United States, is recognized as the 2d written constitution in history, and is revered by Poles and Americans of Polish descent;

Whereas Americans of Polish descent and Americans sympathetic to the struggle of the Polish nation to regain its freedom remain committed to a free and independent Polish nation;

Whereas Poles and Americans of Polish descent take great pride in and honor the greatest son of Poland, His Holiness Pope John Paul II;

Whereas Poles and Americans of Polish descent take great pride in and honor Nobel Peace Prize laureate Lech Walesa, the founder of the Solidarity Labor Federation;

Whereas the Solidarity Labor Federation was founded in August 1980 and is continuing its struggle against oppression by the Government of Poland; and

Whereas the Polish American Congress is observing its 42d anniversary this year and is celebrating August 1986 as Polish American Heritage Month: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That August 1986 is designated "Polish American Heritage Month", and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe such month with appropriate ceremonies 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 to reconsider was laid on the table.

SOLOMON BLATT, SR., POST OFFICE

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the bill (H.R. 4852) to designate the U.S. Post Office to be constructed in Barnwell, SC, as the "Solomon Blatt, Sr., Post Office," and ask for its immediate consideration.

The Clerk read the title of the bill.

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

Mr. GILMAN. Mr. Speaker, reserving the right to object, I do not object but simply would like to inform the House that the minority has no objection to the legislation now being considered.

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

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

Mr. GARCIA. I thank the gentleman for yielding.

Mr. Speaker, H.R. 4852 would designate the U.S. Post Office to be constructed in Barnwell, SC, as the "Solomon Blatt, Sr., Post Office Building."

Mr. Blatt, the Speaker emeritus of the South Carolina House of Representatives, died on May 14, 1986, at the age of 91. He was one of South Carolina's greatest leaders and was the Nation's longest-serving State legislator.

H.R. 4852 was introduced by our distinguished colleague, Hon. BUTLER DERRICK, and is cosponsored by the entire South Carolina delegation.

I urge passage of H.R. 4852.

Mr. GILMAN. 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 bill as follows:

H.R. 4852

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Post Office to be constructed on Main Street in Barnwell, South Carolina, shall be known and designated as the "Solomon Blatt, Sr., Post Office". Any reference in any law, regulation, document, record, map, or other paper of the United States to such post office is deemed to be a reference to the "Solomon Blatt, Sr., Post Office".

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. GARCIA

Mr. GARCIA. Mr. Speaker, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. GARCIA: Strike all after the enacting clause and insert the following:

That the United States Post Office to be constructed on Main Street in Barnwell, South Carolina, shall be known and designated as the "Solomon Blatt, Sr. Post Office Building". Any reference in any law, regulation, document, record, map or other paper of the United States to such building shall be deemed to be a reference to the Solomon Blatt, Sr. Post Office Building.

The SPEAKER pro tempore. The question is on the amendment in the nature of a substitute offered by the

gentleman from New York [Mr. GARCIA].

The amendment in the nature of a substitute was agreed to.

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

□ 1945

GILLIS W. LONG POST OFFICE BUILDING

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the bill (H.R. 4782) to designate the U.S. post office building being constructed in La Place, LA, as the "Gillis W. Long Post Office Building," and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. AKAKA). Is there objection to the request of the gentleman from New York?

Mr. GILMAN. Mr. Speaker, reserving the right to object, I do not object, but I would simply like to inform the House that the majority has no objection to the legislation now being considered.

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

Mr. GILMAN. Under my reservation, Mr. Speaker, I yield to the gentleman from New York.

Mr. GARCIA. Mr. Speaker, H.R. 4782 would designate the U.S. post office building being constructed in La Place, LA, as the "Gillis W. Long Post Office Building."

Gillis Long served his district, his State, and his Nation with distinction. His record of leadership and achievement in the U.S. House of Representatives is one of distinction. Those of us who had the privilege of knowing and working with Gillis can attest to his integrity, honesty, and character.

H.R. 4782 was introduced by our distinguished colleague, the Honorable JOHN BREAUX, and is cosponsored by the entire Louisiana delegation—including, of course, Mrs. CATHY LONG.

Enactment of this legislation would be a fitting tribute to a great legislator and a great American.

I urge passage of H.R. 4782.

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

Mr. GILMAN. Under my reservation, Mr. Speaker, I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I thank the distinguished gentleman from New York for yielding, and I rise in very strong support of this legislation.

I believe this to be a fitting tribute to one of the great Members of this House. Tragically for the House, tragically for the young Members, tragically for the country, Gillis Long was taken from us too young. It is appropriate that we remember in this small way the contributions he made to the quality of life in this country.

He cared a great deal about his country, he cared about Louisiana, he cared about his congressional district. He was indeed one of the finest Members to have served in this House, and this is a privilege and an honor for those of us who now have the opportunity of serving with his beloved wife, CATHY, who has given so much of herself and continued the long tradition of caring, conscientious, effective public service.

So, Mr. Speaker, I rise in very strong support of this very appropriate effort to honor our beloved colleague, Gillis Long.

Mr. GILMAN. Mr. Speaker, I thank the gentleman from Maryland [Mr. HOYER] for his kind remarks.

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

Mr. GILMAN. Under my reservation, Mr. Speaker, I yield to the gentleman from California.

Mr. COELHO. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I also rise in very strong support of this legislation. Gillis Long was a mentor to many of us in the House. He was one of my better friends. He was one who had this uncanny ability to bring different groups of people together to discuss the issue of the day and to get a consensus.

This is a fitting tribute to him, and I rise in strong support of it. Particularly, as my colleague, the gentleman from Maryland [Mr. HOYER] indicated, it is fitting that his lovely wife, CATHY LONG, has continued in that tradition that the Long family has of serving their country for so many years.

So, Mr. Speaker, I urge support of the legislation.

Mr. GILMAN. Mr. Speaker, I thank the gentleman from California for his supporting remarks.

Under my reservation, Mr. Speaker, I would like to yield to the gentlewoman from Louisiana [Mrs. LONG].

Mrs. LONG. Mr. Speaker, I thank my colleagues very much. I am certainly very appreciative to Congressman JOHN BREAUX and to the other members of the Louisiana delegation who sponsored this legislation, and, of course, I rise in very strong support of it.

I would like to correct the record, at least vocally. The town is named La Place. As the Members know, we have our French traditions in Louisiana. So it is La Place, LA. I was there just last week, the facility is underway, and I am very proud that it will be named for my husband.

Mr. Speaker, I rise in support of H.R. 4782, which would name the new U.S. Post Office in La Place, LA, after my husband, Gillis Long. I would like to thank my colleague, Congressman JOHN BREAUX, for introducing this legislation, as well as all the members of the Louisiana congressional delegation for their support. I must also extend my gratitude to the members of the Post Office and Civil Service Committee who so expeditiously brought this bill before us today.

My husband Gillis worked very hard for the people of the State of Louisiana and for this Nation. The values for which he fought are timeless: Compassion for the poor and disadvantaged, commitment to civil rights for all people, integrity and intellect.

Since Gillis' death, many tributes both nationally and locally have been given to perpetuate his legacy. Tributes most appropriate to Gillis' life are those associated with institutions which provide service to the people for whom he cared. It is in this spirit that the initiative of Congressman BREAUX today to name a new post office for Gillis assures that his legacy will continue. I am proud to be a Member of this body that sees fit to honor my husband in this appropriate manner. Thank you for all of your efforts.

Mr. GILMAN. Mr. Speaker, I thank the gentlewoman from Louisiana [Mrs. LONG] for her eloquent remarks. I know that all of our colleagues join in support of this proposal.

Mr. BREAUX. Mr. Speaker, I thank the House for its approval today of legislation to honor our late friend and colleague, Gillis W. Long. The Louisiana delegation introduced H.R. 4782 on May 9, 1986, to name the Post Office now being built at La Place, LA, the "Gillis W. Long Post Office Building." On July 23, 1986, the House Committee on Post Office and Civil Service gave its approval to the bill. To the chairman of the committee and to its members, as well as the chairman of the Subcommittee on Postal Operations and Services and the members of the subcommittee, I wish to express my gratitude and appreciation.

Gillis served his Nation, his State, and his congressional district with distinction and excellence. He had a life filled with outstanding achievement. It is proper for us to remember Gillis and his distinguished career by naming the Post Office at La Place, LA, in his honor. By doing so we establish a lasting, public tribute to him and express our respect and admiration.

We have been fortunate to have known and served with Gillis and to serve with Mrs. CATHY LONG, who has succeeded him in representing Louisiana's Eighth Congressional District and continuing the fine tradition of service which Gillis established and provided. It is our honor and privilege, therefore, to have introduced and had approved this legislation which commemorates the career and service of our late friend and colleague, Gillis W. Long.

Mr. GILMAN. 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 bill, as follows:

H.R. 4782

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Post Office Building being constructed at 1300 Belle Terre Boulevard in La Place, Louisiana, shall hereafter be known and designated as the "Gillis W. Long Post Office Building". Any reference in a law, map, regulation, document, record, or other paper of the United States to such building is deemed to be a reference to the "Gillis W. Long Post Office Building".

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

VACATING PROCEEDINGS IN CONSIDERATION OF HOUSE JOINT RESOLUTION 547, POLISH AMERICAN HERITAGE MONTH

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the engrossment and third reading and passage of the joint resolution (H.J. Res. 547) to designate August 1986 as "Polish American Heritage Month" be vacated.

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

There was no objection.

The text of the joint resolution is as follows:

H.J. RES. 547

Whereas, since the 1st immigration of Polish settlers to Jamestown in the 17th century, Poles and Americans of Polish descent have distinguished themselves by contributing to the development of arts, sciences, government, military service, athletics, and education in the United States;

Whereas Kazimierz Pulaski, Tadeusz Kosciuszko, and other sons of Poland came to our shores to fight in the American War of Independence and to give their lives and fortunes for the creation of the United States;

Whereas the Polish Constitution of May 3, 1791, was modeled directly on the Constitution of the United States, is recognized as the 2d written constitution in history, and is revered by Poles and Americans of Polish descent;

Whereas Americans of Polish descent and Americans sympathetic to the struggle of the Polish nation to regain its freedom remain committed to a free and independent Polish nation;

Whereas Poles and Americans of Polish descent take great pride in and honor the greatest son of Poland, His Holiness Pope John Paul II;

Whereas Poles and Americans of Polish descent take great pride in and honor Nobel Peace Prize laureate Lech Walesa, the founder of the Solidarity Labor Federation;

Whereas the Solidarity Labor Federation was founded in August 1980 and is continuing its struggle against oppression by the Government of Poland; and

Whereas the Polish American Congress is observing its 42d anniversary this year and is celebrating August 1986 as Polish American Heritage Month: Now, therefore, be it

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

AMENDMENT OFFERED BY MR. GARCIA

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

The Clerk read as follows:

Amendment offered by Mr. GARCIA: Page 2, line 3, strike "August" and insert "October".

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from New York [Mr. GARCIA].

The amendment was agreed to.

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

The joint resolution was ordered to be engrossed.

AMENDMENT TO THE PREAMBLE OFFERED BY MR. GARCIA

Mr. GARCIA. Mr. Speaker, I offer an amendment to the preamble.

The Clerk read as follows:

Amendment to the preamble offered by Mr. GARCIA: Page 2, in the last clause of the preamble, strike "August" and insert "October".

The SPEAKER pro tempore. The question is on the amendment to the preamble offered by the gentleman from New York [Mr. GARCIA].

The amendment to the preamble was agreed to.

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

TITLE AMENDMENT OFFERED BY MR. GARICA

Mr. GARCIA. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Amendment to the title offered by Mr. GARCIA: Amend the title so as to read: "Joint resolution to designate October 1986 as 'Polish American Heritage Month'.".

The amendment to the title was agreed to.

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 various pieces of legislation just considered and passed.

The SPEAKER pro tempore. Is there objection to the request of the gentlemen from New York.

There was no objection.

□ 2155

COMMUNICATON FROM THE CLERK OF THE HOUSE

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

WASHINGTON, DC,
July 24, 1986.

Hon. THOMAS P. O'NEILL, Jr.,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you, pursuant to Rule L(50) of the Rules of the House of Representatives, that I have been served with a subpoena issued by the United States District Court for the District of Columbia. After consultation with my General Counsel, I will notify you of my determinations as required by the House Rule.

Sincerely,

BENJAMIN J. GUTHRIE,
Clerk, House of Representatives.

PUERTO RICAN STATEWIDE PARADE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. RODINO] is recognized for 5 minutes.

Mr. RODINO. Mr. Speaker, on July 27, as I have done for the past 24 years, I will have the pleasure of attending the annual Puerto Rican Statewide Parade. It will be a day of celebration for the many citizens of the Puerto Rican community and their many friends. It is a time when we pay tribute to the achievements and accomplishments of the people of Puerto Rican heritage, and express our appreciation for their outstanding contributions to our society. It is a time to celebrate the rich cultural heritage and traditions of the Puerto Rican people. It is a time when each of us—of every ethnic background—salute our friends in the Puerto Rican community and join them in this spirit of celebration.

This year's parade is dedicated to the 34th anniversary of the Puerto Rican Republic. The grand marshals are Capt. Joseph Santiago, of the Newark Police Department, and Mr. Amilkar Velez, a Newark attorney.

The Statewide Parade caps Puerto Rican Week festivities (from July 20–27) as Governor Kean has proclaimed Puerto Rican Week in the State of New Jersey. The Puerto Rican Statewide Parade Committee works all year to ensure the success of the parade, and there are many fine people responsible for this huge task.

This year, the honorary members of the committee are Mayor Sharpe James of Newark, Gov. Thomas Kean, Hon. Rafael Hernandez Colon, Governor of the Commonwealth of Puerto Rico, and Dr. Jose Rosario, founder.

This year's executive committee members are:

Hon. Ralph Soria, president; Lydia Trinidad, first vice president; MIguel Sanabria, second vice president; Luis Mercado, third vice president; Lillian Soria, executive secretary; William Valentin, general secretary; Fransico Rosa, treasurer; Antonia Ortiz, vice treasurer; Mariseli Bonilla, recording secretary; Luis Rodri-

guez, sergeant-at-arms; Vicente A. Perez, public relaciones officer; Luis Lopez, general coordinator.

Vocals: Damian Baez; Cristino (Baby) Diaz; Ediberto Valentin; Matilde Barreto; and Santo Rivera.

Juan A. Rivera and Miguel E. Rodriguez, P.P. advisors.

Miguel Rivera, 86 Banquet.

Julio Matos, Scholarship awards.

Luz Rosario, Miss Puerto Rico of New Jersey, 1986.

Mr. Speaker, I applaud these fine individuals for their community service and dedication. It is a great privilege and pleasure to once again join my friends in the Puerto Rican community as we celebrate Puerto Rican Week.

PERSONAL EXPLANATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. PEPPER] is recognized for 5 minutes.

Mr. PEPPER. Mr. Speaker, on Wednesday evening, July 23, 1986, I was unavoidably absent for rollcall No. 242, that rejected the Armey amendment that had endeavored to reduce funding for the Appalachian Regional Commission by $52.5 million. Had I been present, I would have voted "no."

CAPTIVE NATIONS WEEK OBSERVANCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. STRATTON] is recognized for 5 minutes.

Mr. STRATTON. Mr. Speaker, in accordance with Public Law 86-90, the Captive Nations Week resolution, I am pleased once again to join my colleagues in observing the 28th annual commemoration of Captive Nations Week, July 20-26, 1986.

I rise today to reassure the brave people of the captive nations—those courageous persons resolute in their struggle against Soviet domination—that we will not rest until the Soviets return the freedom, self-determination and basic human rights the people of the captive nations so rightfully deserve.

Soviet expansionism and hegemony threaten freedom and free nations throughout the world. The Soviets resolve in achieving their goal of world domination is great. We, therefore, must be ever greater in our commitment to secure, for all the world's people, the human rights, freedom, and democratic principles on which our great Nation was founded.

Just a few short weeks ago we celebrated our 210th anniversary as a free and indpendent nation. We also celebrated the 100th anniversary of the Statue of Liberty, the shining symbol of this great Nation's commitment to those around the world who seek liberty. As we reflect on this celebration, we must also reaffirm our commitment to those people who cannot enjoy freedom because of Communist oppression.

Let us remember, as we observe this 28th annual Captive Nations Week, that we must defend and preserve democracy at all cost—not just for ourselves, but as a hope for all mankind. By word and by deed we must continue to support those suffering under the heavy yoke of Communist oppression so that one day during this third week in July we can celebrate freedom rather than commemorate captive nations.

FUND DRUG ABUSE PROGRAMS THROUGH CONFISCATED ASSETS OF DRUG TRAFFICKERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mr. BARNES] is recognized for 5 minutes.

Mr. BARNES. Mr. Speaker, I am proud to introduce today with the chairman of the Select Committee on Children, Youth, and Families, Representative GEORGE MILLER, the Drug Abuse Education and Prevention Act of 1986, to combat the alarming demand for drugs and their use by our children.

According to a recent article in U.S. News & World Report, Americans now consume 60 percent of the world's production of illegal drugs.

A study by the National Institute on Drug Abuse [NIDA] shows that 30 percent of all college students will use cocaine at least once before they graduate, and that up to 80 percent of all Americans will try an illicit drug by their midtwenties.

In the streets of New York, the primary buyers of crack are teenagers—and children as young as 10 or 11 are being introduced to the drug.

For this administration, the Federal response to the drug crisis has consisted mainly of stepped-up law enforcement and interdiction efforts. But Drug Enforcement Administration officials recognize that the supply is out of control.

Despite a highly publicized crackdown on drugs launched in 1981, more drugs than ever before in U.S. history are slipping into the country. The amount of cocaine smuggled into the United States is expected to be 150 tons this year—twice the 1985 level—and officials estimate that 90 percent of all shipments are getting through undetected.

This week's Newsweek reports that the Reagan administration is privately conceding the failure of efforts to block narcotics at the border and is scrambling for a new strategy that would curb domestic demand.

Peter Bensinger, who headed the DEA under three presidents, has stressed the need for a multifaceted approach to fighting the war on drugs and called the money budgeted for drug education under the current administration a "spit in the ocean." According to Bensinger:

> We seize over one billion in drug traffickers' assets—cash, stocks, bonds, and real estate—but the money is not going to help reduce demand for drugs.

John C. Lawn, current Administrator of the DEA agrees, stating, "The problem is greater than law enforcement is able to cope with." The critical need is to reduce the demand for drugs, not just the supply.

The NIDA report recommends the development and promotion of drug abuse education and prevention programs, especially for dropouts.

Yet, sadly and inexplicably, since 1981, support for drug abuse education and prevention programs has been diminishing. President Reagan, in declaring National Drug Abuse Education Week in 1983, called for expanded drug abuse awareness efforts. Yet only $2.9 million was budgeted for the Department of Education's drug abuse education programs in 1985 (down from $14 million in 1981). Federal outlays for drug enforcement, on the other hand, have increased by almost $800 million in the past 5 years (by almost 70 percent).

It is time to stop giving lip service to drug education. The problem of drug abuse is closely connected to other crises in society that scream for our attention, such as high school drop-out rates, teenage pregnancies, and cocaine-addicted newborns. We must support programs that have proven effective in reducing drug demand and in increasing knowledge and understanding of the dangers of drug use.

The Drug Abuse Education and Prevention Act provides critical support for such programs, without requiring any additional expenditure of Federal funds or taking any money away from law enforcement efforts. The money will come from the assets of the drug traffickers which have been seized by Federal law enforcement authorities.

The bill will transfer money from the Justice Department Assets Forfeiture Fund and the U.S. Customs Service Forfeiture Fund to the Departments of Education and Health and Human Services to assist the States in providing drug abuse education and prevention programs.

Without actually raising the awareness level in our schools and communities of the dangers of drug abuse, we will not make a dent in the problem. Shallow slogans and other symbolic gestures simply will not suffice. The Drug Abuse Education and Prevention Act, by more than doubling the Federal support for preventive programs, is a long overdue step toward solving the drug crisis that threatens the health and safety of our children.

The text of the bill follows:

H.R. 5237

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 "Drug Abuse Education and Prevention Act of 1986".

SEC. 2. EXTENSION OF LIFE OF DEPARTMENT OF JUSTICE ASSETS FORFEITURE FUND AND CUSTOMS FORFEITURE FUND, INCREASE IN AUTHORIZATION OF APPROPRIATIONS FROM CUSTOMS FORFEITURE FUND.

(a) DEPARTMENT OF JUSTICE ASSETS FORFEITURE FUND.—The first sentence of section 524(c)(8) of title 28, United States Code, is amended by striking out "and 1987" and inserting in lieu thereof "1987, 1988, and 1989".

(b) CUSTOMS FORFEITURE FUND.—

(1) The first sentence of section 613A(a) of the Tariff Act of 1930 (19 U.S.C. 1613b(a)) is amended by striking out "1987" and inserting in lieu thereof "1989".

(2) Section 613A(c) of the Tariff Act of 1930 (19 U.S.C. 1613b(c)) is amended by striking out "1987" and inserting in lieu thereof "1989".

Section 613A(f)(1) of the Tariff Act of 1930 (19 U.S.C. 1613b(f)(1)) is amended—

(A) by striking out "for" and inserting in lieu thereof "three"; and

(B) by adding at the end the following new sentence:

"There are authorized to be appropriated from the fund for fiscal years 1987, 1988, and 1989, such sums as may be necessary to carry out this section."

(4) The first sentence of section 613A(f)(2) of the Tariff Act of 1930 (19 U.S.C. 1613b(f)(2)) is amended by striking out "of the first three of such four fiscal years" and inserting in lieu thereof "fiscal year referred to in paragraph (1) (other than fiscal year 1989)".

(5) The second sentence of section 613A(f)(2) of the Tariff Act of 1930 (19 U.S.C. 1613b(f)(2)) is amended by striking out "the last of such four fiscal years" and inserting in lieu thereof "fiscal year 1989".

SEC. 3. USE OF DEPARTMENT OF JUSTICE ASSETS FOREFITURE FUND FOR DRUG ABUSE EDUCATION AND PREVENTION PROGRAM ASSISTANCE TO THE STATES.

Section 524(c) of title 28, United States Code, is amended by adding at the end the following new paragraph:

"(10) In addition to the purpose described in paragraph (1) of this subsection, the fund shall be available without fiscal year limitation, in such amounts as may be specified in appropriations Acts—

"(A) to the Secretary of Health and Human Services, to assist the States in providing drug abuse education and prevention programs; and

"(B) to the Secretary of Education to assist the States in providing statewide elementary school and secondary school drug abuse education programs, including curricula, teaching materials, demonstration projects, technical assistance, and administrative support.

Each Secretary shall determine the amounts to be made available to a State, based on the number of persons served by such programs in the State, the level of non-Federal support for such programs in the State, the amounts deposited in the fund as a result of forfeitures in the State, and other relevant factors. Amounts made available to a State under this paragraph shall supplement, and shall not replace, amounts made available for such programs from other sources. Not less than 50 percent of the total of amounts appropriated for all purposes under this subsection with respect to a fiscal year shall be appropriated for purposes under this paragraph.".

SEC. 4. USE OF CUSTOMS FORFEITURE FUND FOR DRUG ABUSE EDUCATION AND PREVENTION PROGRAM ASSISTANCE TO THE STATES.

Section 613A of the Tariff Act of 1930 is amended by adding at the end the following new subsection:

"(g) In addition to the purposes described in subsection (a) of this section, the fund shall be available to the Secretary of Health and Human Services and the Secretary of Education for the programs described in section 524(c)(10) of title 28, United States Code. Not less than 50 percent of the total of amounts appropriated for all purposes under this section with respect to a fiscal year shall be appropriated for such programs.".

SEC. 5. TECHNICAL AMENDMENTS.

(a) AMENDMENT TO TITLE 28, UNITED STATES CODE.—Section 524(c)(6) of title 28, United States Code, is amended by inserting after "this subsection" the following: ", except that the Secretary of Health and Human Services and the Secretary of Education shall prepare (for transmittal by the Attorney General) the portions of the report relating to expenditures under paragraph (10)(A) and paragraph (10)(B) of this subsection, respectively".

(b) AMENDMENT TO TARIFF ACT OF 1930.—Section 613A(e) of the Tariff Act of 1930 (19 U.S.C. 1613b(e)) is amended by inserting after "such year" the following: ", except that the Secretary of Health and Human Services and the Secretary of Education shall prepare (for transmittal by the Commissioner of Customs) the portions of the report relating to expenditures under subsection (g) of this section".

SEC. 6. EFFECTVE DATE.

This Act shall take effect on the date of the enactment of this Act, except that the amendments made by sections 3, 4, and 5 shall apply with respect to fiscal years beginning with fiscal year 1987.

CAPTIVE NATIONS WEEK

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

Mr. ANNUNZIO. Mr. Speaker, this week Americans are commemorating the 28th annual observance of Captive Nations Week. It is a time to remind the world of the many nations suffering under the burdensome oppression of the Soviet Union, and to rededicate ourselves and renew our energies on behalf of the unfortunate millions who are living a wretched existence under the shadow of Communist tyranny.

It has been 28 years since President Eisenhower first designated the third week in July as Captive Nations Week, and although the Communists have been ruthless in their attempts to destroy the national identities of the many people of the captive nations, their individuality remains, and their desire to achieve self-determination continues. A list of the captive nations follow:

Established list of captive nations

[Country, people, and year of Communist domination]

Armenia	1920
Azeraijan	1920
Byelorussia	1920
Cossackia	1920
Georgia	1920
Idel-Ural	1920
North Caucasia	1920
Ukraine	1920
Far Eastern Republic	1922
Turkestan	1922
Mongolia	1924
Estonia	1940
Latvia	1940
Lithuania	1940
Albania	1946
Bulgaria	1946
Yugoslavia (Serbs, Croats, Slovenians, etc.)	1946
Poland	1947
Romania	1947
Czechoslovakia	1948
North Korea	1948
Hungary	1949
East Germany	1949
Mainland China	1949
Tibet	1951
North Vietnam	1954
Cuba	1960
Cambodia	1975
South Vietnam	1975
Laos	1975
Afghanistan	1980

So long as the heroic people of the captive nations remain steadfast in their determination to achieve freedom, the spark of liberty will be kept alive, and one day those nations under the captivity of the Communists will be able to throw off their chains of bondage and become free. During Captive Nations Week, millions of Americans who trace their origins to these captive nations, and other freedom-loving Americans, join in reflection and prayer to express their support for policies which will free these captive nations.

At this point in the RECORD, I would like to include the President's 1986 Captive Nations Week proclamation. The proclamation follows:

CAPTIVE NATIONS WEEK, 1986

(A proclamation by the President of the United States of America)

America, built on a firm belief in the dignity and rights of all the members of the human race, continues to hold up that message to the world. Included in that message is unwavering opposition to all forms of oppression and despotism. Freedom is not divisible. To maintain it for ourselves, we must pursue it for others. As President Roosevelt declared in 1941, "we look forward to a world founded upon four essential freedoms. The first is freedom of speech and expression—everywhere in the world. The second is the freedom of every person to worship in his own way—everywhere in the world. The third is freedom from want . . . everywhere in the world. The fourth is freedom from fear . . . anywhere in the world."

This vision of the future has been a beacon of hope and guidance both for those individuals who seek refuge here and for those nations whose aspirations for self-determination have been crushed by the Soviet empire. Deprived of basic human rights, their peoples are the victims of ruthless regimes run according to totalitarian ideologies. These are the nations held captive by forces hostile to freedom, independence, and national self-determination. These captive nations include those of Eastern Europe that have known foreign occupation and communist tyranny for decades; those struggling to throw off communist domination in Latin America; and the people of Afghanistan, Southeast Asia, and Africa struggling against foreign invasion, military occupation, and communist oppression.

Each year we renew our resolve to support the struggle for freedom throughout the world by observing Captive Nations Week. It is a week in which all Americans are asked to remember that the liberties and freedoms that they enjoy are denied to many peoples. With this observance, we hope to inspire those who struggle against military occupation, political oppression, communist expansion, and totalitarian brutality. We hope to inspire, but we also seek inspiration. Because the history of liberty is a history of resistance, we learn from those who live where the struggle is most urgent. Purified by resistance, they show us the path to a renewed commitment to preserve our own liberties and to give our support and encouragement to those who struggle for freedom.

To pursue that struggle, and to honor those who are with us in that battle, the Congress, by joint resolution approved July 17, 1959 (73 Stat. 212), has authorized and

requested the President to issue a proclamation designating the third week in July of each year as "Captive Nations Week."

Now, therefore, I, Ronald Reagan, President of the United States of America, do hereby proclaim the week beginning July 20, 1986, as Captive Nations Week. I invite the people of the United States to observe this week with appropriate ceremonies and activities to reaffirm their dedication to the international principles of justice, freedom, and national self-determination.

Mr. Speaker, we must continue to condemn the Soviet Union for its numerous human rights violations, and we must renew our efforts on behalf of the millions of men, women, and children enslaved against their will, in order that they may regain the freedoms that are rightfully theirs.

On the occasion of the 28th observance of Captive Nations Week, I am glad to join with my constituents in the 11th Congressional District of Illinois which I am honored to represent and all Americans, in their hopes and prayers that one day the courageous people who suffer under the communists will know the blessing of self-determination and a free homeland.

SOUTH AFRICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin [Mr. KLECZKA] is recognized for 5 minutes.

Mr. KLECZKA. Mr. Speaker, on Tuesday, the President condemned the apartheid system of governance as "morally wrong and politically unacceptable." He's right.

He said: "South Africa matters because we believe that all men are created equal * * * because of who we are." He's right again.

He said: "The vision of a better life cannot be realized so long as apartheid endures and instability reigns in South Africa." Spoken like a true statesman.

Out of all this pontificating, one would have expected a new and more aggressive U.S. policy to emerge:

A policy aimed at unlocking the shackles of apartheid which enslave South Africa's black majority;

A policy with some true grit and determination.

Instead, what came forth was a policy that says: "Apartheid is bad, but doing something about it is worse."

Mr. President, 2,000 true "freedom fighters" in South Africa are dead, and so is "constructive engagement."

COMMENDING THE SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. STARK] is recognized for 5 minutes.

Mr. STARK. Mr. Speaker, I would like to commend the Subcommittee on Energy and Water for their work on the energy and water development appropriation bill for fiscal year 1987 and my colleagues in the House for passing the bill.

I am especially encouraged with the work that has been done with respect to the magnetic fusion budget. The committee notes that the budget for magnetic fusion has been severely constrained for the past several years and that the administration has asked for a further reduction of $50 million for fiscal year 1987. Because of the committee's concern and belief in the need to maintain a viable magnetic fusion research it recommends an increase of $25 million above the request to maintain mirror fusion research and development.

In my own district, at the Livermore Lawrence National Lab significant research and development of magnetic fusion has been underway for many years. Last February the scientists at LLNL had great cause to celebrate as work on the mirror fusion test facility [MFTF-B] had just been completed. Unfortunately the celebration was short lived. The President's budget which was released just days later recommended mothballing MFTF-B as a way to pick up savings.

A lot of hard work and money has been invested in this, the world's largest superconducting, tandem mirror fusion experiment. For close to 8 years some of the finest scientists and engineers in America have dedicated their time and energy to this project. $350 million have been invested in MFTF-B.

With $20 million in additional investment MFTF-B can run at a reduced level. Given the magnitude of human resources and money that has been invested thus far it would be wise to make the additional investment. Without the additional funding, the $350 million will be utterly wasted; with it we could reap a wealth of knowledge.

In 1980 under the Magnetic Fusion Engineering Act, we made a commitment to develop fusion as a viable energy source for this country. The Appropriations Committee has made a recommendation which will allow the scientists in this country to go forth with this goal. Again, I commend the members of this committee for their outstanding work.

NATIONAL CIVIL RIGHTS DAY PROCLAMATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. VISCLOSKY] is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Speaker, this House not long ago took a firm and clear stand against the repressive Government of South Africa because of that Government's policies which reflect a racist and unjustifiably narrow state interpretation of human and civil rights.

We know that our proclamation of certain ideals has brought with it a direct responsibility to criticize and, when necessary condemn certain realities.

In this fervor, however, we dare not, forget the work to be done at home, the need for continued review and enforcement of civil rights.

In this vein, I have, along with Messrs. LELAND, DYMALLY, GARCIA, MARTINEZ, and SAVAGE, introduced a resolution that August 12, 1986, be recognized as "National Civil Rights Day." I encourage my colleagues to join us as cosponsors of this measure.

The day will be set aside to honor the fallen heroes of our national struggle for civil rights. It will recognize the gains made over the past 20 years, and will constitute a rededication of ourselves to the realization of equality of opportunity and all the other cardinal values which are attached to civil rights.

More than 250 mayors and Governors have themselves planned to issue proclamations for "National Civil Rights Day" on August 12. A similarly approved measure would appear appropriate emanating from the Congress and would very happily complement the national observance.

I hope that my colleagues will lend their support to this worthy proclamation.

JOINT RESOLUTION TO ESTABLISH A MEMORIAL TO WORLD WAR II-ERA PHILIPPINE SCOUTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. PANETTA] is recognized for 5 minutes.

Mr. PANETTA. Mr. Speaker, I rise today to introduce a joint resolution which would pay tribute to the World War II-era Philippine Scouts who served so nobly in Bataan and Corregidor. These dedicated individuals demonstrated courage and resolve in support of the Allied war effort and they deserve our gratitude.

The events surrounding the election of President Aquino in the Philippines have reminded us of the courageous nature of the Philippine people. But they have demonstrated this characteristic before: in the Pacific Theater of World War II. Under the command of Gen. Douglas MacArthur, the Philippine Scouts assisted in the protection of the Philippines and in the defense of freedom.

Mr. Speaker, it has now been more than forty years since the Second World War led to the invasion of the Philippines by Japan. And yet the intervening years have not dimmed the memories of those who fought in the heroic defense of Bataan and Corregidor and who survived the infamous Bataan "death march" and captivity in Japanese prison camps.

The Philippine Scouts were not foreign soldiers; they were an integral part of the U.S. Army from the date of the unit's creation in 1901. At the onslaught of war in the Pacific, when the Japanese attacked Pearl Harbor and invaded the Philippine Islands, these soldiers became the key to our entire South Pacific strategy. Against overwhelming odds—faced with superiority in numbers and equipment, devoid of air cover against constant bombings by the Japanese, ravaged by malaria and beri-beri—these men helped hold the Bataan Peninsula for 98 days.

The Scouts' protracted defense of these islands against all odds allowed the United

States to recover from the first blows of the war and regroup for what would ultimately prove to be a successful counterattack. Although their contribution and sacrifice have been duly noted in historical accounts of the war, they have never received the thanks and the honor from the United States that they richly deserve. Now is the time to give them their due.

It was for this reason that I introduced H.R. 1179 in the last session of this Congress. This legislation sought to remedy the imbalance between the pay and benefits received by the Philippine Scouts and the pay and benefits of other soldiers in the U.S. Army during World War II. This November, the Army will complete a study of this disparity and report on ways to provide the compensation and benefits the Philippine Scouts have earned. This is a good start, but we can and must go farther.

The joint resolution I am introducing today would authorize the establishment of a memorial to the World War II-era Philippine Scouts in the Washington, DC, area. Specifically, this joint resolution would authorize the Philippine Scouts and U.S. Veterans' Association of America—an organization based in my district—to establish a memorial which would recognize and honor the contribution of the Philippine Scouts in Bataan and Corregidor. The responsibility for raising the necessary funds for the establishment of this memorial would be solely left to the Philippine Scouts Association named in the resolution. No Federal dollars would be used to establish this memorial.

I introduce this resolution in order to provide a meaningful demonstration of our deep gratitude for the faithful and gallant service of the people of the Philippines and the Filipino Americans who took part in the Allied war effort on behalf of the United States. I urge my colleagues to join me in this effort by cosponsoring this joint resolution.

H.J. RES. 685

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

SECTION 1. ESTABLISHMENT OF MEMORIAL.

(a) IN GENERAL.—The Philippine Scouts and U.S. Veterans' Association of America is authorized to establish a memorial on Federal land in the District of Columbia or its environs to honor the Philippine Scouts, who served bravely in the United States Army in Bataan and Corregidor during World War II.

(b) SITE, DESIGN, AND PLANS.—In carrying out subsection (a), the Association shall be responsible for selecting a site for the memorial and preparing the design and plans for the memorial, each of which shall be subject to the approval of the Commission of Fine Arts and the National Capital Planning Commission.

SEC. 2. PAYMENT OF EXPENSES.

The United States shall not pay any expense of establishment of the memorial. The Association shall not begin construction of the memorial until, as determined by the Comptroller General, amounts available to the Association from non-Federal sources are sufficient to carry out this resolution.

SEC. 3. EXPIRATION OF AUTHORITY.

The authority to establish the memorial under this resolution shall expire at the end of the five-year period beginning on the date on which this resolution becomes law, unless construction of the memorial begins during that period.

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. SAXTON) to revise and extend their remarks and include extraneous material:)

Mr. HENDON, for 60 minutes, on July 29.

Mr. SMITH of New Hampshire, for 60 minutes, on July 29.

Mr. MICHEL, for 60 minutes, on July 31.

Mr. CRANE, for 60 minutes, on July 31.

Mr. GINGRICH, for 60 minutes on July 28.

Mr. GINGRICH, for 60 minutes, on July 29.

Mr. GINGRICH, for 60 minutes, on July 30.

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

Mr. GINGRICH, for 60 minutes, on August 1.

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

Mr. RODINO, for 5 minutes, today.

Mr. PEPPER, for 5 minutes, today.

Mr. STRATTON, for 5 minutes, today.

Mr. BARNES, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. KLECZKA, for 5 minutes, today.

Mr. STARK, for 5 minutes, today.

Mr. VISCLOSKY, for 5 minutes, today.

Mr. PANETTA, for 5 minutes, today.

Mr. GONZALEZ, for 60 minutes, on July 28.

Mr. GONZALEZ, for 60 minutes, on July 29.

Mr. GONZALEZ, for 60 minutes, on July 30.

Mr. MCCLOSKEY, for 60 minutes, on July 29.

Mr. SMITH of Iowa, for 60 minutes, on August 5.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. WEISS, on the Dornan amendment to H.R. 5175 in the Committee of the Whole today.

Mr. WEISS, prior to the motion to rise after consideration of H.R. 5175 in the Committee of the Whole today.

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

Mr. SCHULZE.

Mr. RITTER.

Mr. BARTON of Texas.

Mr. LEACH of Iowa in two instances.

Mr. MYERS of Indiana.

Mr. HYDE.

Mr. DENNY SMITH.

Mr. CRANE in two instances.

Mr. DORNAN of California.

Mr. LEWIS of California.

Mr. PORTER.

Mr. MCEWEN in two instances.

Mr. CONTE.

Mr. DEWINE.

Mr. BROOMFIELD.

Mr. SMITH of New Jersey.

Ms. SNOWE.

Mr. FIELDS.

Mr. MCKERNAN.

Mr. CLINGER.

Mr. MICHEL.

Mr. SILJANDER.

Mrs. SCHNEIDER.

Mr. BOEHLERT.

Mr. FRENZEL in five instances.

Mr. DUNCAN.

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

Mr. SMITH of Florida.

Mr. VOLKMER.

Mr. RANGEL.

Mr. BERMAN in two instances.

Mr. RODINO.

Mr. KILDEE in two instances.

Mr. JONES of North Carolina in two instances.

Mr. MARKEY.

Mr. UDALL.

Mr. DOWNEY of New York.

Mr. STARK.

Mr. COELHO.

Mr. STOKES.

Mr. ECKART of Ohio.

Mr. LANTOS.

Mr. KOSTMAYER.

Mr. SIKORSKI.

Mr. DE LA GARZA.

Mr. FLORIO.

Mr. EDWARDS of California.

Mr. MORRISON of Connecticut.

Mr. STALLINGS.

Mr. TORRES.

Mr. HOWARD.

ENROLLED BILL SIGNED

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3511. An act to amend title 18, United States Code, with respect to certain bribery and related offenses.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 415. An act to amend the Education of the Handicapped Act to authorize the award of reasonable attorney's fees to certain prevailing parties, to clarify the effect of the Education of the Handicapped Act on rights, procedures, and remedies under other laws relating to the prohibition of discrimination, and for other purposes.

ADJOURNMENT

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

The motion was agreed to: accordingly (at 8 o'clock p.m.), under its previous order, the House adjourned until Monday, July 28, 1986, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3943. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notice of the Department of the Army's proposed letter(s) of offer to Tunisia for defense articles (Transmittal No. 86-45), pursuant to 10 U.S.C. 133b; to the Committee on Armed Services.

3944. A letter from the Acting Director, Defense Security Assistance Agency; transmitting notice of the Department of the Army's proposed letter(s) of offer to Portugal for defense articles and services (transmittal No. 86-44), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

3945. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notice of the Department of the Army's proposed letter(s) of offer to the Netherlands for defense articles and services (transmittal No. 86-46), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

3946. A letter from the Acting Director, Defense Security Assistance Agency; transmitting notice of the Department of the Army's proposed letter(s) of offer to Tunisia for defense articles and services (transmittal No. 86-45), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

3947. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State; transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

3948. A letter from the Secretary of Energy, transmitting a draft of proposed legislation to give the Secretary of Energy certain flexibility in the production of the Naval Petroleum Reserves and other purposes; jointly, to the Committees on Armed Services and Energy and Commerce.

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:

Ms. OAKAR: Committee on Post Office and Civil Service. H.R. 4825. A bill to amend chapter 89 of title 5, United States Code, to provide authority for the direct payment or reimbursement of certain additional types of health care professionals; to clarify certain provisions of such chapter with respect to coordination with State and local law; and for other purposes (Rept. 99-710). Referred to the Committee of the Whole House on the State of the Union.

Mr. NATCHER: Committee on Appropriations. H.R. 5233. A bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1987, and for other purposes (Rept. 99-711). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 4162. A bill to amend the Alaska Native Claims Settlement Act to provide Alaska Natives with certain options for the continued ownership of lands and corporate shares received pursuant to the Act and for other purposes; with an amendment (Rept. 99-712). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on Government Operations. The administration strikes back: Retaliation against Loretta Cornelius and William Hunt for testifying truthfully before Congress (Rept. 99-713). Referred to the Committee of the Whole House on the State of the Union.

Mr. YATES: Committee on Appropriations. H.R. 5234. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1987, and for other purposes (Rept. 99-714). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONIOR: Committee on Rules. H. Res. 511. Resolution providing for the consideration of the H.R. 3042, a bill to amend the Elementary and Secondary Education Act of 1965 to provide grants to local educational agencies for dropout prevention demonstration projects (Rept. 99-715). Referred to the House Calendar.

Mr. HALL of Ohio. Committee on Rules. H. Res. 512. Resolution providing for the consideration of H.R. 3263, a bill to establish a Federal program to strengthen and improve the capability of State and local educational agencies and private nonprofit schools to identify gifted and talented children and youth and to provide those children and youth with appropriate educational opportunities, and for other purposes (Rept. 99-716). Referred to the House Calendar.

Mr. BEILENSON: Committee on Rules. H. Res. 513. Resolution providing for the consideration of H.R. 3129, a bill to authorize funds for construction of highways, for highway safety programs, to expand and improve the relocation assistance program, and for other purposes (Rept. 99-717). Referred to the House Calendar.

[Omitted from the Record of July 23, 1986]

REPORTED BILLS CONCURRENTLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. UDALL: Committee on Interior and Insular Affairs. H.J. Res. 626. Joint resolution to approve the "Compact of Free Association" between the United States and the Government of Palau, and for other purposes; Referred July 23, 1986 for a period ending not later than September 17, 1986 to the Committee on Armed Services, Judiciary, Merchant Marine and Fisheries, and Ways and Means, for consideration of such provisions of the joint resolution and amendment as fall within the jurisdictions of those committees pursuant to clauses 1(c), 1(m), 1(n), and 1(v) of rule X, respectively. Referred July 23, 1986 to the Committee on Appropriations for a period ending not to exceed 15 legislative days with instructions to report back to the House as provided in section 401(b) of Public Law 93-344 (Rept. 99-663, Pt. II). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HUGHES:

H.R. 5231. A bill to amend the Controlled Substances Act to prohibit conduct with respect to controlled substance analogs; jointly, to the Committees on the Judiciary, and Energy and Commerce.

By Mr. BREAUX (for himself and Mr. YOUNG of Alaska):

H.R. 5232. A bill relating to the guarantee of obligations under title XI of the Merchant Marine Act of 1936 for fishing vessels or fishery facilities; to the Committee on Merchant Marine and Fisheries.

By Mr. NATCHER:

H.R. 5233. A bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1987, and for other purposes.

By Mr. YATES:

H.R. 5234. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1987, and for another purposes.

By Mr. CONYERS:

H.R. 5235. A bill to amend title XIX of the Social Security Act to require State Medicaid plans to provide coverage of pregnant women whose income falls below the Federal poverty guidelines; to the Committee on Energy and Commerce.

By Mr. ANNUNZIO (for himself and Mr. HILER):

H.R. 5236. A bill to establish the Congressional Gold Medal; to the Committee on Banking, Finance and Urban Affairs.

By Mr. BARNES (for himself, Mr. MILLER of California, Mr. FAUNTROY, Mr. FAZIO, Mr. GEJDENSON, Mr. GRAY of Pennsylvania, Mr. HOYER, and Mr. MITCHELL):

H.R. 5237. A bill to extend the life of the Department of Justice Assets Forfeiture Fund and the Customs Forfeiture Fund through fiscal year 1989, to make amounts from the funds available to the Secretary of Education and the Secretary of Health and Human Services for drug abuse education and prevention programs, and for other purposes; jointly, to the Committees on the Judiciary, Ways and Means, Energy and Commerce, and Education and Labor.

By Mr. BIAGGI:

H.R. 5238. A bill to prevent crimes committed in connection with the operation or use of automated teller machines; jointly, to the Committees on Banking, Finance and Urban Affairs, and the Judiciary.

By Mr. BILIRAKIS:

H.R. 5239. A bill to amend part C of the Balanced Budget and Emergency Deficit Control Act of 1985 to exempt programs authorized by the Older Americans Act of 1965 from sequestration; jointly, to the Commit-

tees on Government Operations, and Education and Labor.

By Mr. BRYANT:

H.R. 5240. A bill to enhance the ability of civilian law enforcement agencies to detect and interdict the unlawful transportation of controlled substances across international boundaries of the United States, and to make unlawful the patrolling of, and solicitation and conspiracy to patrol, such boundaries with the intent to enforce or aid in the enforcement of the immigration or customs laws of the United States, without the permission of an officer of the United States; jointly, to the Committees on Armed Services, and the Judiciary.

By Mr. CONYERS (for himself and Mr. GEKAS):

H.R. 5241. A bill to amend titles 18 and 28 of the United States Code to make technical and other changes occasioned by the enactment of the Comprehensive Crime Control Act of 1984, and for other purposes; to the Committee on the Judiciary.

By Mr. DASCHLE (for himself and Mr. COELHO):

H.R. 5242. A bill to enhance exports of United States agricultural commodities; jointly, to the Committees on Agriculture, and Foreign Affairs.

By Mr. DONNELLY:

H.R. 5243. A bill to amend the Internal Revenue Code of 1954 to require that requests to waive the minimum funding standards for certain pension plans by reason of substantial business hardship be accompanied by a list of the plan participants, and to direct the Secretary of the Treasury to make public any request for such a waiver and provide for a 60-day comment period at the close of which a public hearing shall be held at which interested parties may testify about such request; to the Committee on Ways and Means.

By Mr. FIELDS (for himself, Mr. YOUNG of Alaska, Mr. TAUZIN, Mr. SHUMWAY, Mr. FRANKLIN, Mr. CALLAHAN, and Mrs. BENTLEY:

H.R. 5244. A bill providing for the orderly and timely development of critical energy resources on the U.S. Outer Continental Shelf; jointly, to the Committees on Interior and Insular Affairs, and Merchant Marine and Fisheries.

By Mr. HAMMERSCHMIDT:

H.R. 5245. A bill to eliminate certain restrictions on the use of natural gas and petroleum, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HUGHES (for himself, Mr. LUNGREN, Mr. SMITH of Florida, Mr. MAZZOLI, Mr. MORRISON of Connecticut, Mr. FEIGHAN, Mr. STAGGERS, Mr. MCCOLLUM, Mr. SHAW, and Mr. GEKAS):

H.R. 5246. A bill to amend the Controlled Substances Act to prohibit certain conduct with respect to controlled substance analogs; jointly, to the Committees on the Judiciary, and Energy and Commerce.

By Mr. LANTOS:

H.R. 5247. A bill to amend the Controlled Substances Act and the Controlled Substances Import and Export Act to strengthen criminal penalties for offenses involving base forms of cocaine and for youth-related offenses, and for other purposes; jointly, to the Committees on Energy and Commerce, and the Judiciary.

By Mr. MACK (for himself, Mr. AUCOIN, Mr. BOULTER, Mr. CHENEY, Mr. FAWELL, Ms. FIEDLER, Mr. KOLBE, and Mr. TAUZIN):

H.R. 5248. A bill to modify the procedures set forth in part C of the Balanced Budget and Emergency Deficit Control Act of 1985; to the Committee on Government Operations.

By Mr. MACKAY:

H.R. 5249. A bill to amend schedule I of the Controlled Substances Act to include cocaine freebase; jointly, to the Committees on the Judiciary, and Energy and Commerce.

H.R. 5250. A bill to amend the Controlled Substances Act to provide enhanced penalties for employment of persons under age 21 to distribute drugs; jointly, to the Committees on the Judiciary, and Energy and Commerce.

H.R. 5251. A bill to amend section 405A of the Controlled Substances Act, relating to the distribution of a controlled substance in or near a school, to include the manufacture of controlled substances; jointly, to the Committees on the Judiciary, and Energy and Commerce.

By Mr. MARKEY:

H.R. 5252. A bill to clarify the exemptive authority of the Securities and Exchange Commission; to the Committee on Energy and Commerce.

By Mr. MARTINEZ (for himself, Mr. TORRES, Mr. ROYBAL, Mr. ORTIZ, and Mr. EVANS of Illinois):

H.R. 5253. A bill to assure the continued viability and effectiveness of the rules and policies of the Federal Communications Commission promoting and enhancing the ownership of communications facilities by minority-owned or controlled entities; to expand such rules and policies; and for other purposes; to the Committee on Energy and Commerce.

By Mr. MOORE:

H.R. 5254. A bill to amend part C of the Balanced Budget and Emergency Deficit Control Act of 1985 to remove the Comptroller General and the Director of the Congressional Budget Office from participation in the deficit reduction process under the Act, and for other purposes; jointly, to the Committees on Government Operations, and Rules.

By Mr. ROWLAND of Georgia (for himself, Mr. JENKINS, and Mr. GIBBONS):

H.R. 5255. A bill to require the Secretary of Health and Human Services to submit to the Congress a proposal for the regulation of long-term care insurance policies, including an analysis and evaluation of such policies as are available to individuals, and to amend the Internal Revenue Code of 1954 to allow tax-free distributions from individual retirement accounts for the purchase of long-term care insurance coverage by individuals who have attained age 59½; jointly, to the Committees on Ways and Means, and Energy and Commerce.

By Mr. SEIBERLING (for himself, Mr. MURTHA, Mr. VANDER JAGT, and Mr. OBERSTAR):

H.R. 5256. A bill to amend the act of April 9, 1924, authorizing the construction, reconstruction, and improvement of roads and trails in units of the National Park System, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. STANGELAND:

H.R. 5257. A bill to amend the Agricultural Act of 1949 and for other purposes; to the Committee on Agriculture.

By Mr. SWINDALL (for himself, Mr. BARNARD, Mr. THOMAS of Georgia, Mr. DARDEN, and Mr. DERRICK):

H.R. 5258. A bill to amend section 569 of title 28, United States Code, with respect to the duties of U.S. marshals; to the Committee on the Judiciary.

By Mr. WAXMAN (for himself, Mr. WALGREN, and Mr. MADIGAN):

H.R. 5259. A bill to amend the Public Health Service Act to revise the authorities of the Alcohol, Drug Abuse, and Mental Health Administration; to the Committee on Energy and Commerce.

By Mr. YOUNG of Florida:

H.R. 5260. A bill to ensure the supply of childhood vaccines, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BATES:

H.J. Res. 682. Joint resolution extending best wishes to the Board of Supervisors of the County of San Diego, CA, on the occasion of the 50th anniversary celebration and rededication of the San Diego County Administration Center on August 20, 1986; to the Committee on Post Office and Civil Service.

By Mr. FLORIO (for himself, Ms. SNOWE, Mr. MCKERNAN, Mr. GEJDENSON, Mr. EDGAR, Mr. MORRISON of Connecticut, Mr. SHUSTER, Mr. CONTE, Mr. RICHARDSON, and Mr. ATKINS):

H.J. Res. 683. Joint resolution to provide for a temporary prohibition of strikes or lockouts with respect to the Maine Central Railroad Company and Portland Terminal Company labor-management dispute; to the Committee on Energy and Commerce.

By Mr. MICHEL (for himself, Mr. WRIGHT, Mr. HANSEN, and Mr. GARCIA):

H.J. Res. 684. Joint resolution calling for recognition of United Way's 100th Anniversary; to the Committee on Post Office and Civil Service.

By Mr. PANETTA:

H.J. Res. 685. Joint resolution authorizing the Philippine Scouts and U.S. Veterans' Association of America to establish a memorial to honor the Philippine Scouts, who served bravely in the U.S. Army in Bataan and Corregidor during World War II; to the Committee on House Administration.

By Mr. VISCLOSKY (for himself, Mr. DYMALLY, Mr. GARCIA, Mr. LELAND, Mr. MARTINEZ, and Mr. SAVAGE):

H.J. Res. 686. Joint resolution to designate August 12, 1986, as "National Civil Rights Day"; to the Committee on Post Office and Civil Service.

By Mr. FOLEY (for himself and Mr. LOTT):

H. Res. 514. Resolution providing that the substantially verbatim account of remarks in House proceedings in the CONGRESSIONAL RECORD should be clearly distinguishable by different typeface from material inserted under permission to extend remarks; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

Mr. SHUMWAY introduced a bill (H.R. 5261) for the relief of Sjoerd Zittema and Peggy Rose Rakers; 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. 128: Mr. EVANS of Iowa.

H.R. 156: Mr. SABO.
H.R. 351: Mrs. BENTLEY.
H.R. 1294: Mr. MCHUGH.
H.R. 1402: Mr. GEJDENSON.
H.R. 1840: Mr. BRUCE, Mr. MORRISON of Connecticut, and Mr. FRANKLIN.
H.R. 1902: Mr. SOLOMON, and Mr. HOYER.
H.R. 2280: Mr. ROBINSON, Mr. HAWKINS, Mr. KOSTMAYER, Mr. RODINO, Mr. WOLF, Mrs. HOLT, Mr. BROOKS, Mr. JEFFORDS, Mr. DYMALLY, Mr. HERTEL of Michigan, Mr. YOUNG of Florida, Mr. NEAL, Mr. BEDELL, Mrs. LLOYD, Mr. MINETA, Mr. SCHEUER, Mr. TRAFICANT, Mr. TORRICELLI, Mr. AKAKA, Mrs. MARTIN of Illinois, Mr. CHAPMAN, and Mr. DURBIN.
H.R. 2502: Mr. WHITEHURST.
H.R. 2568: Mr. MCKINNEY.
H.R. 2836: Mr. HALL of Ohio and Mr. BATEMAN.
H.R. 3099: Mrs. BURTON of California, Mr. HOWARD, Mr. ST GERMAIN, Mr. HAYES, Mr. KILDEE, and Mr. HALL of Ohio.
H.R. 3465: Mr. SWIFT.
H.R. 3555: Mr. SENSENBRENNER.
H.R. 3644: Mr. LOTT and Mr. FRANKLIN.
H.R. 3894: Mr. YOUNG of Missouri, Mr. KLECZKA, Mr. DICKS, Mr. MCKERNAN, Mr. COLEMAN of Texas, and Mr. NELSON of Florida.
H.R. 3950: Mr. TORRICELLI and Mr. BIAGGI.
H.R. 4096: Mrs. BOXER, Mr. MCMILLAN, Mr. HEFNER, Mr. FROST, and Mr. GONZALEZ.
H.R. 4128: Mr. ORTIZ.
H.R. 4148: Mr. CONYERS.
H.R. 4247: Mr. MCMILLAN and Mr. BARTON of Texas.
H.R. 4248: Mr. BARTON of Texas.
H.R. 4250: Mr. BARTON of Texas.
H.R. 4251: Mr. BARTON of Texas.
H.R. 4333: Mr. DOWNEY of New York.
H.R. 4368: Mr. WILLIAMS, Mrs. COLLINS, Mr. BONIOR of Michigan, Mr. LUKEN, and Mr. FROST.
H.R. 4439: Mr. FAWELL, Mr. MARTIN of New York, Mr. ROGERS, and Mr. FEIGHAN.
H.R. 4524: Mr. FAWELL.
H.R. 4535: Mr. WEISS, Mr. BORSKI, and Mr. HOWARD.
H.R. 4627: Mr. TAUKE.
H.R. 4633: Mr. MITCHELL, Mr. ERDREICH, Mr. HAYES, Mr. PEASE, Mr. NATCHER, Mr. GUARINI, and Mr. GEJDENSON.
H.R. 4682: Mr. BILIRAKIS.
H.R. 4776. Mr. GEJDENSON.
H.R. 4825: Mr. EVANS of Illinois and Mr. WEAVER.
H.R. 4836: Mrs. VUCANOVICH.
H.R. 4871: Mr. DOWNEY of New York, Mr. ROYBAL, Mr. CHAPMAN, Mr. DWYER of New Jersey, Mr. STRANG, and Mr. GILMAN.
H.R. 4876: Mr. NEAL.
H.R. 4888: Mr. HUGHES and Ms. MIKULSKI.
H.R. 4910: Mr. MCKINNEY.
H.R. 4972: Mr. DELLUMS, Mr. FAUNTROY, Mr. PACKARD, and Mrs. BURTON of California.
H.R. 4990: Mr. EDWARDS of California, Mr. KASTENMEIER, Mr. WILLIAMS, Mr. WEISS, Mr. ROYBAL, Mr. RANGEL, Mr. TORRICELLI, Mr. OWENS, Mrs. KENNELLY, Mr. DELLUMS, Mr. LUNDINE, Mr. MAVROULES, Mr. MINETA, and Ms. KAPTUR.
H.R. 5066: Mr. LIPINSKI, Mr. GOODLING, Mr. LAGOMARSINO, Mr. MCGRATH, Mr. SMITH of Florida, and Mr. STAGGERS.
H.R. 5070: Mrs. COLLINS, Mr. SAVAGE, Mr. TOWNS, Mr. EDWARDS of California, Mr. FAUNTROY, Mr. MARTINEZ, Mr. MITCHELL, Mr. RANGEL, Mr. CROCKETT, Ms. KAPTUR, Mr. GARCIA, and Mr. TORRES.
H.R. 5073: Mr. MURPHY, Mr. LEHMAN of California, Mr. MITCHELL, Mr. LOWRY of Washington, Mr. DOWDY of Mississippi, Mr. LEHMAN of Florida, Mr. STOKES, Mr. MRAZEK, Mrs. LONG, Mr. TRAFICANT, Mr. FASCELL, Mr. DE LUGO, Mr. STARK, Mr. MADIGAN, Mr. WYDEN, Mr. SWIFT, Mr. RINALDO, Mr. FAZIO, Mr. ALEXANDER, Mr. FAUNTROY, Mr. ASPIN, Mr. WISE, Mr. EVANS of Illinois, Mr. BEDELL, Mr. WILLIAMS, Mr. SEIBERLING, Mr. MCCAIN, Mr. WILSON, Mrs. BURTON of California, Mr. GRAY of Illinois, Mr. SKELTON, Mr. SCHULZE, Mr. BLILEY, Mr. FORD of Michigan, Mr. DYSON, Mr. WAXMAN, Mr. LEVINE of California, Mr. YOUNG of Missouri, Mrs. COLLINS, Mr. BONIOR of Michigan, Mr. MCDADE, Mr. EDWARDS of California, Mr. CALLAHAN, Mr. WEISS, Mr. GEPHARDT, Mr. HOWARD, Mr. SMITH of Florida, and Mr. NEAL.
H.R. 5103: Mr. HOWARD, Mr. KLECZKA, Mr. BILIRAKIS, Mr. BATEMAN, Mr. WHITEHURST, and Mr. MACKAY.
H.R. 5127: Mr. ACKERMAN, Mr. OBERSTAR, Mr. LAGOMARSINO, Mr. BARNES, and Mrs. BENTLEY.
H.R. 5132: Mr. TORRES, Mr. LEVIN of Michigan, Mr. PANETTA, Mrs. BENTLEY, Mr. EVANS of Iowa, Mr. LIGHTFOOT, and Mr. THOMAS of Georgia.
H.R. 5163: Mr. ROE.
H.R. 5165: Mr. FAZIO, Mr. FEIGHAN, Mr. MINETA, Mr. SAVAGE, Mrs. BOXER, Mr. GARCIA, Mr. RANGEL, Mr. SMITH of Florida, Mr. TORRES, Mr. TOWNS, Mr. WEISS, Mr. TRAXLER, and Mr. WOLPE.
H.R. 5176: Mr. LUNDINE, Mr. VENTO, Mr. KLECZKA, and Mr. LEACH of Iowa.
H.R. 5195: Mr. DENNY SMITH, Mr. PENNY, Mr. FUSTER, Mr. KINDNESS, Mr. MCCLOSKEY, and Mrs. JOHNSON.
H.R. 5200: Mr. STAGGERS.
H.R. 5202: Mr. MORRISON of Connecticut, Mr. BEDELL, Mrs. BYRON, and Mr. SAVAGE.
H.R. 5225: Ms. MIKULSKI, Mrs. SCHROEDER, and Mr. MADIGAN.
H.J. Res. 7: Mr. HAMMERSCHMIDT, Mr. SCHAEFER, Mr. MOORE, and Mr. PRICE.
H.J. Res. 49: Mr. GEKAS.
H.J. Res. 127: Mr. APPLEGATE, Mr. COELHO, Mr. BLILEY, Mr. SKELTON, Mr. ORTIZ, Mr. SABO, and Mr. LIPINSKI.
H.J. Res. 316: Mr. DERRICK, Mr. CHAPMAN, Mr. FUSTER, Mr. BRYANT, Mr. BUSTAMANTE, Mr. SPRATT, Mr. RANGEL, Mr. MACK, Mr. FISH, and Mrs. BENTLEY.
H.J. Res. 574: Mr. BEVILL, Mr. SPRATT, and Mr. WHITLEY.
H.J. Res. 577: Mr. TRAFICANT.
H.J. Res. 611: Mr. MONSON, Mr. CHAPPELL, and Mrs. BYRON.
H.J. Res. 638: Mr. FAZIO, Mr. SNYDER, Mr. HARTNETT, Mr. DYSON, Mr. SMITH of Iowa, Mr. FUQUA, Mr. SCHUETTE, Mr. MONSON, Mr. TRAXLER, Mr. LEVINE of California, Mr. BARNES, Mr. KASICH, Mr. GRAY of Illinois, Mr. NATCHER, Mr. HAYES, Mr. ORTIZ, and Mr. CONYERS.
H.J. Res. 643: Mr. HUTTO, Mr. BURTON of Indiana, Mr. MILLER of Washington, Mr. MCMILLAN, Mr. RAY, Mr. SAXTON, Mr. BOSCO, Mr. ZSCHAU, Mr. JONES of North Carolina, and Mr. RICHARDSON.
H.J. Res. 645: Mrs. HOLT, Mr. AKAKA, Mr. BONER of Tennessee, Mr. BEVILL, Mr. GRAY of Illinois, Mr. HAMILTON, Mrs. BURTON of California, Mr. RODINO, Mr. DORGAN of North Dakota, Mr. LUNDINE, Mr. MRAZEK, Mr. ROE, and Mrs. BENTLEY.
H.J. Res. 646: Mr. FRENZEL, Mr. BARTLETT, Mr. PANETTA, Mr. GOODLING, Mr. DYSON, Mrs. KENNELLY, Mr. SMITH of New Hampshire, and Mrs. MEYERS of Kansas.
H.J. Res. 656: Mr. SMITH of Florida and Mr. NEAL.
H. Con. Res. 244: Mr. CHANDLER.
H. Con. Res. 306: Mr. WORTLEY, Mr. COURTER, and Mr. FAZIO.
H. Con. Res. 321: Mr. MCHUGH.
H. Con. Res. 351: Mr. BONKER, Mr. MARTIN of New York, Mr. WHITEHURST, Mr. TRAXLER, Mr. WIRTH, Mr. STARK, Mr. HAMILTON, Mr. SPRATT, and Mr. WEBER.
H. Con. Res. 359: Mr. FRANK, Mrs. LONG, Mr. CROCKETT, Mr. HAYES, Mr. DOWNEY of New York, Mr. MILLER of California, Mr. FAZIO, Mrs. SCHROEDER, Ms. OAKAR, Mr. WEISS, Mrs. BURTON of California, Mr. DIXON, Mrs. SCHNEIDER, Mr. DYMALLY, Mr. OBERSTAR, Mr. FUSTER, Mr. OWENS, Mr. MARKEY, Mr. SOLARZ, Mr. HORTON, Mr. HUGHES, Mr. MITCHELL, Ms. MIKULSKI, Mr. MOAKLEY, Mrs. COLLINS, Mr. LELAND, Mr. LEVIN of Michigan, Mr. FAUNTROY, Mr. GEJDENSON, Mr. BERMAN, Mr. WILLIAMS, Mr. TAUKE, Mr. MATSUI, Ms. KAPTUR, Mrs. ROUKEMA, Mr. RANGEL, Mr. MARTINEZ, Mr. SCHEUER, Mr. FEIGHAN, Mr. STUDDS, Mr. TORRICELLI, and Mr. BONKER.
H. Con. Res. 360: Mr. MORRISON of Washington, Mr. GRAY of Illinois, Mr. STALLINGS, and Mr. EDWARDS of Oklahoma.
H. Res. 404: Mr. SCHAEFER.
H. Res. 430: Mr. LELAND, Mr. RANGEL, Ms. KAPTUR, Mr. LEVINE of California, Mr. MARTINEZ, Mr. HUGHES, and Mr. SEIBERLING.
H. Res. 445: Mr. WAXMAN, Mr. SEIBERLING, Mr. LELAND, Mr. RODINO, Mr. LEVINE of California, Mr. CARPER, Ms. KAPTUR, Mr. GEJDENSON, Mr. ROE, Mr. FRANK, Mr. KILDEE, Mr. FISH, Mr. BIAGGI, Mr. ACKERMAN, Mr. WISE, Mr. BORSKI, Ms. MIKULSKI, and Mr. VENTO.
H. Res. 451: Mr. BORSKI.

EXTENSIONS OF REMARKS

MARYVILLE MAKES ANOTHER REBOUND

HON. HENRY J. HYDE
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. HYDE. Mr. Speaker, on June 22, the Chicago Tribune ran an article by Eric Zorn, entitled, "Maryville Makes Another Rebound." For those unfamiliar with Maryville, it is a century-old home for homeless, abused, and neglected children in Des Plaines, IL. After Boys Town in Nebraska and St. Johns in New Jersey, Maryville is the third largest facility of its kind in the United States. Maryville has weathered many crises in its history that have nearly closed its doors, yet it has always managed to survive. Since 1971, Rev. John Smyth has been Maryville's director and deserves much credit for the home's survival and modernization and, more importantly, for the love and care he is helping to provide thousands of needy children.

I am very pleased to share this article with my colleagues in the House:

[From the Chicago Tribune, June 22, 1986]

MARYVILLE MAKES ANOTHER REBOUND—HOME FOR TOUGH KIDS BEATS ODDS

(By Eric Zorn)

Tough times are no stranger to institutions dealing with tough kids, and Maryville Academy in Des Plaines has seen its share.

The century-old home for 200 abused, neglected and homeless children, the largest of 76 such homes in Illinois, has weathered a near-closing for lack of funds, fires, an on-campus riot between students and members of the surrounding community, a severe reduction in the size of its operation and generations of difficult, often violent youths.

As often as not, when Maryville's name is in the news it's an aside in a story about a former student who has been killed on the streets or committed a crime. More recently, Maryville came up when a former priest and counselor there was convicted of sexually abusing a 14-year-old boy at the school.

"That hurt," said Rev. John Smyth, the former collegiate basketball standout who, as director, saved Maryville from the wrecking ball 15 years ago. "Was I betrayed? Yes. Was I disappointed? Hell, yes. But Maryville will survive."

The most spectacular symbol of Maryville's determination to survive is the annual Chuck Wagon, a picnic that attracts a crowd of 12,000 and features sports and entertainment personalities. It is the state's largest single fundraising event.

This year's Chuck Wagon, to be held next Sunday on the school grounds, at Des Plaines River and Central Roads, is expected to raise close to $1 million of the school's $7 million annual operating budget.

The negative publicity surrounding the molestation charges was ironic in that Maryville has placed an emphasis in recent years on the care, counseling and rehabilitation of victims of sexual abuse, prostitution and child pornography. Such children are frequently housed at Maryville as part of witness-protection programs administered through law enforcement agencies.

"Pimps tell these kids that no one cares for them and no one will take them," said Rev. David Ryan, Father Smyth's assistant. "But we will."

All of Maryville's youths, from runaways to throwaways, reside in "family living" units that consist of eight or nine youngsters and a married couple who act as surrogate parents. Father Smyth, who borrowed the idea in 1979 from Boys Town in Nebraska, uses it to simulate the everyday family life that many of the children have never known.

The house parents, who earn a rather spartan annual salary of $18,000 a couple, stress a combination of academic skills, home economic skills and social skills.

The children learn to cook, sew, shop for food and keep themselves and their clothes clean. They are extremely well-drilled in the art of the firm handshake, and a visitor can get some sore hands on a several-hour tour.

In this regard, the kids are proteges of Father Smyth, the priest whose hands, in their glory days, pushed and shoved under the boards so often that he still claims the Notre Dame University varsity record for fouling out of basketball games.

Father Smyth's hands are gentler today, but nearly as active. When he talks to Maryville residents, he likes to keep one big, friendly hand on their shoulders and the other locked in his grasp. They beam at him in return.

"I look at him as dad," said Sherri, 16, shortly after an informal colloquy with Father Smyth in the hallway of Maryville's high school, "I go to him with school problems, home problems . . . even boy problems. He's great.

Because of parental neglect, Sherri was taken from her family by state officials when she was 7, and she has been at Maryville the last six years. Her last name and those of other state wards are withheld here in accordance with state guidelines.

"We get tons of love," she said. "To me this seems like a normal life, maybe better."

Tom, a 14-year-old drifter from Niles who has been in and out of residential schools, hospitals and shelters since he was 5, says Father Smyth is "a lovable guy" who has taught him that "life is not a bag of cookies, and you need to show some responsibility if you want to get respect."

"It takes a lot of heart to go into something like this," he says. "It's amazing. I mean, he could have been a pro basketball player and he chose this."

Father Smyth's hardwood legacy is well-known around Maryville. A burly 6-foot-5-inch football and basketball standout at Chicago's De Paul Academy, he made the Notre Dame basketball team as a walk-on and became the captain and leading scorer his senior year, as well as making honorable mention All-American.

The old St. Louis Hawks chose him in the first round of the 1957 professional draft, but he decided he had a higher calling. He entered seminary training and, five years later, ended up at Maryville.

The academy then was an aging, prison-like facility that had been totally rebuilt by the Roman Catholic Archdiocese of Chicago after an 1899 fire destroyed all but one building. It housed 1,000 troubled youths in large dormitories that Maryville historians liken to a prison.

In 1971, John Cardinal Cody appointed Father Smyth, then in charge of Maryville's elementary and high school programs, director of the financially ailing academy. He was given a year to turn its fortunes around.

He immediately razed most of the huge, rattletrap dorm buildings and put up smaller, modern residences.

Father Smyth also helped organize an interscholastic sports program with similar child-care institutions. In the program, state championship trophies for sportsmanship are bigger than those for winning games.

The youths who are referred to Father Smyth's care by the state are often violent, troubled children who have been in and out of other homes and have histories of antisocial behavior. The student population is more than half black and Hispanic.

In the last three years, Maryville staff members have applied for workman's compensation benefits more than 75 times as a result of physical attacks by residents. Father Smyth has never been the victim of a beating, as much because of his size as his cleric's collar, though he has suffered three mild heart attacks since coming to Maryville.

In the summer of 1976 when Smyth was away, 10 carloads of young adults from neighboring areas drove onto Maryville's isolated, 70-acre grounds to fight an ugly, racially motivated battle with academy residents. "They were gonna take over," says Father Smyth, "but our kids demolished them."

On Jan. 15 of this year, Robert Friese, who worked at Maryville from 1981 to 1983 and was fired for "erratic" behavior, was sentenced in Cook County Criminal Court to four years' probation for the sexual relationship he had with a boy whom he met at Maryville.

Father Smyth said the academy "acted quickly to remove Friese when it became apparent that he was getting too emotionally involved with the youths" in his charge, though there was no evidence of sexual abuse at the time.

Maryville has come through these and other difficulties and is solvent, independent of Church financing and ranks as the 3d-largest facility of its kind in the country, behind Boys Town and St. Johns, a New Jersey school. It has branched out in recent years and now sponsors a summer camp in Wisconsin, the Paulina House emergency shelter for youths in Chicago and several foster parent training programs.

Father Smyth says his goal is to reduce the statewide population of homeless youths. That population was estimated last fall at 21,000 by a gubernatorial task force, of which Father Smyth was a member.

The task force reported that nearly 7,900 youths had been rejected by their parents, 7,000 had been pregnant and 9,000 had been sexually exploited while on the streets.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

"It's a horrible situation," says Father Smyth, drawing deeply on a Marlboro Gold. "Sometimes you hear things so awful you almost have to laugh."

But Father Smyth has never regretted choosing the pulpit over the pros: "Did I agonize over it? Oh, for a moment, I suppose. But I realized in my senior that I wanted something permanent and meaningful.

"And I got it. We're really creating new lives here."

TRIBUTE TO TED KANNER

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. BERMAN. Mr. Speaker, I rise today to pay tribute to a truly exceptional individual in my community, Mr. Ted. Kanner, who will soon be leaving his position as executive vice president of the Jewish Federation Council [JFC] of Greater Los Angeles.

Mr. Kanner began his long record of service with the Jewish Federation Council in 1971 as associate executive director. In 1974, he assumed the duties of executive director and in May 1979 became executive vice president.

His assumption of this top staff executive position with the council crowned a long and distinguished career in Jewish communal service. His professional work with the Jewish community began in Toledo. OH, where he served as youth director of the Jewish Community Center from 1955-57. He then served in Jewish community centers in Chicago and Houston, TX. In 1964, he moved to Tucson, AZ, where he assumed the duties of executive director of that city's Jewish Community Center. In 1966, he became Western States community consultant to the National Jewish Welfare Board, a post he held until his arrival in Los Angeles in 1971.

Even with all the time and effort demanded by these various positions of leadership, Mr. Kanner managed to give generously of his time to help the United Jewish Fund as their campaign director.

The Jewish community is indebted to Ted Kanner for his record of long and dedicated service. It is an honor and a distinct pleasure to join with my colleagues and the Jewish Federation Council of Greater Los Angeles in extending a heartfelt thanks for his commitment to helping others. His contribution to the JFC as executive vice president has been one of extraordinary service.

HIGH-TECHNOLOGY BUSINESS

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. CONTE. Mr. Speaker, I am pleased to draw the attention of my colleagues to an item concerning high-technology business that recently appeared in Fortune magazine on May 26, 1986.

The article addresses the management style for the future of high-technology businesses that is exemplified by the Pirelli company, which manufactures and installs electrical power and fiber optic cables, as well as manufacturing high-performance tires.

Unlike so many businesses that try to drain American technology from this country, Pirelli continues to make major investments in the United States, where it employs more than 1,100 individuals and where it is in the process of building a new state-of-the-art R&D center. In addition, Pirelli is considering placing the world's largest, most modern submarine cable manufacturing facility in the United States.

The Fortune article follows:

PIRELLI—MANAGEMENT STYLE FOR HIGH-TECHNOLOGY FUTURE

To most people, Pirelli is synonymous with tires. The company does in fact rate fifth in the world as a tire-producer, a climb in a very few years from the eighth place. Its competitive advantage is in specialized products like the "low profile" tires which have allowed Pirelli to increase its volume of sales in the last two years by 20 percent, five times more than market performance. But in terms of high tech, as well as sales, the first place must go to cables, a field in which Pirelli is an unchallenged leader.

Cables are the least visible of products because so often they go underground, underwater, or are concealed in other ways, but even the unglamorous (because invisible) cable is a highly sophisticated product.

Filiberto Pittini, Chairman and Managing Director of the Group management company, Pirelli Société Générale, shows particular pride in the development contract Pirelli has been awarded, to study the feasibility for a 160-mile submarine cable in Hawaii; the cable, at a maximum sea depth of 6,000 feet, is due to connect one island which has the geothermial power, to another which has the population.

Already Anchorage and Vancouver are connected with the mainland by Pirelli cables and so are the two sides of the English Channel. The bright star in the cable firmament though is the infant but highly promising optical-fiber technology. Fiber optics, he says, offer the basis for a whole new concept of cables for communications. They are emerging as the fundamental technology for information transmission systems.

The optical fiber which replaces the copper is a thin thread of glass or plastic which conducts light. Signals sent over the beam of light are purer and cheaper because plastic is cheaper than copper and fewer repeaters are necessary. These delicate threads have led Pirelli to take a new step in the field of technology which goes far beyond the manufacture of optic fiber cables.

"What we are interested in, "says Pittini, "is not just offering a product. Clients want a system which will solve their particular problem. For instance building management is just now becoming very interesting." This move ahead is charted by a pattern of participation in a series of companies able to produce entire systems which make use of fiber optics.

In early 1984, Pirelli took a stake in Litel, then a new company in the United States which aimed at installing and operating a private communication network in the Midwest to transmit economic and financial data. The same reasoning was behind their acquisition of a participation in David Systems and a holding in the British FOCOM, both being products and systems companies working in voice and data transmission for use in factory automation, intelligent buildings security systems and traffic control.

They have taken substantial interests in the French Velec, specializing in image and data communication systems, and in the Italian ITP Automazione, system integrator for factory automation; they have formed Boselli Sistemi, a joint venture with IBM Italy for building management systems. If technology has been the force behind the most recent examples of internationalization, Pittini points out that operations outside Italy practically began with the birth of the company.

And he now sees Pirelli as the most international of Italian companies. They operate in 16 different countries, and 70 percent of turnover is produced outside Italy. "From the beginning," Pittini says, "we wanted to use brains where they were." This outlook brought a characteristic management style. The object is to make nationality practically irrelevant by comparison with ability.

The process of expansion abroad is still going on, with the acquisition in January 1986 of the full control of the Metzeler Group, a German manufacturer highly specialized in rubber and synthetic products. The takeover is part of the diversification strategy of Pirelli which has the aim of strengthening the company's competitiveness in the field of motor industry components.

TERRORISM: A THREAT TO OUR FREEDOM

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. CRANE. Mr. Speaker, the year 1986 has been one in which great hopes have been expressed by the people of the United States. Our sense of hopefulness was most evident as we recently celebrated the 210th anniversary of our Declaration of Independence. On that day, as a nation, we cast our eyes upward to gaze upon a renewed Lady Liberty and we, too, renewed our dedication to the great principles of freedom, compassion, and peace for which she stands.

Yet there exists a dangerous menace to the liberty which we so dearly love, a menace which throws chains of fear about the hopes of our people. The devilish menace of which I speak is terrorism.

It is an evil enemy that lives in the gutter to strike against innocent women and children. It is a devilish plague which does violence to every civilized norm. It is a challenge to our freedom, to our compassion, our treasured peace, and, sadly, it is a challenge that will not leave us soon.

By killing innocent civilians, terrorists strive to bring attention to themselves. Well, they have our attention now, and I think they will not like it. We will stand by our principles, and we will never negotiate out of fear. Some would have us put aside these principles, stooping to associate with and appease these dogs. On behalf of Natasha Simpson, the 11-year-old girl gunned down in Rome, on behalf of Leon Klinghoffer, the 69-year-old confined

to a wheelchair who was killed and dumped into the Mediterranean, on behalf of Dimitra Stylianopoulos, Maria and Dimitra Klug, all killed by a bomb on a plane over Greece, on behalf of these and other American victims, we must answer, now and forever, "No."

Terrorism is a relatively new weapon in the world. To protect our people, we must develop a means of neutralizing this deadly plague. Therefore, we must learn more about terrorism, we must redouble our efforts to know the enemy, and knowing that enemy, put an end to his terror.

In this regard, a recent editorial by Mr. William McGurn proves to be a valuable tool. In his article, Mr. McGurn has accurately detailed the difference between terrorists and freedom fighters, the difference between legitimate and illegitimate armed struggle. I commend this article to the attention of my colleagues.

[From The Wall Street Journal, June 20, 1986]

TERRORISM CAN BE DEFINED

(By William McGurn)

TEL AVIV.—With its walls lined with row upon row of legal texts and cases, Azriel Barak's office here could be almost any lawyer's office anywhere. Except for a large aerial map of a planned Israeli settlement. This, the elderly attorney explains, is the map his son Uri was carrying when he and his wife were gunned down by an Arab terrorist. Seven years after the murder, the pain is still sharp as Mr. Barak points to pencil marks made on the map by his son just before his death.

That was back on Feb. 27, 1979. On that day 35-year-old Uri and his pretty wife, Hadassah, had driven out to check on the progress of the planned Beit Guvrin settlement. They walked around some, and when they returned to their parked car they were attacked. Mr. Barak shows a visitor the police photograph of the death scene: On the ground next to the crumpled bodies of his son and daughter-in-law lies the rolled-up map.

For people like Mr. Barak the dominant emotion is a profound sense of violation, that some fundamental human norm has been trampled upon. They do not believe it can be explained away by the relativistic cliche that "one man's terrorist is another man's freedom fighter." Although they are frequently unable to explain this in political terms, their gut feeling that terrorists are criminals and not soldiers is supported by centuries of Western thought. It is only because the West has jettisoned its classical understanding of what is and what is not lawful in warfare that it has found itself on the defensive over such issues as retaliation and military aid.

ANYTHING DOESN'T GO

"My son was an officer in the reserves and he fought several times," says Mr. Barak. "Had he been killed in a war I would have felt no enmity toward the Jordanian or Egyptian soldier who killed him. There is the same grief, sorrow, yes. But that is war. This is something else."

That "something else" has occupied Western thinkers ever since the ancient Greeks and Romans grappled with the problems of warfare. From their writings and later those of the scholastics grew the just-war tradition that still later became the basis for modern international law. Overlooked today is that this tradition has a dual nature: It insists on judging a fighter not only on the righteousness of his cause but also on his conduct in battle. The former explains whether the fighter is legitimate in going to war, but the latter is what distinguishes a terrorist from a guerrilla once the fight has begun. Contrary to the cheap notion that "anything goes," our Western ethos imposes limits even in the heat of battle, which is why we can have war criminals on both sides of any war.

You would not know this from the way terrorists fight. In the past several months 11-year-old Natasha Simpson was killed by terrorists at the Rome airport. A 69-year-old American confined to a wheelchair, Leon Klinghoffer, was executed and dumped into the Mediterranean. The trial of his accused killers began in Genoa, Italy, this week. More recently Dmitra Stylianopoulos; her 24-year-old daughter, Maria Klug; and her 8-month-old granddaughter, Dimitra Klug, were sucked out of a plane when a bomb exploded on TWA Flight 840 to Athens. These are just some of a long list of innocent victims whose only link was that their murders were deemed the best way to advance some particular grievance.

Now, critics will charge that it is unfair to bring up such "emotional" cases because when you start putting names and faces on casualties it is almost impossible to defend their murder. This is precisely the point. These same critics prefer to shift the debate to the record of, say, the Israeli army on the West Bank or the British in Northern Ireland, or the casualties resulting from the U.S. strike on terror centers in Tripoli. The result of this shift is that whether you describe such groups as the Afghan resistance, the Nicaraguan contras, the Irish Republican Army or Jonas Savimbi's UNITA as "terrorists" or "freedom fighters" comes to depend on whether you favor a united Ireland, a Palestinian homeland, a free Angola, etc.

Ordinary people, especially those hit by terrorism, have a much sharper view, based on what terrorists do and not why they say they do it. As the word itself suggests, terrorists incite terror in a population. They do this by routinely targeting such enemies as a Ma'alot grade school, a London department store, a Vienna ticket counter, a Belfast pub or any other institution of everyday life. By contrast, populations do not board planes, meet in a restaurants or go to work afraid that they will be targeted by Ronald Reagan, Margaret Thatcher or Shimon Peres.

The best formal definition of terrorism to date incorporating this distinction was given by the Jonathan Institute at a 1979 Jerusalem Conference. "Terrorism," the delegates agreed, "is the deliberate and systematic murder, maiming, and menacing of the innocent to inspire fear for political ends." True, civilians sometimes die even in a justly fought war, and civilians have died and we die in every war. But there is a difference between having them die as an unavoidable side effect of a legitimate attack and targeting them directly and routinely simply because their deaths might advance a cause. Unlike guerrillas, who like the French Resistance during World War II discriminated in their choice of targets, the terrorist strikes at the population at large; the arbitrary nature of the attacks—the idea that the grocer is as much a target as the general—is the source of the terror.

Given that the idea of limits is the basis of all law, it is not surprising to find that terrorism in practice reveals a horrible consistency: Its targets have all been areas of vital importance to the Free World. Theoretically, at least, terrorists could operate in totalitarian regimes (though it would be more difficult). In practice it is otherwise. Bombs do not explode in the cafes of Moscow, Prague or Warsaw—they go off in Paris, New York, Belfast, Jerusalem and Athens. In his book "Just and Unjust Wars," Michael Walzer notes that "terror is the totalitarian form of war and politics." How convenient the marriage between the state without limits and the war without limits.

By rejecting any limits on his behavior, the terrorist makes himself an "outlaw" in the literal sense of the term, and so it is beside the point to try to classify terror organizations as left- or right-wing; we do not ask thieves or murderers whether they are Democrats or Republicans. By the same token it is perfectly reasonable to agree that Ireland ought to be united or the Palestinians have a homeland and yet reject the IRA and the Palestine Liberation Organization, much as we can acknowledge the claim of the poor without sanctioning their right to rob banks.

Our just-war tradition is not a neat formula that yields obvious answers, but it does tell us what questions to ask. Applying its principles to terrorism, we can establish the ground rules for resolving the many related issues that plague policy makers today. If terrorists are criminals who reject all principles save expediency, for example, on what basis can we expect them to honor any agreements, unless we put them in a position where they have no alternative?

SLIPPERY SLOPE

The alternative to the just-war framework is the slippery slope that maintains that because war is so complicated it is impossible to discriminate between combatants and noncombatants. But we do make such distinctions, as hard as they may be at times, for our whole language about what is right and what is wrong depends on some common boundaries. Without these boundaries, the actions of democratic states to combat criminals and the actions of criminals to combat democratic states really do have the same moral status. If the West is ever to defeat terrorism it must first set the stage by defining it clearly, so that people can make the distinction between a criminal act and a legitimate military strike.

"There is a difference," says Mr. Barak, a leather-framed picture of his late son and daughter-in-law visible over his shoulder. For people like the Baraks, the Simpsons, the Klinghoffers, the lesson was delivered in a particularly savage manner. The question is whether Western leaders will take this lesson in time enough to prevent its being forced upon more of us.

YOUTH EMPLOYMENT: HOW TO SECURE AMERICA'S FUTURE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. RANGEL. Mr. Speaker, I rise to urge my colleagues to give their strongest support to youth job programs, particularly during the summer months when the unemployment rates of inner-city youths skyrockets.

Youth unemployment is a national crisis. Despite the Reagan administration's conspiracy of silence on youth unemployment, millions of youths are unable to find jobs. Many are minorities living in urban areas, and many are high school dropouts. The President has shirked his duty to assist these young people in job training and in job placement.

The costs of youth unemployment are staggering. In New York City alone, losses amount to $300 million in potential economic activity. The rate of youth unemployment in the city is four times greater than the adult rate. This is indeed a crisis, one which demands our attentions.

I urge my colleagues to read the following speech delivered by Dr. Stephen Aiello, chairman of the New York City Youth Board. His analysis is excellent, and is a useful insight into this crisis.

YOUTH EMPLOYMENT: WHAT WORKS

Good morning, ladies and gentlemen. My name is Steve Aiello, chairman of the New York City Youth Board; welcome to this important public hearing on youth employment: What Works.

The New York City Youth Board is charged with the responsibility, of reviewing, analyzing and making policy recommendations regarding programs directed at serving and improving the lives of our young people. The members of the board after serious deliberations, decided that our three major priorities would be: the school dropout problem, health services, and youth employment.

Monthly statistics from Washington, D.C. give us an optimistic view of economic recovery, a nation back at work. But other numbers indicated that depression-level unemployment continues for teenagers and young adults. This is a national crisis affecting millions of young people. But there are some youth who are more at risk—minority youngsters, teenagers living in urban areas, teenaged mothers, high school dropouts.

Unfortunately, the factors that are associated with high youth unemployment are the very factors that describe a growing portion of New York City's youth. They are at-risk of unemployment in their teens and early twenties and at greater risk of employment difficulties throughout their lives, caught in a vicious "Catch-22," unable to get a job because they haven't had a job.

So while nationally the unemployment rate for 16 to 21 year olds is three times greater than it is for adults, in New York City it is four times worse for teens than adults. From the other perspective, the percent of all teenagers who are working in New York City is less than half the national average.

This is a problem that is not only a social and moral burden but a financial hardship as well. Research has shown that by the most conservative estimates, youth unemployment costs more than $200 million annually in transfer payments and lost tax revenues. The city also loses $300 million in potential economic activity. In addition, employment problems of young people warrant our special attention because of long term costs that result from lower employment rates and wages throughout an individual's career.

Youth unemployment is a complex problem. It is the result of a series of inter-related issues. Economic trends, the demand for employees, the size of the labor force, competition for jobs, skills and qualifications of potential workers—all of these play a role. We hope today that our speakers will help to unravel this difficult knot and describe some potential strategies; and programs that work.

New York City is not without its own models and success stories. The mayor and Commissioner Bustelo will certainly describe the most effective programs for us today. The youth bureau also funds many comprehensive youth programs which assist young people to enter the job market. And we are happy to have with us today several directors of successful local programs who will help focus our discussion and lend us the lessons of their experience.

As we have begun to look at the issue of youth unemployment, it has become clear that the answers must evolve from efforts on many fronts. Employment policy is not only a matter of training programs, but one of local economic development as well. Efforts to maintain New York City's competitive edge and to nurture a strong mixed economy will ensure a steady demand for workers at many skill levels.

Youth employment must also be addressed by every level of government. City, State and Federal Governments all have a stake in our young people and a responsibility to assist them to gain employment. No level of government can afford to shift the burden in the long term. Local efforts must also include all public agencies, crossing traditional boundaries and joining the board of education with other mayoral agencies.

Finally, the private sector must do more, in program planning and sponsorship as well as in hiring. The private sector must work closely with Government to explain its needs, advise on program development, and most important, give young people a chance to prove themselves.

I believe that once all of these segments join together, the youth employment crisis will begin to subside in the face of young people's national desire to work. We owe them the support to reach their goal, since we will all gain from the benefits of a more productive society.

As a result of this hearing, the youth board will publish the proceedings and our policy recommendations. Thank you all for joining us and we look forward to hearing your testimonies and discussing this critical issue.

CALL TO CONSCIENCE VIGIL FOR SOVIET JEWS

HON. JIM LEACH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. LEACH of Iowa. Mr. Speaker, in spite of the welcome release from the Soviet Union this past spring of Anatoly Shcharansky, the grim news is that emigration levels from the Soviet Union are at record lows. For the first 6 months of 1986, only 386 Soviet Jews have been permitted to leave, in stark contrast to the high annual rate of over 51,000 in 1979. And, in spite of Soviet official protestations to the contrary, responsible estimates of those still seeking to leave that country on grounds of religious conscience alone conservatively range from 300,000 to 400,000.

Locked within Soviet borders, the Jewish community continues to face harassment, professional and educational discrimination, officially sanctioned anti-semitism, religious persecution, arrest, and incarceration in labor camps, insane asylums and prisons.

In spite of their commitments and obligations under the Helsinki accords and other international human rights instruments, Soviet authorities continue to deny Russian citizens the basic right to live, worship, and travel freely. Jewish prisoners of conscience and the thousands of refuseniks stand as witnesses to those repressive policies.

Individuals like Aleksei Magarik, Ida Nudel, and Vladimir Slepak are constant reminders of the human suffering Soviet repression has wrought on the Jewish community and the courage with which individuals confront the power of the State.

During this month of July when we as Americans celebrate the panoply of liberties we enjoy, it is particularly appropriate to make whatever modest efforts are possible to hold Soviet authorities accountable for actions which defy internationally recognized standards of human rights and justice.

The Statue of Liberty, whose refurbishing we just noted with such pride and fanfare, stands not only as a beacon of values but as a marker of contrasts. In America we have a profound border problem: too many of the world's citizens want to enter, work and worship in the United States. In the Soviet Union, there is a border problem of reverse dimensions: citizens are clamoring to emigrate, not immigrate.

As we Americans exercise our birthright and criticize our own leaders and our own policies—domestic as well as foreign—this perspective needs to be kept in mind.

The plight of a Soviet Jew is a human tragedy. It is also a benchmark of international relations. Until fundamental rights are granted Soviet citizens, it is difficult to believe fundamental progress can be made in United States-Soviet understanding.

CLARIFYING AMENDMENT TO THE PUBLIC UTILITY HOLDING COMPANY ACT

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. MARKEY. Mr. Speaker, I am today introducing legislation to cure an unintended application of the Public Utility Holding Company Act of 1935 [PUHCA]. This legislation will permit the Cabot Corp. to restructure a West Virginia natural gas utility which it owns into a wholly owned subsidiary free of the substantive restrictions of PUHCA. The restructuring is desired by both the West Virginia Public Service Commission and Cabot Corp.

Cabot Corp., is a large, multinational, diversified manufacturer of chemicals, petroleum and synthetic products. Nearly 90 years ago, the company explored for and discovered natural gas in West Virginia to supply its own operations in that State. Cabot's successful gas discoveries provided an excess of capacity, with the excess being sold to the public. Those sales became regulated by the West Virginia Public Service Commission, and

Cabot's public utility division was born. Today, those sales account for just over 1 percent of Cabot's revenues.

By virtue of a joint stipulation and settlement agreement between Cabot and the West Virginia PSC, Cabot will be directed to restructure its public utility division into a subsidiary, an act that would benefit Cabot—which would thereby gain access to the more favorable cost-of-capital advantages typically available to utility businesses, and would in addition be spared the exercise of subjecting all of their books, records and nonutility business operations to the jurisdiction of the West Virginia PSC—benefit the ratepayers of West Virginia, whose rates may be expected to decrease by virtue of the subsidiary's access to these lower capital costs; and facilitate the work of the West Virginia PSC—whose interest in Cabot centers on its utility operations, and not on the corporation as a whole.

Under present law, Cabot's creation of a wholly-owned public utility subsidiary would make Cabot a "public utility holding company" under PUHCA, and therefore subject to the substantive provisions of that act. A holding company which does not qualify for one of five enumerated exemptions from the act must divest itself of all its nonutility holdings. Cabot does not qualify for any of the five exemptions, and would thus be in the anomalous position of being forced to divest itself of approximately 99 percent of its businesses in order to accommodate a law applicable to the remaining 1 percent.

The bill I am introducing today would solve this Hobson's choice by creating a sixth exemption to PUHCA, an exemption that would apply particularly, narrowly and only to Cabot's situation. This bill resembles Senate bill S. 2000, which was introduced by Senators BYRD and ROCKEFELLER at the end of the first session, but it has been fine-tuned so as to make it applicable to a universe of one: Cabot Corp.

I am aware that there have been major initiatives over the past few years to repeal or substantially amend PUHCA. I share the opinion of JOHN DINGELL, chairman of the Energy and Commerce Committee, and of Dick Ottinger, my predecessor as chairman of the Energy Conservation and Power Subcommittee, that PUHCA is a cornerstone of the Federal public utility regulatory code, and that the act's twin objectives of investor and ratepayer protection remain as valid in 1986 as they were in 1935.

I am convinced, however, that Cabot's current predicament is not an intended outgrowth of PUHCA, and that PUHCA's beneficial contribution to utility regulation will not be compromised by the cure I am proposing today. Unlike other initiatives that have been suggested during this Congress, I believe that the Cabot initiative presents a discrete and uncontroversial response to a substantial, but narrow problem. My decision to address the Cabot issue separately is without prejudice to these other initiatives, which are more controversial and will undoubtedly require more lengthy examination in the legislative process.

I hope that the bill I am offering today will enjoy the support of my colleagues in both the House and Senate.

A TRIBUTE TO MR. MERV LEMMERMAN

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. BERMAN. Mr. Speaker, I rise today to pay tribute to an outstanding member of my community, Mr. Merv Lemmerman, who will be leaving his position as executive director of the Jewish Federation Council [JFC] of Greater Los Angeles.

Mr. Lemmerman leaves the JFC after many years of dedicated service in a variety of capacities. He started as their director of suburban services in 1974. He then served as assistant executive director for 2 years before assuming his present post in 1979.

Mr. Lemmerman's long and distinguished career in Jewish communal service began while he was still a student at Upsala College. While attending Upsala he was a group worker for children's and youth programs at the Bronx River Jewish Community Center. After graduating he became the director of children's activities at the Jewish Community Center of Trenton, NJ. Mr. Lemmerman went on to serve in leadership positions in Omaha, NE, and later at the Long Beach Jewish Community Center.

During his career, Merv Lemmerman has been the recipient of numerous awards for his dedication and hard work. He was named "Educator of the Year" by the Western Association of Temple Educators and received the Curriculum Award from the National Association of Temple Educators.

Mr. Lemmerman's tireless efforts in working to organize and improve his community are greatly appreciated by all those he has served. I am delighted and proud to join with my colleagues and the Jewish Federation Council of Greater Los Angeles to thank Merv Lemmerman for his fine work and to let him know that his work with the JFC will be greatly missed by all of us.

THE 200TH ANNIVERSARY OF THE DAILY HAMPSHIRE GAZETTE, NORTHAMPTON, MA

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. CONTE. Mr. Speaker, I rise today to pay tribute to a milestone of great importance in this Nation's journalistic tradition—the 200th anniversary of the Daily Hampshire Gazette in Northampton, MA.

In 1786, just 10 years after the birth of this great Nation, the first Daily Hampshire Gazette, a four-page edition, rolled off the presses and into one of western Massachusetts' most dynamic young communities. The paper's direction then, as it is today, was one of service to the needs of its readers and an undying commitment to the highest standards of journalistic integrity.

While still a blossoming publication, the Daily Hampshire Gazette brought news to the good people of Hampshire County of the drafting of our Constitution. Later it would document the growth of this young Nation to the west, its quest for independence and its civil struggle to ensure freedom for all Americans.

Through the generations, this publication brought news of two World Wars and the conflicts in Korea and Vietnam. It carried the imagination of western Massachusetts to the Moon with the Apollo astronauts, illustrated the birth of flight at Kitty Hawk and recounted the great triumphs of American adventurers around the world. Just as important, the Gazette chronicled the changing times of western Massachusetts and Northampton as it grew through the 18th, 19th, and 20th centuries.

It is an understatement to say that this paper's contribution has been outstanding. The Daily Hampshire Gazette's history is a living legacy that brings news of national and world affairs to the good people of western Massachusetts while providing the color features, school sports and local happenings that set this small-town paper in a class by itself.

I have relied on the Daily Hampshire Gazette for news of the First District of Massachusetts and know the role it has played in keeping its readers informed and entertained. As a matter of fact, I have two subscriptions; one for my Washington office and one for my district office.

On September 6, 1986, the Daily Hampshire Gazette will mark its bicentennial with a gala celebration including a spectacular fireworks display, a pops concert featuring the Springfield Symphony Orchestra and the premier of a film depicting the publication of a community newspaper.

This fine publication's success bears testament to the diligent work of countless professionals who have worked to make their paper the very best. On September 6, 1986, we will celebrate their efforts and accomplishments.

The Daily Hampshire Gazette has made a tremendous contribution to the great State of Massachusetts and this Nation. That is a commitment we can all be proud of.

Congratulations to Charles and Peter DeRose, the Daily Hampshire Gazette and all its dedicated staff, and good luck with your next 200 years of service.

A ROLE FOR AMERICA IN SOUTH AFRICA

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. CRANE. Mr. Speaker, this body recently passed H.R. 4868, which carried the misnomer "Anti-Apartheid Act of 1986." A recent editorial in the Wall Street Journal retitled this bill as "The House Blunderbuss." I stand with many Americans in recognizing that the bill this body passed was as unwise as it was well intentioned.

This bill is unwise because it punishes those we seek to help. For the oppressed blacks of South Africa, this bill promises a loss of jobs, economic hardship, and an end to the tremendously positive influence that American corpo-

rations have exercised in black South African communities. The 192 American companies that have subscribed to the Sullivan Principles have already put upwards of $140 million in South Africa for the benefit of black employees, improving education, creating housing, and helping to build strong communities. The legislation passed by this body would prohibit such investments in South Africa's future.

Not only would this bill harm South African blacks by forcing American corporations to cut and run, this resolution lends assistance to South Africa's violent extremists. Mrs. Lucy Mvubelo, the president of the National Union of Clothing Workers, one of the largest black unions, warned us against sanctions. She said:

Those in our country who urge a boycott of South African goods and the disinvestment of Western capital are simply a small fringe of revolutionaries. They realize that the basic conditions from which the revolution can rise do not exist thus the world must create it. Who will suffer? Clearly, the greatest hardship would fall on my people, the black people. They will be the first to lose their jobs. They will be left to die of starvation. They will be the first to be killed in a revolution.

This so-called antiapartheid bill will not help end apartheid; it will hasten bloody revolution. I commend the following Wall Street Journal to my colleagues for their learned attention, and with the hope that this body will avoid assembling another foreign policy blunderbuss:

THE HOUSE BLUNDERBUSS

Rep. Ronald V. Dellums (D., Calif.) declared on "Good Morning America" yesterday that the House vote Wednesday to force a withdrawal of American companies from South Africa "is a shot that will be heard around the world." He is right. The world will certainly take note if the U.S. shoots itself in the foot.

The House has proclaimed that the U.S. has two foreign policies. One is institutional, conducted according to historical practice by the president and his diplomats and based on responsible consensus. The other—the Dellums policy—is countercultural, fashioned out of the exotic politics of the congressman's home district, which includes what has been aptly described as the "People's Republic of Berkeley." National leaders around the world have only to decide which American foreign policy to bet their careers, and maybe lives, on.

Any serious student of American politics would have no problem. The Dellums bill, which requires American companies to be out of South Africa within 180 days, was passed by voice vote in a largely empty House. It probably has gone as far as it will go. But not every foreign leader is attuned to the subtleties of American politics. They may not know that Ron Dellums is a man even congressional liberals try to keep on a short leash. And they may think it important when far more powerful legislators, such as Tip O'Neill, lend their imprimaturs to Mr. Dellums' handiwork for purposes of domestic politicking.

It is precisely because a foreign policy to be effective must command trust that constant meddling by the House's left wing weakens U.S. influence abroad. That is sad, because on the whole U.S. influence is a positive force. There is no longer any serious argument within the U.S. polity over race relations. Ronald Reagan has declared for a colorblind society. The U.S. "constructive engagement" approach toward South Africa had, until recently, helped move that country toward more liberal polices. Responsibile black leaders in both the U.S. and South Africa have testified that American corporations have aided, not hindered, liberalization. They have promoted an understanding, which has been accepted by most white South Africans, that the country cannot develop industrially without moving blacks, "coloreds" and Asians into higher skill and managerial jobs. It is this positive force that the Dellums bill would withdraw, and at a time when the South African government, faced with organized violence in black communities, may once again be developing a siege mentality.

Aside from the sensitive politics of trying to persuade the goverment of a multiracial, multiethnic, multitribal society to give greater social, economic and political equality to all the peoples within its borders, U.S. policy cannot ignore yet another ominous fact. There are powerful forces in the world that seek a failure of the efforts of the U.S. and other Western nations to promote peaceful social and political development. The Soviet Union beams propaganda to South African blacks, much of it vituperative toward moderate black leaders, from transmitters in Ethiopia. The African National Congress, which has taken credit for some of the most serious violence inside South Africa, has Soviet links.

As with all Soviet-backed movements, the black revolutionary forces in South Africa pursue their aims by politicizing youths and stirring up violent conflict. Sometimes the conflicts are tribal, having nothing to do with black-white issues, but nonetheless creating instability. A very high percentage of the victims of violence in South Africa have been blacks killed or maimed by other blacks. Often the targets are moderate blacks who want a peaceful and not a bloody solution to the country's conflicts.

If the U.S. forced private American corporations to withdraw from South Africa it would signal that democratic capitalism, although at the center of U.S. efforts to promote world economic development, does not have firm U.S. support when the chips are down. That is hardly the message the U.S. wants to give to national leaders in places such as Brazil and Argentina who have linked their futures to democracy and the promotion of greater private development. A U.S. flight from any responsible role in South Africa would be a blow as well to such sturdy allies as Margaret Thatcher, who has been resisting leftwing pressures from within the Commonwealth and her own Parliament to impose harsher sanctions.

It may be some weeks before Congress again confronts the South Africa issue. We hope that meanwhile members will give some serious thoughts to their responsibilities. Do they want a foreign policy that seeks to promote constructive solutions to intricate political problems around the world? Or do they want a scorched-earth policy attuned to the objectives of the international left? The wrong choice will be expensive in human lives.

IRRESPONSIBLE SPENDING MUST STOP

HON. DENNY SMITH

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. DENNY SMITH. Mr. Speaker, last week the House approved $12.2 billion in spending for the Departments of State, Justice, and Commerce. Although the bill, H.R. 5161, contained funding for many necessary programs, it also contained such blatantly irresponsible spending that I was compelled to vote against it.

Voting against legislation such as this is never easy, especially given the fact that funding for some very important programs are included within this bill, especially those dealing with drug enforcement. Members such as myself—who are concerned with responsible Federal spending—are tempted to vote for bills like H.R. 5161 because of these good provisions. The spendthrifts of Congress know this, so they package the bad with the good.

The Congress took a major step in the fight to reduce the Federal deficit last week by approving the cuts mandated by the Gramm-Rudman provisions. The budget came in almost $2 billion under the mandated figure of $144 billion. Yet, even with this bill, we have gone back to the business-as-usual approach to budget balancing, and, as usual, the taxpayer is the loser.

My major reason for opposing this legislation is the fact that this bill, as it was approved by the Appropriations Committee, was $1 billion over the outlay target set by the budget resolution, Senate Concurrent Resolution 120. The adoption of Representative FRENZEL'S amendment cut that figure in half. The supporters of this bill argue that $500 million is only a small percentage of our $142 billion deficit, and even less when compared to our $2 trillion national debt. It may be peanuts to the big spenders in Congress, but that type of thinking is what has devastated our economy over the last 50 years.

In the era of Gramm-Rudman, most Federal offices—including my own congressional office—are tightening fiscal belts. Yet, this bill contained high-priced items that did nothing but bust the budget. Money that was ticketed for tightening Embassy security would actually go toward the building of palatial facilities. According to some sources, furniture for these new buildings could run as high as $100 million. I can only assume the intent of that item was to provide security for our diplomatic corps by putting up a barricade of chaise lounges and sofas and chasing off intruders with throw pillows.

Other unwarranted expenditures include: $10.4 million for the U.S. Travel and Tourism Administration; $4.8 million for the Soviet-East European Research and Training Fund; and $2 million for bilateral science and technology agreements with Yugoslavia.

Mr. Speaker, it is time for the Congress to start reprioritizing what we stand for. As a nation, we can no longer afford to let irrespon-

sible spending decisions sneak through in this fashion. It is much better to defeat a bill that contains unnecessary spending and unwise decisions, and then return with a clean bill that addresses the legitimate, important concerns of this country, including the concerns of continuing Federal deficits.

NEED FOR LOCAL ANTITERRORISM PLANNING

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. SMITH of Florida. Mr. Speaker, last year, I introduced H.R. 3712, the Local Anti-Terrorism Planning Act.

The original bill authorized local antiterrorism planning grants to be made through the discretionary portion of the Justice Assistance Act. The more I considered the need for this legislation, the more I became convinced that more States and units of local government should be eligible for these planning funds.

Therefore, when the Subcommittee on Crime marked up its antiterrorism proposal, I offered an amendment to establish a new paragraph 19 in the basic justice assistance law. Under the amendment, States and local governments could use justice assistance funds for "developing and implementing antiterrorism plans for deep draft ports, international airports, and other important facilities." The subcommittee adopted my amendment, and it is now part of H.R. 4786, the Antiterrorism Act of 1986.

I broadened this category for two reasons. First, my original bill called for a limited number of planning grants. It anticipated that these plans could then be modified by other localities. Second, by placing antiterrorism grants in the general justice assistance section, I thought it proper to permit every locality with a port and airport to use its justice assistance funds for antiterrorism planning.

As with H.R. 3712, existing funds under the Justice Assistance Act would provide the funding, and no additional money would be requried.

The need for this type of legislation has been reinforced by a recent panel report from the Center for Strategic and International Studies of Georgetown University entitled "Combating Terrorism: A Matter of Leverage." The panel, chaired by Robert Kupperman, discussed both domestic and international terrorism. Among its recommendations, the report states that—

[a] combined federal-state-municipal government program should be initiated to catalogue and analyze national infrastructure vulnerabilities and implement a combined program to enhance key infrastructure node security.

Enhancing infrastructure security is precisely what my proposal seeks to do. Let me illustrate my point by looking at Broward County, FL. We also have within a few miles of each other in Broward County a major airport and deep water port, electricity generators, and storage facilities for most of the fossil fuels consumed in south Florida. This region also contains many refugees and emigres, some of whom might support terrorists or provide safe haven for terrorists. Because of the combination of people and potential targets, this region must rank high as a potential target for terrorism. This, in turn, poses a definite problem for law enforcement.

The Broward sheriff's office [BSO] is but one of three police agencies and two separate security forces that have jurisdiction over these facilities. Rather than having to deal with a terrorist threat in a reactive manner, BSO would like to expand the services it already provides to create a proactive deterrent to any terrorist threat.

This is a necessary local attempt to solve what is a national problem. Properly implemented and supported this program could be expanded to create a plan that would deter terrorism in Broward County.

Other parts of this country may be vulnerable to terrorist threats because of the public facilities they contain. We should provide assistance to those localities that want to deal with potential terrorist threats.

In analyzing the Federal approach to domestic terrorism, the Georgetown report noted that "poor organization can impede progress on the counterterrorism front." The key questions were how to deal with the threat and how to coordinate capabilities to deal with changing situations.

Although this portion of the Georgetown report was talking about Federal agencies, the same problem affects local law enforcement agencies and governments. Here the report notes that:

Coordination between federal and local law enforcement officials, particularly in protection of vulnerable intrastructure, offers some intriguing possibilities. Each vulnerable [infrastructure] node is located, after all, in a specific jurisdiction, under the authority of some local, state, or regional agency. What might be proposed is an 'Adopt-a-Node' program whereby local officials accept as a regular obligation the protection of vital infrastructural installations.

The report then mentions my original bill along with the Joint Terrorist Task Force organized by the FBI and the New York City Police Department.

Mr. Speaker, if we are to protect this country from the threat of terrorism and its aftereffects, then our policy must be proactive rather than reactive. I do not claim that my proposal is the only way to go. As the Georgetown report noted, "There is no inherent constraint to extending the scope of such a program to include key power transformers, oil and natural gas, pumping stations, and critical transportation nodes." I am perfectly willing to support the expansion of my proposal to include these facilities.

The point is, Mr. Speaker, that by passing my proposal we at least will be doing something now—while we still have the time to plan.

KILDEE RECOGNIZES MARY ELIZABETH WALWORTH'S ACCOMPLISHMENTS

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. KILDEE. Mr. Speaker, I would like to ask my colleagues to join me in recognizing and congratulating Mary Elizabeth Walworth, of the 7th District of Michigan, for her academic achievements.

Mary Walworth, with diligent studies and extraordinary insight, has gained the degree of Master of Arts and Sciences in Teaching of the Hearing Impaired from the Gallaudet College of Arts and Sciences. Her commitment to her studies and devotion to the guidance of the hearing impaired allowed her to complete a research paper titled, Short-Term Memory Encoding In Deaf Children Who Used Cued Speech. The research paper earned Mary Elizabeth the prestigious Graduate Student Research/Writing Award from Gallaudet.

This award is granted to a student who, during his or her graduate studies, has written a paper that constitutes an outstanding scientific or professional contribution to the field of deafness. Mary Elizabeth Walworth has made such an outstanding contribution.

I ask all of my distinguished colleagues to join the Gallaudet College of Arts and Sciences and me in recognizing Mary Elizabeth Walworth for her outstanding contributions to the field of addressing the problem of deafness.

DOUGLAS HODGE HONORED AUGUST 3, 1986

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. LEWIS of California. Mr. Speaker, I would like to take this opportunity to pay tribute to a truly remarkable young man, Douglas Hodge, of Alta Loma, CA. Doug will be honored along with those students in the Citrus Community College Singers who have completed the 3-year program.

After having ably served as student director for the singers, Doug decided to temporarily postpone his promising career in the entertainment industry and complete his education. He will be starting his junior year at California State University at San Bernardino this fall, and work toward a B.A. in communications with an emphasis in creative arts management. In addition to these fine endeavors, Doug has made the admirable commitment to pay for his own education.

Doug graduated from Alta Loma High School in June of 1983, in the top 7 percent of his class. As the school's first sophomore to be promoted from the A cappella choir to the top ranked 16-member choral group, the Alta Loma Chamber Singers, Doug later qualified for the Bel Canto Award, which is the honor given to the top singer in the school's

music department. A leader as well as a fine singer, Doug was elected president of the A cappella choir his senior year.

In addition to a full-time academic program aimed at acquiring an associate arts degree in music at Citrus Community College in Glendora, CA, he achieved acceptance into the school's prestigious Citrus Singer program. This outstanding group performs at the professional level, entertaining audiences worldwide with musical performances of both classical and popular songs and dances. Doug has performed in over 100 shows per year over the last 3 years, and I must express that his long hours of hard work and his dedication to his performance deserve our commendation.

Doug's discipline and his firm dedication to the importance of a good education allowed him to obtain his associate degree in only 2 years, even though the Citrus Singer program is usually completed in 3 years. Very few singers in the 17 year history of the group have realized such an acheivement.

Although Doug has been well occupied by the pursuit of his goals, he has volunteered his time to his alma mater, Alta Loma High School, teaching dance routines, designing sets, and helping students in the musical department prepare for various musical competitions and for their spring concert which he produced and directed.

Mr. Speaker, I ask that you join me, my colleagues and Doug's proud parents, Mr. and Mrs. Hodge, in honoring this fine young man's outstanding achievements and talent. I am very proud to recognize Douglas Hodge, indeed an outstanding example of dedication, talent and generosity.

CONGRATULATIONS TO HONDA OF OHIO

HON. MICHAEL DeWINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. DEWINE. Mr. Speaker, today the first American-made Honda Civic will be driven off the assembly line in Marysville, OH. I would like to take this time to recognize the employees of Honda of America who have worked hard to ensure the success of the first Japanese car manufacturer to locate in the United States.

As a result of their commitment to excellence, Honda has expanded the Marysville plant to produce the Civic line in addition to the original Accord.

Following is a message sent today to be read at a ceremony marking this occasion:

SHOICHIRO IRIMAJIRI,
President, Honda of America,
Marysville, OH.

DEAR MR. IRIMAJIRI AND ALL HONDA OF AMERICA EMPLOYEES: I am pleased to send my best wishes to you today as Honda of America begins production of American made Honda Civics.

Your hard work at Honda has enabled the company to expand and develop widely in central Ohio. We welcome this commitment to our community.

Congratulations to all of you who have helped make Honda of America successful.

PROTECT OUR INFRASTRUCTURE

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. MCEWEN. Mr. Speaker, on July 10, the Washington Post carried a brief story that I am sure many of you noticed with a mixture of amusement and disbelief. The day before, a fellow Ohioan had seemingly been swallowed by the highway on his way to work. In what is surely one of the largest potholes in history, a 50-foot section of road had fallen a full 25 feet. After the driver had crawled out of the hole with the aid of a ladder, he had to wait an entire day before his car could be retrieved from the crater.

Fortunately, no one was hurt, and the incident will be remembered only as an entertaining news feature. Nonetheless, the episode provides us with a shocking and graphic image of the decay of many of our Nation's roads.

The money for the maintenance and improvement of our Nation's highways, as well as that for the air and waterways, is supplied by a 100-percent user fee funded trust. Despite the fact that the Budget Act provides for different arrangements, these transportation trusts are included in the unified budget. As a consequence, the taxes our constituents pay specifically for highways are frozen and limited in the budget while key long-term projects go unfunded.

In order to prevent a similar tumble for your voters, I invite you to join in cosponsoring H.R. 4344, which I introduced in March of this year, to remove the highway, airport and airways, and inland waterways trust funds from the unified budget.

With your support, we can provide for the safe and efficient infrastructure this country demands.

A TRAGIC SITUATION IN LEBANON

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. DORNAN of California. Mr. Speaker, the situation confronting the Christian community today in Lebanon is extremely precarious. The civil war that has raged throughout Lebanon for the past 10 years—a civil war which has its roots dating back several centuries—has left Lebanon a fragmented, chaotic land ruled by the gun, not the law.

Although the fighting has touched every religious and ethnic group within the country in an adverse way, the Christian community has suffered tremendously at the hands of Muslim miltiamen and Palestinian terrorists. There are now over 478,000 Christian refugees of a total of 1½ million Lebanese Christians; 4,460 Christians killed; 202 Christian villages razed; and almost 400 schools and hospitals destroyed.

Much of the trouble besseting the Maronites and other Christians has occurred in south Lebanon, where the Christians have established a thin buffer zone called Free South Lebanon. The population of this buffer zone has been swelled by Christians streaming in from their historic towns and villages along the west coast of southern Lebanon near the cities of Tyre and Sidon, driven there by heavy fighting over the last decade involving Shiite, Druze, and Palestinian guerrillas.

This security zone has helped to stabilize a region that has proven in the past to be a serious flash point for Israeli-Arab hostilities. The UNIFIL force comprised of United Nations troops based in the south has proven to be of marginal effectiveness. Even though I support their continued deployment in the region, the Christian security zone now in existence has proved capable of stemming Palestinian and radical Shia infiltration into the buffer zone as well as rocket attacks on northern Israel. Therefore, the Christians remain a key element in reducing the ever-present cycle of violence seemingly endemic to the region.

Lebanon's long civil war threatens to destroy a once great country and its pluralistic tradition as a home for religious minorites and a refuge for persecuted people. We cannot allow this to continue.

The Lebanese forces has offered a proposal for national dialogue stressing Christian principles and reflecting the sociopolitical reality of current-day Lebanon. The proposal renews the call for an unconditional and unrestricted inter-Lebanese dialog between Christians and Moslems devoid of any outside interference. The Lebanese forces realizes correctly that violence will not solve anything. Further fighting will only make more difficult any chances of reaching an agreement. Dialog must take place soon toward a comprehensive and durable solution based on Lebanon's independence, territorial integrity, and plurality for all its people before it is too late to return Lebanon to its former glory.

A TRIBUTE TO AUDRAIN COUNTY

HON. HAROLD L. VOLKMER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. VOLKMER. Mr. Speaker, I would like to take this opportunity to congratulate Audrain County, MO, in this the year of its Sesquicentennial. For 150 years, Audrain County has played a substantial role in the development and growth of the State of Missouri.

Audrain County became the State's 52d county on December 17, 1836, named in honor of Col, James Audrain of St. Charles County, MO, then a member of the Missouri Legislature. The first session of the Audrain County Court was held on February 6, 1837, Judges James Harrison, James Fenton, and Hezekiah Doan presiding. Mr. Joel Haynes was appointed the first county clerk. From an original five townships—Saling, Wilson, Salt River, Prairie, and Loutre—Audrain County soon grew, in time adding the townships of

Linn, Cuivre, and South Fork. The city of Mexico now serves as county seat.

Over the course the past 150 years, the people of Audrain County have always contributed their leadership, service, and efforts in numerous ways to promote a better quality of life for fellow Missourians. Two Audrain Countians have served as Governor of the State of Missouri, and many other Audrain Countians have distinguished themselves in various fields of governmental endeavor.

The numerous outstanding achievements of the people of Audrain County figure prominently in the history of the State of Missouri. Audrain County's proud heritage deserves to be remembered by this and succeeding generations of Missourians and their fellow countrymen. Mr. Speaker, it is with great pleasure that I present this tribute to Audrain County. I can personally attest to the strength of character and nobility of purpose of the people of Audrain County, and it is with a feeling of deepest appreciation that I rise today to pay tribute to the memory of Audrain County's past, and wish the people of Audrain County success and happiness in all the endeavors they may undertake in the future.

MFN STATUS FOR ROMANIA

HON. RICHARD T. SCHULZE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. SCHULZE. Mr. Speaker, in the past, I have been a critic of granting Romania most-favored-nation [MFN] status because of the Romania Government's blatant disregard of basic human rights and its refusal to allow its prople to freely emigrate. Today, I join my colleagues in protesting the Romanian Government's continued poor record on human rights, particularly its inhumane treatment of the national minorities in Romania.

On June 10, the Subcommittee on Trade held hearings on this very topic, which provided me an opportunity to examine, once again, the human rights situation in Romania and its relationship to the United States renewing MFN treatment for Romania. The result of these hearings was to confirm my fears that there has not been significant change in Romania to justify renewal of this country's MFN status.

Indeed, emigration from Romania has not increased substantially and individuals desiring to emigrate continue to experience undue hardship, discrimination and are, in effect, ostracized by their government. In addition to emigration, the government's lack of respect for the religious freedom of its citizens was highlighted by stories of churches being destroyed and of toilet paper being made out of Protestant bibles.

Unfortunately, during the hearings little emphasis was placed upon the persecution of the national minorities in Romania, an Issue which is known to us through the efforts of several American Hungarian organizations, but particularly through the American Hungarian Federation, represented by Dr. Michael Szaz, who has been in touch with me on this problem for many years.

The national minorities number about 3.3 million people in Romania, of which 2.5 million are Hungarians. These minorities have been increasingly oppressed since 1958, and this oppression has increased significantly since 1982. Hungarian writers and other intellectuals, who dare to exert freedom of speech and voice the smallest criticism of the government, are being severely mistreated. They have lost their jobs, have been physically harrassed by the secret police and are unjustly imprisoned. The result has been increasing discrimination and lack of tolerance for ethnicity.

The maltreatment accorded by the Romanian Government to the national minorities, such as the Hungarians, in combination with other blatant abuses of human rights, should cause the United States to seriously question the righteousness of renewing MFN status for Romania. Instead, it would be more in line with everything America stands for to deny MFN treatment for Romania until the Romanian Government demonstrates that it will respect the basic human rights of all Romanians, including the Hungarian minority.

THE CONDITION OF THE WORLD ECONOMY

HON. MARK D. SILJANDER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. SILJANDER. Mr. Speaker, I recently had the privilege to read a speech by Arthur Burns on the state of the world's economy.

Arthur F. Burns has served as Chairman of the Board of Governors of the Federal Reserve System and as U.S. Ambassador to West Germany. He is currently the SEI Distinguished Scholar-in-Residence. This paper was presented under the sponsorship of Soochow University in Taipei on March 31, 1986. It draws in part on the author's monograph, "The United States and Germany," recently published by the Council on Foreign Relations.

I commend the text to my colleagues:

THE CONDITION OF THE WORLD ECONOMY

(By Arthur F. Burns)

In one country after another across the globe, people are awakening to the power of economic freedom to foster rising living standards. This is the most fundamental and most promising international development of recent times.

A generation ago Chairman Khrushchev announced that by 1970 the level of per capita production in the U.S. would be overtaken by the Soviet Union. This prophecy has turned out to be a phantasy. The United States, instead of falling behind, entered the 1970's with a commanding lead over the Soviet Union, and its lead has become larger over the past ten years. In 1975 per capita output in the United States was about double that of the Soviet Union. Five years later, our margin of superiority became about 115% and last year it reached almost 120%. And when we turn to the Soviet satellites in Eastern Europe, we find that the gap between their economic performance and that of our capitalist America has become even larger than the Soviet-American gap.

The leaders of the Soviet Union are well aware of the superior performance of the American economy, particularly our advances in high technology—in microelectronics, telecommunications, office automation, genetic engineering. They fear that they cannot keep up with the innovative technology of the United States in the field of armaments—to say nothing of the civilian sector of the economy. That is undoubtedly why they have become more interested in reaching an arms agreement with the United States.

The inefficiency of the Soviet system has long been known to Western economists—for that matter to Soviet economists as well. The guidance that producers in a free-enterprise economy derive from the behavior of costs and prices in the marketplace is absent in the Soviet Union. As a result much economic effort ends up in shoddy output or sheer waste.

It is significant that Mr. Gorbachev, the new leader of the Soviet government, is aware of these deficiencies in the Soviet system. In addressing the Communist Party's Congress this February, he called attention to the poor performance of many key industries in the Soviet Union and to the appreciable decline in its over-all rate of economic growth. Nor did he stop there. He went on to proclaim that prices should reflect consumer demand as well as costs of production, that central planning should be reduced, and that production should be encouraged through economic incentives. He even urged that some private enterprise be allowed in the service sector.

The Soviet leadership has been influenced by the extraordinary economic advances of Japan, Taiwan, and the other free-enterprise countries of Eastern Asia as well as by the dynamism of the American economy. What has been happening in communist China has also caught their attention as it has of economic observers throughout the world. Under the bold leadership of Deng Xiaoping, China has recently been put on a path toward freer markets. Instead of working on state or collective farms Chinese tillers of the soil are now working for themselves and reaping handsome rewards in the process. Small private businesses are also permitted, particularly in the service sector, and foreign investment is being encouraged. The response of industry and agriculture to the partial economic freedom that mainland China now enjoys has been so impressive that even Soviet ideologists have apparently begun to think seriously about relaxing central planning.

A significant rethinking of economic policy is also under way in Western Europe. Unlike the communist states, where the government owns and operates most of the means of production, the countries of Western Europe continue to rely largely on private enterprise. They have, however, imposed extensive governmental intervention on their economies and this has sapped their vitality.

European citizens who have visited the United States in the past few years often carry back tales of wonder at the dynamism of our economy. There is ample reason for their spirited reaction to the American scene. Since November 1982, when the recession then under way reached its lowest point, over nine million jobs have been added in the United States. In most of Western Europe, on the other hand, employment has hardly changed despite the recent pickup in over-all production. And the contrast between the United States and West-

ern Europe becomes still more striking when we take a longer view. Between 1970 and 1985 the number of gainfully employed individuals increased by over 28 million in the United States, while it hardly budged in Western Europe.

The erosion of economic dynamism in Western Europe has many causes. Important among them were the two oil shocks of the 1970s, which exacerbated inflation and checked economic growth in the international economy. But the major factor that weakened the European economy did not derive from any foreign source; it originated within Europe itself.

Social welfare programs, which had gradually expanded in Western Europe during the immediate post-War decades, took a sharp upward spurt after 1970. Besides old-age pensions and unemployment insurance, they eventually embraced programs dealing with many other vicissitudes of life. Nor did the scope of the welfare state stop with individual or family concerns. It also came to include special benefits to business firms or industries that happened to be ailing or that otherwise were deemed worthy of encouragement.

This flowering of the welfare state brought many benefits to Europe's increasingly impersonal and industrialized society. But by carrying welfare programs to excessive lengths, the governments of Western Europe weakened their economies. In Germany, government spending already constituted about 38 percent of its gross national product in 1970. By 1982, the enormous expansion of the welfare state brought government spending to 50 percent of the gross national product. A similar explosion of outlays on welfare programs occurred throughout Western Europe.

Not surprisingly, the expansion of the welfare state has been accompanied in Europe by profound changes in labor markets. Trade unions became increasingly powerful and drove up wages. Government regulations added further to business costs and reduced the ability of business firms to respond to changing market conditions. Moreover, the vast "social safety net" led to sharp increases in business taxes. The inevitable result was a deterioration of profits. During the 1970s the trend of profits declined throughout Western Europe.

The rapid expansion of the welfare state after 1970 thus became a dominant force in the economic malaise of Western Europe. Labor's share in national income rose substantially and that of investors kept shrinking. Annual increases in business capital investment became generally smaller. A large part of the capital investment that took place was directed at reducing the need for overpriced labor; productivity gains benefited from the substitution of capital for labor, but still slowed down. Declining rates of economic growth became general. Governmental budget deficits accompanied growing tax burdens. Unemployment rose along with the rate of inflation. And while the rate of inflation has slowed down in most parts of Europe since 1980, unemployment still appears to be increasing in Western Europe taken as a whole.

The United States has not escaped either the benefits or the burdens of the welfare state. Our country was spared, however, the European excesses. Social welfare programs were not carried nearly as far as in Europe. To be sure, unemployment and inflation also marked the American scene; but trade unions never attained the power exercised by their European counterparts, and governmental benefits for the unemployed remained relatively restricted—both in amount and duration. The level of real wages in the United States was virtually stable during the 1970's; and while unemployment tended to rise, it remained preponderantly of short duration, and therefore was less serious than the long-term unemployment that afflicted Europe. Moreover, the over-all tax burden in our country rose little during the 1970s, while it climbed rapidly in Europe. In fact, the tax burden on American corporations actually declined, and—more important still—the rate of return on invested capital stayed well above European levels. The spirit of risk-taking and entrepreneurship has therefore remained alive in our country.

The entrepreneurial spirit is less firmly implanted in Europe—not only because of the factors I previously mentioned but also because European investors are more fearful of failure and therefore less inclined to take risks. This is a major reason why Western Europe has been so deficient during the past ten to fifteen years in creating new jobs.

When the focus of comparison is shifted from the United States to Eastern Asia, the shortcomings that have marked the European economy in recent times become more glaring. The people of the free-enterprise countries in Asia—Japan, Taiwan, South Korea, Hong Kong, Singapore, Thailand—are still accustomed to hard work. With the exception of Japan, they know little about social welfare benefits. Taxes have been relatively low, trade unions have been weak, profits have tended to be high, job opportunities have been ample, and the standard of living has kept rising. This, indeed, is the region where economic incentives have propelled economic growth to a faster rate during the past decade than is found anywhere else in the world. To be sure, the growth of the free-enterprise area of Eastern Asia has slowed sharply in the past year; but this appears to be a temporary setback.

Within the past two to three years Europeans have become increasingly aware of the contrast between their circumstances and those of the more dynamic economies of the United States and Eastern Asia. This has led to intensive self-examination which is beginning to bear fruit.

Let me mention a few recent developments. The German government, having made good progress in reducing its budget deficit, has just put into effect a tax reduction of moderate size and has committed itself to a further reduction in 1988. Britain has "privatized' much of the government's equity in industry, and the new government in France is moving in the same direction. Italy has weakened the automaticity of cost-of-living increases in wages. Germany has extended from 6 to 18 months the period for which employers can hire workers without a commitment to retain them. And several European countries have increased the incentive of workers to find jobs by reducing unemployment benefits to some degree.

These small but promising steps illustrate current European striving for freer markets and strengthened economic incentives. It is also important to note that Europe has become skeptical about Keynesian remedies for unemployment. Keynesian policies of easing credit and running governmental deficits became popular in Europe as well as in the United States after World War II. These policies worked remarkably well for many years; they contained, however, the seeds of their ultimate destruction because of their release of inflationary forces. By now, Keynesian policies are in general disrepute both in Western Europe and the United States.

The disillusionment with the promises of welfarism, Marxism and Keynesianism has not been confined to the regions of the world on which I have dwelt. It has tended in fact to spread across much of the globe. Rapid advances in communications, transportation, and technology are widening the range of political and economic choices available everywhere. Misinformation, to be sure, often accompanies truth, but cannot obliterate it. Knowledge is thus spreading even in countries where governments try desperately to suppress it.

Indicative of the spirit of our times is the remarkable turn to democracy in South America. Over 90 per cent of the population in that continent is now living under civilian and constitutional regimes. Many of today's democratic leaders in Latin America recognize that state enterprises are generally less resourceful than private firms and that market mechanisms channel resources more efficiently than political mechanisms. In Mexico President de la Madrid has been moving to lessen the dominance of government in the operations of the economy. Chile has turned over to private hands many of its financial and industrial enterprises. The new President of Brazil, Mr. Sarny, recently declared that "leadership of the economic development process should now pass to a private sector freed from the shackles of statism." In keeping with that principle, he is now involved in extending the trend toward privatization that had been initiated by his predecessor.

The subcontinent of India, where extensive socialist planning has long been an exalted tradition, has begun changing some of the practices that hitherto restricted its economic progress. The earlier concentration on massive state enterprises for producing steel, cement, and coal has been abandoned. Encouragement of agriculture has taken its place. Industrial production is also flourishing in response to lower taxes, the removal of some burdensome regulations, and more liberal policies for handling imports and foreign investment.

Even in Africa, where socialist thought and practice became dominant once colonialism collapsed, new intellectual currents are stirring. At a meeting of the Organization of African Unity last July, the assembled heads of state stressed Africa's miscalculations by acknowledging that "the primacy accorded to the state has hindered rather than furthered economic development." In line with the new way of thinking, many African governments are reducing reliance on price controls and subsidies, and are seeking ways to close or sell state-owned enterprises.

The recognition in so much of the world that a system based on relatively free markets and individuals incentives can foster economic growth and the general welfare more effectively than a governmentally dominated system presents a unique opportunity to the leadership of the industrial democracies. Although thinking along Marxist, Keynesian, and welfare-state lines is still very much alive, its influence in the world will continue to diminish if the countries practicing free enterprise, as well as those feeling their way in that direction, remain successful in their endeavors.

Every country in the world can contribute to a healthier international economy, but

the greatest contribution must come from the foremost capitalist nation—the United States. The enormous fiscal deficits that our country has been running in recent years serve as a poor example for the rest of the world, besides endangering our own economic future. By proceeding resolutely to reduce its projected budget deficits, a larger part of America's savings would become available for private investment, fears of inflation would lessen, and real as well as nominal interest rates would extend their recent impressive trend toward lower levels. Fortunately, the United States is moving—not yet decisively enough, but still moving—toward restoration of fiscal discipline. The legislation passed by the Congress last year assures significant reductions in the Federal deficit, and further progress is likely this year.

Western Europe can also contribute to its own economic improvement as well as the strengthening of the international economy. West Germany, in particular, is in a favorable position to foster more rapid economic expansion and thus bring down its disconcertingly high unemployment as well as contribute to the growth of the international economy. Germany's inflation rate is virtually down to zero. Its fiscal deficit is one of the lowest in the world. Its government is controlled by conservative parties. These are nearly ideal conditions for removing bureaucratic obstacles to enterprise and innovation, for reducing taxes faster than now contemplated, and for lowering interest rates.

Japan is another country in a good position to play a significant role in the reinvigoration of the international economy. Its inflation rate is among the lowest in the world; the surplus in its current account on international transactions exceeds that of any other nation; and its fiscal position has improved in recent years. Japan's unemployment rate, to be sure, is low; but the rate of growth of its economy has recently declined sharply. There is much that Japan can do to stimulate its domestic economy—particularly in the fields of housing, highways, and other parts of its infrastructure.

The recent reductions of the discount rate by Germany, Japan, France, The Netherlands, and the United States are a welcome development for the world economy, and so too—on balance—is the drastic decline in oil prices. However, some countries—particularly Mexico and Nigeria, which had been in financial trouble before the break in oil prices—now find it more difficult to handle their burden of indebtedness to the outside world. They and other heavily indebted countries are badly in need of help. Recognizing the threat that their financial straits pose to their political stability as well as to the international financial system, Secretary Baker presented a plan of financial rescue at a joint meeting of the International Monetary Fund and the World Bank last September. The Baker plan has by now received sufficient international support to make possible its practical implementation.

The prospect for growth-oriented policies is thus improving for many of the less developed countries as well as for the major industrial countries. The pursuit of sound growth policies in both groups will reinforce the forces of political and economic freedom which have been gathering around the world. There remains, however, a serious cloud on the international horizon. Protectionist sentiment has grown in the United States and in Western Europe, and it by now poses a threat to the liberal system of international trade. If the protectionists have their way, the prospects for economic growth in the United States and Europe will be dealt a severe blow. Moreover, the difficulties that many countries now experience in servicing their debts would be greatly intensified. The poorest countries of the world, even those that are not burdened by excessive debts, would find their striving for development frustrated. Moreover, imports from newly industrializing countries would be restricted and their economies, which have become models of success for much of the Third World, could falter.

In addressing a joint meeting of Congress last October, Mr. Yew, the Prime Minister of Singapore, wisely asked: "Does America wish to abandon the contest between democracy and the free market, on the one hand, versus Communism and the controlled economy on the other, when she has very nearly won this contest for the hearts and minds of people in the Third World?" The answer to this poignant question must be a decisive negative. Fortunately, the reduced value of the dollar in foreign exchange markets during the past year, the start of new Gatt trade negotiations this fall, and President Reagan's determined opposition to restrictions on foreign trade are all serving to preserve faith in the liberal trading system that has contributed so enormously to our own and the world's prosperity during recent decades.

SHOWDOWN ON NICARAGUA

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. DUNCAN. Mr. Speaker, I am inserting the July 20 column of William Randolph Hearst, Jr., which should be read by all our colleagues.

[From the Hearst Newspapers, July 20, 1986]

SHOWDOWN ON NICARAGUA

(By William Randolph Hearst, Jr.)

SAN SIMEON.—Like most of us I believe that the case was closed when the House of Representatives voted to support President Reagan's aid package for the Freedom Fighters in Nicaragua. Now, anti-Administration congressional voices demand an investigation into the program.

The President refers to the anti-Sandinista forces, approximately 12,000 strong presently and expected to swell to 20,000, as Freedom Fighters while many call them "Contras."

But congressional critics of the Administration still persist in trying to water down or even sabotage the total $100 million program—two-thirds of it military—which is scheduled to begin Sept. 1.

Congressional critics of assistance to the Freedom Fighters are led by Sen. Alan Cranston (D-Calif.). He has been a persistent critic of the President in almost every sector where President Reagan has scored high economic, social and international achievements.

This time, Sen. Cranston, joined on TV by Sen. Edward Kennedy (D-Mass.), is trying to force an inquiry into the Administration's plan of having the CIA run the military side of the freedom fighters' activities while the State Department conducts day-to-day policy.

Sen. Cranston claimed that this arrangement "could be a re-run of Vietnam." Nothing could be further from the truth.

To begin with, Nicaragua is in Central America, close to other embattled nations like El Salvador and Mexico and it has become a complete Soviet satellite in our front yard.

The Sandinista communist regime which usurped the revolution that overthrew the Somoza dictatorship has steadily gone the way of Czechoslovakia. It permitted some opposition and criticism within its borders until now, but replied within the last few weeks with nailed fist treatment of all opposition.

This includes the Roman Catholic Church and the press as well as labor unions. The Sandinista regime leader, Daniel Ortega, closed the opposition newspaper La Prensa and has suppressed outspoken churchmen in the countryside.

He also refused permission for a bishop attending meetings in the United States to return and has constantly menaced Cardinal Miguel Obando Bravo, the spiritual leader of Nicaragua's Catholics.

Ortega, however, has not hesitated to build up his military power by receiving a steady flow of Soviet arms and aircraft. His communist military establishment today has twice the firepower of the combined nations of all Central America.

Additionally, Ortega has several thousand Cuban "advisors" plus a gaggle of specialists from East Germany, Bulgaria, North Korea, Libya and a radical faction of the PLO.

So Sen. Cranston has to review many Soviet-inspired programs virtually at our doorstep and that is hardly comparable with Vietnam.

President Reagan, who is privy to a constant flow of data about the scene in Nicaragua, also realizes fully that if the U.S.S.R. establishes a presence in Nicaragua the next step would be to throttle our sea lanes in the Caribbean.

The Kremlin obviously would try to commit these anti-American maneuvers through clients like Nicaragua, Cuba or any of its satellites without wasting Soviet personnel.

The struggle for Nicaragua is soon to enter a new and difficult phase where both sides are preparing for a big showdown.

The $100 million aid package Congress voted will not have any swift battlefield result. But it does give the Freedom Fighters real hope that this program and future assistance will help them recruit troops and win ever-widening public support.

Time, though, is a vital element in the cause of the Freedom Fighters.

The Sandinista communists, backed by firepower supplied to them by the U.S.S.R. are looking to a quick victory over the Freedom Fighters. Any prolonged war will make them even more unpopular than they are today with the people on short rations and inferior agricultural equipment with which to cultivate fields and harvest crops.

The Sandinista regime, in short, is hurting badly on the economic front with little sign that the Soviets are about to do anything except use Nicaraguans as cannon fodder. The Soviets, after all, are having a tough enough time feeding their own citizens and are buying wheat from other countries. But nothing is designed for the growing hunger pains in Nicaragua.

Guns and beans just don't mix

WHEN FIRMNESS WORKS

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. BROOMFIELD. Mr. Speaker, the President's foreign policy is often criticized both here at home and abroad. Whether it is Grenada, the Tripoli raid, or arms control negotiations with the Soviets, all too often the President is attacked for either his use of force or his unyielding firmness in dealing with the Soviets on a wide range of arms control issues. At the same time, little or nothing is said about the positive aspects of his policy of patient determination and, when necessary, forcefulness.

Therefore, it is rather ironic that a European magazine, the Economist, has best described the very positive results of the President's foreign policy, his successes, and the real long-term benefits for both the United States and Europe of his foreign policy firmness. For this reason I would like to include in the CONGRESSIONAL RECORD the following editorial from the Economist entitled, "When Firmness Works." It clearly highlights the many successes of the President's foreign policy—successes which are largely obscured by political rhetoric here in the United States.

[From the Economist, July 12, 1986]

WHEN FIRMNESS WORKS

SOME OF THE WEST'S FOREIGN-POLICY SUCCESSES GO TOO LONG UNNOTICED

By the end of this year or early in 1987, most people are now cheerfully predicting, Ronald Reagan and Mikhail Gorbachev will get together to agree on an arms control deal. A few weeks ago most of the same people were grumpily saying that any such agreement had probably been ruled out by American intransigence over SALT-2, star wars, et cetera. The conversion of the grumps—though, see below, the arms-control prospects are not quite as rosy as some of the converts think—is the latest example of a phenomenon of the 1980s: the foreign-policy success that went too long unnoticed because people did not want to notice it. It has been smart, in these 1980s, to believe that cool-nerved firmness will not work. Quite often, it will.

President Mitterrand of France, for instance, has not yet been given enough credit for the success of his steadiness in Chad. The skeptics (who then included this newspaper) feared that he had been conned by Libya's Colonel Qaddafi, when the two men met in Creta in 1984, because Mr. Mitterrand then pulled France's soldiers out of southern Chad. There followed a raid into southern Chad by Colonel Qaddafi's local friends, which was blocked by the return of a French force. Most of the French then withdrew again, and Colonel Qaddafi has since kept quiet. Full marks, so far, to Mr. Mitterrand for thwarting the colonel, calmly.

Grenada is an even clearer example. The American invasion of that island in 1983 was widely denounced in Europe, and in much of the rest of the world. It then became clear that almost all the islanders, except the bunch who had just murdered the government, were delighted to be invaded; that the island's governor-general, by his own account, had wanted the invasion; and that one of its effects had been to chasten other left-wing revolutionaries in the region. The rescuing of Grenada was a good thing. Because it was swiftly done, most of those who first condemned it as illegal and immoral have now fallen silent, though not many have had the grace to say they were wrong.

One of 1986's unanswered questions is whether last April's American bombing of Libya will fall into the same category of the reluctantly acknowledged success. It certainly did not make Colonel Qaddafi the predicted "hero of the Arabs"; on the contrary, it increased his isolation in the Arab world, and may have weakened him inside Libya. The three months since the bombing have seen less terrorism with either a Libyan or a Syrian stamp on it than the period before April 15th. It would be folly to crow that the bombing has conclusively saved lives, for Colonel Qaddafi is entirely capable of springing a horrible surprise: but those who said the bombing would not work have, so far, no reason to claim they were right.

THE RELUCTANCE TO RISK

The other big question of 1986 is whether Mr. Reagan's tough approach to nuclear negotiations with Mr. Gorbachev will pay off. The obstacles to a comprehensive missile-cutting agreement are still large. The numbers game goes on. (The Russians now say that, as an "interim" measure, they and the Americans should be allowed to keep 8,000 long-range warheads each, compared with the Americans' proposal of 5,000 and Russia's previous suggestion of about 6,000. Since each side had about 8,000 as recently as 1983, that is not impressive.) Russia still wants to ban anti-missile weapons in space for 15-20 years, which is too long. The talks are still littered with the familiar booby-traps of what to do about the French and British nuclear forces, and which weapons should be counted in which categories.

Still, the doomsayers' prediction that Mr. Reagan's renunciation of SALT-2 would ruin the negotiation has proved spectacularly wrong. Since then, the Russians have offered better terms on star wars, on medium-range missiles, on the what-counts-where question and, judging by Colonel-General Chervov's hints in London this month, on chemical weapons too. The threat of a new arms race implicit in the abandonment of SALT may or may not have caused these concessions, but it did not prevent them. This paper's guess is that, if Mr. Reagan and Mr. Gorbachev meet around the turn of the year, they can probably strike a deal on medium-range missiles and chemical weapons, and possibly one on long-range missiles and star wars too; and so they probably will meet.

Until the past week or so, this hopeful view was a minority one. Most people's comments pointed sternly to gloom and despondency. Why? Partly because, in Europe, most people are reluctant to give the Reagan administration the benefit of any doubt. But mainly because all the things mentioned in this article—invading Grenada, going into Chad, bombing Libya, using SALT-2 as a bargaining lever—were calculated risks. The conventional wisdom of the recent past has been that taking risks is something nations should not do, because the conventional wisdom reckons they almost always turn out badly. They don't, if they are carefully planned and carried out coolly. Perhaps those too long unsung victories are reminding the West of a forgotten lesson about how to survive in the world.

CITIZENS' RIGHTS AND SUPERFUND

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. FLORIO. Mr. Speaker, the conference committee on the Superfund legislation is now considering a series of provisions which will determine the nature and scope of citizens' rights to sue regarding the cleanup of abandoned hazardous waste sites. This aspect of the legislation is among the most important programmatic reforms that we have an opportunity to implement when we extend and expand the Superfund Program. Equity and American traditions of justice demand that citizens be guaranteed a full and fair day in court to challenge abuses of the law with respect to these imminent and substantial endangerments of human health and the environment.

A coalition of groups supporting a strong Superfund bill recently sent a letter describing the issues at stake in this important area and I commend it to my colleagues' attention:

NATIONAL WILDLIFE FEDERATION, NATURAL RESOURCES DEFENSE COUNCIL, NATIONAL AUDUBON SOCIETY, U.S. PUBLIC INTEREST RESEARCH GROUP, ENVIRONMENTAL ACTION SIERRA CLUB,

June 30, 1986.

DEAR REPRESENTATIVE: The House/Senate Conference on Superfund reauthorization is now dealing with provisions affecting citizens' rights to sue. These provisions will establish when—or incomplete cleanups or concerning injuries resulting from toxics at Superfund sites.

The Conference has an opportunity to select the strongest provisions from both bills and make a citizens' day in court a reality. Unfortunately, there are some troubling signs that those in the Administration opposed to citizens' rights may attempt to persuade the Conferees to pick the worst provisions of both bills, cutting off access to courts for millions of waste site community residents.

Throughout the Superfund debate, citizens' suit provisions have been a top priority for the environmental community. The resolution of these issues by one of the top six factors on which we will evaluate the final bill produced by the Conference.

We urge House and Senate Conferees to adopt the following provisions:

Citizens' Right to Sue Polluters for Cleanup:

Citizens should be able to sue polluters for cleanup of sites posing an imminent and substantial endangerment. This provision was in the House bill but was dropped by the House coalition in recent offers to the Senate.

Citizens' Right to Seek Pre-enforcement Review of Illegal Cleanups:

Citizens should be able to sue EPA if cleanup plans violate the standards set forth in the law. People living near hazardous waste sites should not be powerless to ensure safe cleanups simply because EPA has not brought an enforcement suit. Waste site communities have vital interests in preventing mistakes which would jeopardize their families and friends.

The Senate offer to the House would let people bring such suits if they can show ir-

reparable harm. Such a provision would guarantee swift judicial review for those whose health can never be fully restored by later court action, but would postpone litigation brought by potentially responsible parties over costs associated with EPA's cleanup plans.

State Toxic Tort Statutes of Limitations: State laws extinguishing citizens' rights to sue for damages before they have even discovered they were injured by toxic exposure must be reformed. The House bill, and House offers to the Senate, would reform state laws in this important area. Conferees should insist on the adoption of the House state procedural reform provision.

Sincerely,

DAN BECKER,
Environmental Action.
JANET S. HATHAWAY,
National Wildlife Federation.
LESLIE DACH,
National Audubon Society.
MARTHA BROAD,
Natural Resources Defense Council.
A. BLAKEMAN EARLY,
Sierra Club.
RICK HIND,
U.S. Public Interest Research Group.

JAMES R. STOVER SPEAKS BEFORE THE OHIO CHAMBER OF COMMERCE

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. McEWEN. Mr. Speaker, earlier this year, James R. Stover, president and chief executive officer of the Eaton Corp., spoke before the Ohio Chamber of Commerce regarding his assessment of America's businesses and international competition. His remarks focus on the many issues impacted by this issue.

He states, "The time for assurances is over. Instead, progress should be measured by the trade that actually takes place. If trading patterns remain unsatisfactory, that should be treated as sufficient evidence of an uncorrected problem, and as sufficient justification for us to do something about it * * * at least temporary action to reduce access to our markets. We need to get their attention * * * to equalize the rules. Our trading partners think they have a God-given right to our markets, but when its time for them to reciprocate, we find that rights don't cut the other way."

Mr. Speaker, I commend Mr. Stover's remarks to the attention of my colleagues. I believe that our actions in the Congress must be guided by the insights and experience of just such business leaders as James Stover.

The article follows:

REMARKS OF JAMES R. STOVER, PRESIDENT AND CHIEF OPERATING OFFICER, EATON CORP.

A few weeks ago I overheard a group talking about the arrival of Halley's Comet. All but one of them were research types, and were very excited about the comet. But one fellow looked bored, and didn't say anything for a long time. Finally, he broke in.

"How big is this Halley's Comet?" he asked.

"Listen," he was told, "This thing is huge. Its tail is over 150,000 miles long, and it's traveling at over 100,000 miles an hour."

The man looked concerned for the first time. He rubbed his chin and said, "When is it going to get here?"

He was told that in April it would pass only 39 million miles away.

"You mean," he said, "it isn't going to hit us?"

"Of course not," the others said.

"Well," came the reply, "what's the big deal? Let's eat lunch."

For a long time, that was the American attitude about the threat of international competition. It's not going to hit us * * * so let's go to lunch. We kept eating our lunch. And then THEY started eating our lunch. They have hit us, and hit us hard.

The most humiliating part of the trade deficit is in durable goods manufacturing. Back in the 50's and 60's, this sector was the pride of America, the symbol of U.S. manufacturing superiority. But in 1985, the deficit in manufactured goods was $114 billion. Ohio gets a larger proportion of its personal income from manufacturing than ANY other state, and in terms of absolute dollars, only New York and California outrank us. Ohio has suffered disproportionately from the U.S. deficit.

Clearly, world buying patterns aren't going very well for the USA. It's a national problem and I'd like to discuss it in those terms. But then I'd like to narrow the focus, and look at this problem from an Ohio perspective. Maybe a small part of the solution to this large, large problem is right on our doorstep.

In the past few months, the dollar has become cheaper. In time, this will help U.S. exports. But let's not kid ourselves. America will not return to glory solely on the back of a cheaper dollar. Our problems are not behind us. Better currency valuations will help, but there are serious structural problems in both the private and public sectors that remain largely unaddressed. I don't see any easy solution. We have a generation of hard work ahead.

The reason is simple. The U.S. domestic market is by far the largest in the world for manufactured products. Every good, aggressive company in the world is now working hard to increase its share of the U.S. domestic market. We need to be very clear about that. And we need to be very clear about what it means. The American standard of living is under a savage and sustained assault. Our earnings no longer grow fast enough to pay for the American dream with cash. So we have pulled out the national credit card, and we have built up a two trillion dollar national debt. That has postponed the day of reckoning . . . But it hasn't cancelled it.

It isn't just a case of America getting flabby. Our competitiors, especially some in developing countries, have new muscles. In a single generation, they've catapulted themselves from "water buffalo economies" to high technology manufacturing.

Our international trading partners have many things going for them. Wage rates are often cited, and for good reason. In 1985, before the dollar's fall, average U.S. wage rates were higher than ANY of our trading partners. Wages of production workers in West Germany were 75 percent of American wages last year. In France, 60 percent. In the U.K., less then 50 percent. In Brazil, 10 percent. In Korea, 11 percent. In Japan, the symbol of our trade disparity, production wages last year, when the yen was traded at 240 to the dollar, were half of those in America. Now that the exchange rate is 180 yen to the dollar, Japanese wages are "only" two-thirds of those in the U.S. In case you think that 2 to 3 ratio has solved the problem, that's the same relationship that existed in 1978. In did not prevent huge Japanese gains then, and it won't do it now.

Moreover, a number of countries' currencies have NOT strengthened against the dollar. Today the currency of Canada—our largest trading partner—is weaker than it was in the middle of last year before the dollar's fall. This is also the case for almost all of the Pacific Rim countries such as Hong Kong, Taiwan, Korea and others that officially peg the value of their currencies to the U.S. dollar. These are the same countries which are now rapidly gaining world market shares from both the U.S. and Japan.

The simple fact is that there are no safe markets left for U.S. manufacturers. We are going to have to fight for every sale, whether it is in Columbis, Ohio, or Toronto, Canada, or Frankfurt, Germany, or Tokyo, Japan. And we are not in good competitive trim for the fight. There are many reasons why—wage rates, fiscal policy, monetary policy, tax policy and on and on.

Despite the pain of the deep recession of a few years ago, despite the publicity given to trade deficits, most Americans still refuse to believe the extent of our competitive problems. There was a time when the U.S. could win most economic contests easily. The freer the trade, the more we won. That is no longer true. We often are uncompetitive in cost, and in some cases, in quality. We will be working to correct these problems for many years. And in the short run, our competitive disadvantage is a clear and present danger to the health of the national economy, and to the health of the Ohio economy.

Optimists often discount America's declining manufacturing sector, and point to the phenomenal growth in the service sector. We are told to rejoice in the prospect of a post-industrial society, where the service and information industry replaces lost manufacturing jobs—and the American economy rushes on to the next phase of prosperity. It is true that 80 percent of the 11 million new jobs created since the 1981-82 recession were in services. But the number of high-paying service jobs in engineering, accounting and data processing are overwhelmed by the growth in low-pay service jobs. According to the Labor Department, the 10 occupations that will supply the most jobs in the next ten years are all in services—but none is in high tech. Among the top gainers are cashiers, janitors and truck drivers! That is not the way to secure our standard of living.

In sophisticated service areas like finance and insurance, the U.S. still holds an edge on the rest of the world. But we're getting the same treatment abroad in services that we once got when we held the lead in manufactured products—we're being fenced out. The U.S. share of global trade in special business services—such as engineering, consulting, and brokerage—is about half what it was in 1973. We're now behind France, West Germany and Britain. Our friends abroad have put fences at their borders . . . many of them artfully concocted. In Japan, U.S. accounting firms must submit audit reports to a Japanese company for approval. In Korea, foreign-owned banks cannot acquire title to real estate. The rest of the world is blocking U.S. service companies ef-

forts to expand overseas—whether by forbidding the transmission of computer data, or restricting foreign banks from exchanging money. Flip the coin and get it closer to home. Take a look at the chains of Japanese restaurants and French hotels going up in the U.S. Services are not the answer to U.S. trade problems. In fact, they're going to become part of the problem.

This country must restore the vigor of its manufacturing sector. Over the long haul, America's economic success will be determined by the innovation, quality and cost value we put into our products. In the meantime, there are some short-term tools at our disposal, and we ought to use them.

"Free trade" vs. "protectionism". We must stop defining the problem in such unrealistic—and unproductive—terms. Other countries do not agonize when they use tariff and non-tariff barriers to their own advantage. We shouldn't either.

In the global marketplace, we have a powerful weapon. But we haven't used it much. That weapon is the huge U.S. domestic market. We control access to that market, and we should use that control to help shape the behavior of our trading partners. International trade is not a charitable enterprise, and we should not give away our most valuable asset, access to U.S. markets. We shouldn't do it unless we get something in return.

Other countries—most notably Japan—have responded to U.S. concerns with a great deal of dialogue. Time and again we have been given earnest pledges about improving trading patterns. But the trade statistics tell us the problem has not been dented.

The time for assurances is over. Instead, progress should be measured by the trade that actually takes place. If trading patterns remain unsatisfactory, that should be treated as sufficient evidence of an uncorrected problem, and as sufficient justification for us to do something about it . . . at least temporary action to reduce access to our markets. We need to get their attention . . . to equalize the rules. Our trading partners think they have a God-given right to our markets, but when it's time for them to reciprocate, we find that rights don't cut the other way.

I don't think it would be necessary to restrict access more than once or twice. And I don't think new laws are required. It can be done by the administrative apparatus of the executive branch—just as it is done in other countries. The French, for example, are especially good at it. A few years ago, when videocassette recorders from Japan were burying the French market, they set up a single port of entry. That port just happened to be one of the smallest and least staffed on the French coast. The Japanese got the message, and an accord was quickly reached. Perhaps America needs to import a few French bureaucrats.

I'm not calling for a trade war. The point I am really trying to make is that current trade patterns are way out of balance. You can't have an attitude of take, take, take on one side, and give, give on the other. Look at history. That's how wars begin. Gross imbalances cry out for remedy, and it is in the interest of all to see that remedies are applied.

The period ahead is critical. The newly-weakened dollar makes many foreign markets more available to American exporters, and makes our markets a little tougher for them. There will be an irresistible temptation, I suspect, among our trading partners to use new devices to protect their own markets, and to resort to added export inducements to continue the assault on our markets. I think we are about to have a contest between the vigilance of our government and the ingenuity of our trading partners. The administration's well-known allegiance to free trade, and its faith in the words of those with whom we trade, does not fill me with confidence about the outcome. In short, I think we will continue to be bamboozled until we refuse to put up with it.

How does all this affect Ohio industries? Ohio depends more than any other state on income derived from manufacturing. And Ohio wage rates are among the highest in the nation. In 1983, Ohio's average pay rates ranked 13th in the nation. By 1984, we moved up to 10th. In other words, our wage rates are high, and getting higher.

But are those high rates bringing prosperity? It appears not. Ohio's share of the nation's economic pie is shrinking. Since 1974, Ohio's share of total national personal income decreased noticeably. Turning to growth—or lack of it—in manufacturing personal income, Ohio was a dismal 47th out of the 50 states. In short, we're charging more for our labor, and getting less income in return.

Some people say that the answer is to automate, and remove the penalty of high wages through technology. The only problem is, when a manufacturer can save 60% through automation, he can save another 20 percent by also locating his automated plant in a lower cost region of the country. You can never overcome the disadvantage of disproportionately high wages.

These are not just problems for Ohio's manufacturers. The health of the state's service and retail businesses—as many of their owners realize full well—are not insulated. They will rise and fall, ultimately, with the fate of the manufacturing businesses they serve. While service employment has grown in Ohio, it lags well behind the growth of total U.S. service employment. The effect has spilled over into housing, where Ohio starts have been only half as strong as the U.S. total over 10 years. With manufacturing and service employment relatively weak, personal income lags and housing suffers disproportionately. As a result, Ohio unemployment in the 1980's has averaged 1½ to 2 percentage points above the U.S. average. In the 1970's, Ohio and U.S. unemployment rates were virtually the same. It is clear that as the U.S. is losing out to other, more competitive countries, Ohio is losing out to other, more competitive, states.

Much attention is given to the role of Washington in solving the trade problem. the administration keeps promising tougher negotiations with nations which violate the General Agreement of Tariff & Trade. The only problem with GATT is that it takes five years to negotiate a new round, and another five years to monitor the results. We don't have the luxury of ten years.

Not enough attention is paid to the effect that Columbus can have on the relative competitiveness of Ohio manufacturing. In Ohio, most of the public policy debate has been over how to divide the economic pie. That's fine, when the pie is growing. But when it is shrinking, it is time to again focus public policy on creating the climate that gets the pie expanding again.

The first thing to do about a problem is to recognize frankly that it exists. On a comparative basis in the U.S., Ohio does not have a good climate for industrial growth, and Ohio needs to recognize that fact.

In 1982, Ohio ranked first among all industrial states in workers' compensation costs, even more than our high-priced neighbor to the north, Michigan, which ranked second. Since then, a series of Ohio Supreme Court rulings have made a bad situation even worse. That is a good example of shooting yourself in the foot.

The area of business taxes is complex, and making state-by-state comparisons is tricky business. Yet the experts seem to agree that Ohio business taxes are easily among the top third in the country. The two-tier business franchise tax is often cited. If you're profitable, it amounts to a healthy income tax. If you're not making much money, you're often taxed on the net worth of your assets. They get you either way. Ohio is one of the few states still playing the game this way. And our personal property taxes, although slightly lower than they were, remain a heavy burden on Ohio businesses, regardless of profitability.

Another cloud over Ohio is the state's attitude towards the creation of wealth. No element of state policy sets this tone as much as the state income tax. It was doubled three years ago. It has been rolled back slightly but remains over twice as high as it was in the seventies. The harsh fact is that from 1974 to 1984 Ohio's skyrocketing state and local taxes made us fifth in the nation in rate of increase, per capita. The only states where taxes rose faster than Ohio were Alaska, Wyoming, Oklahoma and North Dakota—not exactly the industrial heartland. That again, is an example of shooting ourselves in the foot.

These factors have a real bearing on the future health of manufacturing in Ohio. Right now we have the justified reputation of a high-cost state. And our reputation, right or wrong, is getting worse. A recent nationwide survey of corporate executives showed that Ohio and California were considered to be the two states in which the business climate had deteriorated the most in 1985. That perception may not be fair. But does it really matter if it's fair? At least part of Ohio's poor reputation is in areas controlled by public policy. That, we can do something about, if only we have the will.

All of us need to remember that industry in Ohio is in competition with the world, not just with Texas, Florida, or Tennessee. We do Ohio a favor when we openly address these problems.

The competitive problems of Ohio will not be solved merely by rolling back workers' compensation costs, or re-visiting the state's tax code. But fixing those things WILL be a move in the right direction.

It is often said that the longest journey is made one step at a time. Ohio and the nation face a long journey in restoring the health of our manufacturing sector. Nothing will make that journey easy—but it will be a lot less painful if we simply stop shooting ourselves in the foot.

Thank you.

HUMAN RIGHTS VIOLATIONS IN ROMANIA

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. PORTER. Mr. Speaker, as the cochairman of the Congressional Human Rights

Caucus, I have had the opportunity in the past to receive materials and to hear personal testimonies on atrocious human rights violations in Romania. In the words of a former Ambassador to Romania, the human rights record of Romania is the worst in Eastern Europe except for Albania and in living standards, too, Romania's standard is the lowest after Albania.

There has been lately considerable congressional concern about the human rights violations in Romania, particularly about the oppression of organized religion. It includes the demolition of churches, the crushing of Protestant Bibles into toilet paper, arresting and even murdering clergymen. These abuses have been amply exposed by many of my colleagues.

In addition, persecution of the national minorities in Romania continues. Romania has a number of small non-Romanian ethnic groups, in addition to two major groups, the 2.5 million Hungarians and the 330,000 Germans. While the pressure on the Germans is leading to their accelerated emigration to the Federal Republic of Germany in return of major West German governmental, industrial, and bank loans and investments to the Romanian economy, for the Hungarians the oppression is a day to day event.

I am honored by the reports of the beating of Rev. Geza Falfi, a Hungarian-nationality priest of the Roman Catholic Church who died of his injuries and the crushing into toilet paper of 20,000 Bibles received by the Romanian Government from the World Reformed Alliance. There are also reports of murder, direct or indirect via "suicides" and "car accidents," of seven Hungarian Reformed ministers, the beating of Rev. Janos Csilik of Oradea in 1985 for not revealing secrets of the confessional and the restriction of starting seminaries for the 800,000 strong Hungarian Reformed Church.

Physical terror in Romanian has also included the commitment of Prof. Bala Pall to an insane asylum for having attended the funeral of a great Hungarian writer, Gyula Illyes in Budapest, the imprisonment of several Hungarian ethnicity professionals for several years and the arrest and trail of about 9,000 Romanian Hungarians between September 1, 1984 and August 31, 1985.

The already restricted cultural activities of the Hungarian ethnic group are curtailed even further. Museums change their inscriptions to hide the ethnic origin of the paintings and objects, libraries which possess large holdings of Hungarian and German books and periodicals from the past are transferred to Bucharest from Transylvania, the only Hungarian language cultural magazine was abolished and the major Romanian magazine is now publishing a few pages appendix in Hungarian. The school situation is further deteriorating and housing and job discrimination remain rampant. On October 14, 1985 35 Hungarian ethnicity professionals in Miercurea Ciuc (Csikszereda) were called in by the secret police and were given the choice of either becoming police informers or transfer from their area. They are being transferred now as none of them wanted to spy on their fellow citizens.

Mr. Speaker, we can no longer become accomplices to the persecution of the largest national minority in Europe outside of the Soviet Union by our continued silence. We must demand that the Romanians make substantial improvements in the human rights situation facing the 2.5 million Hungarians and 330,000 Germans, and the other national minorities in Romania.

TRIBUTE TO THE LATE HONORABLE JONATHAN B. BINGHAM

SPEECH OF

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 16, 1986

Mr. WEISS. Mr. Speaker, I would like to share with you the sentiments of many friends and colleagues of the late former Representative Jonathan Bingham upon learning of his death. These comments, compiled by the Riverdale Press of New York, are poignant reminders of the love and respect in which we hold Jack.

[From the Riverdale (NY) Press—July 10, 1986]

FRIENDS AND COLLEAGUES PAY TRIBUTE TO A LEADER

PAMELA C. HARRIMAN

There was a special relationship between Averell Harriman and Jonathan Bingham. It flowed from years of common association, especially those years in Albany when Jack was one of Governor Harriman's closest aides and advisors. Averell prized his wisdom, brilliance and, most of all, his commitment to principle.

Their friendship was rooted not only in that shared experience, but in shared ideals. At the heart of Jack Bingham's public life, as it has been at the heart of Averell Harriman's, was a profound abiding dedication in good days and dark days to the moral imperative of peace and international cooperation. Jack Bingham was in the forefront of the continuing effort to control nuclear weapons before their uncontrollable destructiveness consumes the human race.

He was so effective because his mind was matched by his decency, his strength tempered by a personal gentleness. In Averell's view, Jonathan Bingham proved the truth of John Buchan's belief that politics can be "a noble profession."

GOVERNOR MARIO M. CUOMO

Jonathan Bingham served his Congressional constituents and his country with great energy, wisdom and devotion. His influence was felt far beyond his Congressional district, and we value his many contributions during his long career in public service.

SENATOR DANIEL PATRICK MOYNIHAN

Jack Bingham must have known how much we admired him; I only hope he knew how much we loved him. No finer person ever graced our politics or touched our lives.

CONGRESSMAN TED WEISS

Jack Bingham called me in Washington the day after the bombing of Libya to tell me that he had heard an interview in which I said that I thought it was a great mistake. He said that I would probably be receiving a fair amount of criticism in the immediate aftermath of the event but he felt confident that as time went by the American people would conclude that the bombing had been the wrong thing to do.

That was one of our last conversations but it was typical of Jack. His concern for humanity and his commitment to America's ideals were not retired when he left Congress. And he knew how important his call would be to me.

It was a special honor to be a friend of Jack Bingham and it was a privilege serving with him in the United States House of Representatives. His was a voice of reason and rationality. Many of us in the House looked to him for leadership on a broad range of issues but most importantly on matters relating to nuclear proliferation and arms control.

He served his district and his nation magnificently. We will truly miss him.

CONGRESSMAN MARIO BIAGGI

I consider myself privileged to have served in the House of Representatives with Jonathan Bingham. He was a friend and gentleman who was held in the highest regard by all who knew him.

His conviction in his principles, his compassion for his constituents and his beliefs that there was no greater calling than to serve honorably in government made him a model for anyone who has been elected to public office.

STATE ATTORNEY GENERAL ROBERT ABRAMS

Jack brought dignity and stature to all he undertook during his distinguished life and career. Jack's manner was soft and quiet, but his determination in working for world peace and social justice was as firm and committed as can be found anywhere.

There are many monuments in Jack's career. His victory in a race for Congress in 1962 was the first successful assault on the power of the long-entrenched political machine in the Bronx and paved the way for many who followed.

I will always remember and be indebted to Jack Bingham for his encouragement and support in my first quest for public office when I ran for the Assembly in 1965. His endorsement was in no small way responsible for my success and the success of many other candidates who were working to defeat candidates of the Bronx organization.

FRANKLIN D. ROOSEVELT, JR.

Jonathan (Jack) Bingham was a year ahead of me at Groton School where he quickly showed his brilliant mind. He was always the brightest boy in the school. But he had to work hard for it and early on showed his remarkable self-discipline. He continued his academic achievement in college and law school.

He came from a family with a strong dedication to public service. Jack headed up the research in my first successful campaign for Congress in 1949 and in several of my later campaigns. In the 1940's and 1950's, he was the leader of a very active group of young Democrats dedicated to the reform of the Democratic Party.

He was a most effective and efficient Secretary of the Governor, Averell Harriman, in 1954 through 1958. He then went on to be a most effective member of the Congress of the United States serving many terms until he lost his seat through "redistricting." He had a deep understanding of the needs of the people of his district, state and his nation.

While he was a strong liberal Democrat, he was the achiever of the possible in politics.

At the time of his death, he was cochairman with Professor Arthur Schlesinger of the Franklin D. Roosevelt Four Freedom Foundation and was particularly helpful in the establishment of the Roosevelt Student Center and Library in Holland which will open this September.

MAYOR EDWARD I. KOCH

I am saddened to learn that my friend and former Congressional colleague, Jonathan Bingham, has passed away. As we begin to celebrate our nation's 210th anniversary, his death reminds us how much the greatness of America depends upon the dedication, the intelligence and the energy of individuals like Jonathan Bingham.

BRONX BOROUGH PRESIDENT STANLEY SIMON

Throughout his public career, Jonathan Bingham exemplified all the attributes of a gentleman.

He was impeccable in the pursuit of his duties as a public servant and was deservedly regarded with deep respect.

He personified public service at its finest.

DISTRICT ATTORNEY ROBERT MORGENTHAU

Jack Bingham was an exceptional and highly respected public servant and admired by all his friends and neighbors. He could always be counted on to be on the right side of difficult issues.

COUNCILWOMAN JUNE EISLAND

Jack Bingham was one of the first political figues I met when I became active as a tenant leader in the Bronx.

He was helpful to me at that time and continued to be helpful during his tenure as a Congressman right through to my own role as a Councilwoman.

I have been most privileged to work with him on numerous community problems and issues. And whether the problem was a housing crisis in the Bronx or starving children in remote parts of the world, Congressman Bingham combined a gentle humility with a firm resolve and determination to get the job done.

So much of the time he focused on the human condition, whether here or in Ethiopia. He never lost his spirit for caring for the individual. Jack Bingham's commitment to honest, open and progressive government is a legacy that he leaves to New Yorkers, Bronxites and particularly to his neighbors in our community.

THEODORE W. KHEEL

I was Jonathan Bingham's compaign manager when he ran for United States Congress. It was one of the proudest things I have ever done.

Jack was an outstanding public servant as well as a wonderful person. We will all miss him tremendously.

NORMAN LISS

In 1963 I was asked by an almost defunct Benjamin Franklin Club to help find a candidate to run for Congress against the incumbent Charles Buckley. It was the last gasp for Reform politics in the Bronx.

Although I only knew him through articles in The Riverdale Press, after several telephone chats, he invited me to lunch at the United Nations dining room. Through that initial contact my relationship with him grew through the years. It was a deep privilege to call him a good friend.

Jack Bingham not only set the ultimate standard for true public service, he set it for human conduct. He was a man of grace and dignity who was matched by no one I have known.

Many of the leaders in our New York political world today developed their careers through his success. At the outset of his campaign in 1963, he was the candidate of a club of eight to ten tired and demoralized members. With his victory there were over four hundred spirited members.

I cherished my relationship with Jack Bingham, and I shall sorely miss him.

WHITES OWN 10 TIMES THE ASSETS BLACKS HAVE, ACCORDING TO CENSUS STUDY

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. STOKES. Mr. Speaker, I would like to bring to the attention of my colleagues a study prepared by the Census Bureau on July 18, 1986, entitled "Household Wealth and Asset Ownership: 1984." The report contains statistics confirming the tremendous gap in the distribution of wealth between white and minority Americans. While the Census Bureau is unable to specifically pinpoint the reason for the gap, it is imperative that Members of Congress acknowledge this problem and its detrimental effect on the economic health of our minority population. The following article from the July 19, 1986, edition of the New York Times offers an overview of the study and comments from Census Bureau officials.

[From the New York Times, July 19, 1986]

WHITES OWN 10 TIMES THE ASSETS BLACKS HAVE, CENSUS STUDY FINDS

(By Peter T. Kilborn)

WASHINGTON, July 18.—White Americans, whose incomes are almost twice those of blacks, have accumulated 10 times more assets, according to a study the Census Bureau published today. It found that nearly a third of black households had no major assets at all.

While income levels have been studied frequently, the Census Bureau provided an unusual look at what it called individual wealth—the ownership of savings, housing, automobiles, stocks and the like, minus debts.

The study covered all assets except cash on hand, home furniture, jewelry, pension rights and the cash value of life insurance policies.

"We have become locked into looking at income as a measure of well-being," said R. Scott Lilly, executive director of the Congress's Joint Economic Committee, which is about to publish its own study of asset ownership. "Wealth isn't very often looked at, and it often shows a very different picture."

The Census Bureau study confirms longstanding assumptions that the possession of assets increases with age, job status, income, education and home ownership and that it is concentrated among whites.

Among its findings, the report said that the top 12 percent of American families account for 38 percent of asset ownership, and that 41 percent of a typical family's net worth is made up of equity in a home.

SIZE OF DISPARITY SURPRISING

What was much more surprising, economists said, was the size of the black-white disparity. They were at a loss to fully explain it.

They said part of the gap could be explained by the predominance of female heads of households among blacks, the long history of low incomes among blacks, the history of segregation and the lower quality of schooling for blacks. The black-white gap was found to be smallest among black families with both parents persent.

Analysts noted that another group with low earnings—people of Hispanic background—had been accumulating assets faster than blacks.

"The first thing that I pick up from this is that the average Hispanic has been here less time than the average black, and yet the Hispanic is better off," said John C. Weicher, a housing and welfare economist at the American Enterprise Institute, a public policy research organization here. He said it was "something to be worried about."

"I don't know what the Federal Government should try to do about that," he added. "Somebody ought to first find out why that is happening."

The study—called "Household Wealth and Asset Ownership: 1984"—provides no indication of how the asset ownership of the various groups grew. But it provides a detailed breakdown of the differences among groups and shows greater extremes than less ambitious studies did.

STUDY BY FEDERAL RESERVE

The ownership of assets has not been studied much by the Government. Three years ago, the Federal Reserve Board undertook a similar study, but it used a far smaller sample, about 4,000 families, and provided fewer details of the composition of asset ownership by race.

Based on a sampling of 20,000 households—families and others living in houses and apartments—the bureau provided dozens of findings of household possession of assets.

The median net worth of white households in 1984, it found, was $39,135, while that of black households was $3,397 and that for Hispanic households was $4,913.

Of 9.5 million black households, 30.5 percent had either zero or negative net worth. Of 4.2 million Hispanic households, 23.9 percent had zero or negative net worth. For 75.3 million white households, the figure was 8.4 percent.

At the other extreme, 26.2 percent of white households had a median net worth exceeding $100,000. The percentage for blacks was 3.9 percent and for people of Hispanic background, 8.2 percent.

HOMES OWNED BY TWO-THIRDS

Two-thirds—64.3 percent—of all households owned their homes, and their median equity in their homes was $40,600. Slightly more than two-thirds of whites owned homes, while 43.8 percent of blacks and 39.9 percent of Hispanic people owned theirs.

The study included these findings:

The highest-earning of four household groups studied, those with incomes exceeding $48,000 a year, had a median net worth of $123,474 and accounted for 38 percent of the nation's total family net worth.

The 22.3 million households with earnings below $10,800 had a median net worth of $5,080 and accounted for 9.7 percent of total net worth.

Home equity accounted for 41 percent of the overall net worth. Savings accounts, money market deposit accounts and other interest-paying bank accounts accounted for 18 percent, stocks and mutual funds for 18 percent and automobiles for 6 percent.

Householders aged 35 or below had a median annual income of $19,152 and a median net worth of $5,764. But because families accumulate assets as they age,

householders aged 55 to 64 had a median income of $21,864 and a median net worth of $73,664.

In terms of income, white households earned a median $23,647 in 1984, almost twice the $13,500 of black households.

The report was released as most Members of Congress were leaving Washington for the weekend. But it and similar studies of asset ownership are likely to play a role in the Government's policy making—in allocating the budget, for example, and in tax policy.

Gordon Green, assistant director of the Census Bureau's population division, who supervised the study, said at a briefing for reporters that the possession of assets was as important a gauge of family prosperity as income and that the bureau would now publish the study every year or two.

"I think everybody expected the distribution of wealth to be greater than the distribution of income," he said. "What this does is quantify it."

TEXTILE PROTECTIONISM

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. FRENZEL. Mr. Speaker, in the last week, two newspapers have printed articles opposing the effort to override the President's veto on the textile bill. The first is an editorial from the Wall Street Journal. The second, an article by syndicated columnist Warren Brookes.

Both articles describe the recently signed bilateral textile agreements with Hong Kong and Taiwan as protectionist steps by our Government. I would agree. Yet, I receive nearly daily mailings from the textile lobby asking my support for the override.

The textile/apparel industry is the most highly protected industry we have. The administration has bent over backward to obtain the above agreements to satisfy the textile lobby, with another similar agreement with Korea in the negotiation process. Yet, that is not enough. The industry has a voracious appetite for protection.

The two bilateral agreements provide coverage on all fabrics and fibers, except for 100 percent silk. They also provide for very minimum growth levels which are "onerous" to the exporting country according to the Wall Street Journal. Further, there are overall import restrictions from these two countries, in addition to the individual quotas.

The agreements are far too protectionist for me, and for the good of this country. To go beyond these drastic measures to satisfy the textile lobby by overriding the President's veto would be sheer folly.

I urge my colleagues to review these articles and to oppose the veto override attempt.

[From the Wall Street Journal, July 17, 1986]

THE SHIRT OFF YOUR BACK

We have a small request. The next time you walk into a store and are surprised at the suddenly higher price on that cotton shirt or linen blouse, send the bill to Ed Jenkins at the U.S. House of Representatives, Washington, D.C. Rep. Jenkins (D., Ga.) will no doubt be expecting it, because he knows that he and his friends in Congress are a major reason millions of Americans will be paying more for their clothing in the next few months and years.

Mr. Jenkins is the main sponsor of the textile protection act that President Reagan vetoed last year, and he doesn't quit easily. He and the other congressional trade kamikazes have now scheduled a vote to override that veto on Aug. 6, unless the Reagan administration can fend them off by proving beforehand that its instincts are also destructively protectionist. And, by jingo, the administration took another step in that direction Monday by imposing new and onerous limits on imports from Taiwan, America's largest clothing supplier. Hong Kong already received its mugging earlier in the month, while South Korea, another productive ally, is next on the hit list.

For the Reagan administration, we suppose there is some perverse logic in imposing a little protection to forestall the truly awful Jenkins bill. Congress would have rolled back imports by 30%, while this week's Taiwan accord provides for no rollback but instead limits the growth in imports to 0.5% a year through 1988. The agreement with Hong Kong allowed all of 1% annual growth, generously reflecting the fact that the colony imposes not a single trade barrier on U.S. products.

Note well, however, that even these accords haven't made Ed Jenkins and his fellow price-gougers happy. Mr. Jenkins himself responded with an appropriately dizzy metaphor: The Hong Kong accord, he said, is like "saying to an alcoholic who has increased his drinking consumption to a quart of liquor a day that it is perfectly all right for him to continue to drink a quart . . . so long as he does not increase much beyond that level." Former Rep. James Broyhill was sworn in as the new Republican senator from North Carolina Monday, and the very first thing this new statesman said was that he'd continue his House efforts to override the textile veto.

The problem with a protectionist U.S., even if the protection mainly takes the form of a lot of huffing and puffing by members of Congress, is that one can never predict the point at which damage and recrimination will begin to snowball into something uncontrollable. Foreigners may not vote in U.S. elections, but they do in fact buy millions of dollars of American products that are tied directly to jobs in the U.S. As one Hong Kong newspaper put it this month, these U.S.-made products "could begin gathering dust on Hong Kong shelves." Maybe our exporters should send their unsold goods to Rep. Jenkins, too.

At some point soon, the Reagan administration might consider that trying to immunize Congress with a little protection only serves to spread the disease.

[From the Washington Times, July 23, 1986]

THE ADMINISTRATION'S PROTECTIONIST POLITICS

Last Thursday, even as President Reagan was publicly exhorting lobbyists to "fight protectionist pressures in Congress," one of his own trade negotiators. Charles Carlisle, chief textile negotiator for the U.S. Trade Representative was putting the muscle on South Korea to become the third nation in a row to accept new limits on exports to the United States.

While most of the nation was absorbed in news of possible economic slowdown and the tangles of tax reform, a nervous Wall Street was watching a protectionist Reagan administration losing its free-market cool, and potentially starting a global trade conflagration.

While Washington sweltered in three weeks of mid-July mug, trade representatives from three Asian countries—Hong Kong, Taiwan, and South Korea—learned why it is dangerous to be an ally of the United States, as Mr. Reagan's textile "hitman," Mr. Carlisle, sweated them into the most restrictive textile and apparel quota bilateral agreements ever seen, even in the ugly 27-year history of the Multi-Fibre Agreement (MFA) which comes up for renewal next week in Geneva.

(While Communist China, a bigger exporter than Hong Kong, has been exempt from these one-on-one trade shakedowns, the administration is hoping they will cooperate in Geneva!)

The effect of these agreements is to reduce the annual rate of growth of textile-apparel shipments from these three countries to the United States from the current 5 percent to 10 percent a year down to less than 1 percent, and this in turn will cut their share of the U.S. domestic market from nearly 8.8 percent in 1985, to about 7.2 percent in 1991, a 15 percent to 20 percent share loss.

While this may not seem like much, and only amounts to a reduction of about $1.8 billion to $2 billion in new sales of low-cost textiles to the United States, its much more important quantitative effect will be to put a lid on further price competition against U.S. manufacturers, and raise U.S. apparel price inflation by as much as 3 to 4 percentage points, or another $3 billion to $5 billion against consumers.

The 72 percent rise in Asian imports has kept U.S. apparel prices since 1980 down to an annual rate of less than 1.4 percent, compared with total price rises for all goods and services of 5.5 percent.

In fact, over the last six months ending in May 1986, apparel prices have actually been *falling* at an annual rate of 3 percent.

All this is the result of total imports rising from about 13 percent of the U.S. market in 1980 to 23 percent, in spite of the already heavily restrictive MFA which makes the U.S. textile and apparel industry one of the most protected in the nation, and now costs American consumers about $24 billion to $27 billion per year.

Indeed, it has been the tighter administration policing of the MFA since late 1984 that has helped cut import growth back dramatically from 30 percent in 1983 and 1984, to 7 percent in 1985, and virtually no growth in 1986, while 1985, 1986 U.S. production and sales have suddenly shown a sharp 6 percent to 8 percent *increase*.

As a matter of fact, despite all the hysteria, total U.S. capacity utilization in textiles has *soared* from 79.4 percent in the first quarter of 1985, to a whopping 88.4 percent in 1986, nearly 10 full points *above* the nation's 78.6 percent.

Compare this actual performance with the statement of the protectionist leader in the House, Rep. Ed Jenkins, Democrat of Georgia, and author of the dreadful Textile Quota Bill, who called it "the last gasp of this industry". Some "last gasp!"

Another reason for this 1985–86 textile recovery, of course, is that the U.S. industry has been forced by overseas competition to make major productivity increases, raising total production nearly 9 percent since 1980, even as total employment *fell* by 14 percent.

Production this year is up almost 7 percent over last year. Yet, employment has rebounded by only 1 percent, suggesting productivity gains of 4 percent to 5 percent yearly, accounting for nearly *all* job losses.

Unfortunately, the agreements just forced on the three Asian countries could end all that. The administration says this was a necessary move to head off an August 6 veto override of the Jenkins bill which they say will cost as much as $13 billion a year.

But we can't find any serious observers on Capitol Hill who think the administration's veto was in any trouble, with vote margins in the Senate now predicted to be seven to 15 against override.

So the administration's protectionism may have more to do with November politics than August economics, with tough Senate races in North Carolina and Georgia (Messrs. Broyhill and Mattingly) and strong House opportunities in Strom Thurmond's South Carolina. Some of the heaviest conservative contribution money in these states comes directly from textile and apparel tycoonery.

Unfortunately, these contributions are already being "bought" at the expense of low- and moderate-income consumers, especially in the area of children's clothing, which in anticipation of these restrictions has gone on a price-soaring spree—up at a 9 percent annual rate since March—as the Asian countries seek to upgrade their dollar income by shifting to higher-margin adult clothing.

"We see the prices of children's clothes soon being just as high as for adults," said Bob Stevenson, vice president of Detroit based K Mart stores "Our buyers are already having to scale back their import purchases so we can conform with the lighter quotas."

In short, many K Mart, Sears, JC Penney, and Zayre's shoppers are going to help finance Republican election campaigns in the wildly prosperous Southeastern states this fall, where income and jobs have already been growing at their fastest rate in two decades, and 30 percent to 50 percent faster than for the nation as a whole.

No wonder the stock market is nervous, and Democrats are demagoguing for still more protectionist raw meat.

THE INTRODUCTION OF THE OFFSHORE ENERGY SECURITY ACT OF 1986: JULY 24, 1986

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. FIELDS. Mr. Speaker, I am pleased to introduce, along with several of our colleagues, the Offshore Energy Security Act of 1986.

The purpose of this legislation is to provide some badly needed assistance to our vital but struggling offshore energy industry.

As the ranking minority member of the House Panama Canal and Outer Continental Shelf Subcommittee, I have been a strong and consistent advocate of developing our critically important offshore energy resources in a timely, safe, and orderly manner.

While the precipitous decline in energy prices has provided temporary benefits for certain regions of our country, the sudden and dramatic drop in crude oil prices has caused tremendous suffering in a number of States, including mine. On balance, I am sure most of us would agree that these oil price developments have been, at best, a mixed blessing for this Nation.

As a result of these low energy prices, we have seen a traumatic and dangerous decline in the amount of exploration activity on the Federal Outer Continental Shelf. In fact, just last week the number of offshore rigs in the Gulf of Mexico which were either under contract or involved in drilling stood at 67. This figure represents a utilization rate of only 27 percent which compares most unfavorably with the 93 percent utilization rate which was achieved as recently as January 1984.

Mr. Speaker, while these figures clearly indicate a serious and dangerous decline in energy exploration in this country, they don't begin to tell the whole story.

What they fail to show is that U.S. oil imports have dramatically risen in the last several months by 610,000 barrels a day, with 500,000 barrels, or 83 percent of that figure, coming from the Organization of Petroleum Exporting Countries.

Since last fall, the largest producing OPEC nation, Saudi Arabia, has catapulted from 15th place to become the second largest supplier of U.S. oil imports.

At the same time, these figures fail to place in proper perspective the fact that not only have energy exploration budgets been slashed by 25 to 50 percent but that thousands of American energy workers have either retired early or been involuntarily separated from their jobs. What these employees represent are thousands of years of experience in the energy business, and their knowledge and expertise will be sorely missed in the future.

These figures also do not indicate that we have paid an average of $1 billion every week over the last 3 years to buy foreign oil imports and that these purchases have played a major role in creating and sustaining our Nation's staggering trade deficit.

I would say to my colleagues that one real and positive way to reduce our trade imbalance, with oil imports representing 40 percent, is to vote to increase our supply of domestic reserves which will reduce the need for foreign imports.

Mr. Speaker, I would strongly suggest that a combination of record low energy exploration and a growing dependence on foreign Middle East oil is a prescription for economic calamity and an unwelcome return to those not-so-nostalgic days of the mid-1970's when millions of Americans waited in gasoline lines in towns and cities all over the United States.

History need not repeat itself. I suggest that now is the time for this Congress to renew its efforts to achieve energy independence by enacting new incentives to encourage additional offshore energy exploration.

We cannot and must not wait for the next energy crisis to be upon us before moving ahead to explore, develop, and produce our offshore energy resources.

Unlike our onshore reserves, which are being rapidly depleted, it has been estimated by the U.S. Geological Survey that the OCS contains up to 60 percent of our undiscovered energy resources which represents some 70 billion barrels of oil and 230 trillion cubic feet of natural gas.

Regrettably, however, these energy resources cannot be developed overnight. In fact, it is no exaggeration to say that a well drilled on a lease on the OCS today will not produce energy for America's homes, schools, or factories until 1996 or some year beyond.

Under normal conditions, it takes 2 years for the Department of the Interior to organize a lease sale, several years to find a commercially producible field, and 8 to 11 years to develop the resources that are found.

Mr. Speaker, we do not have the luxury of being able to enjoy that kind of lead time and unless we act now we may well see the return of gasoline lines, factory and school closings, and double digit inflation.

With each passing day, this Nation becomes more and more entrapped in the OPEC web of dependence.

What we are witnessing today is a bold and calculated effort by several OPEC nations, most notably Saudi Arabia, to wipe out our stripper well production and to virtually halt all exploration activities by manipulating oil prices in order to reestablish their absolute control over the energy market.

Without being melodramatic, I want decisions affecting the future of our energy supply made in places like Houston, New Orleans, and Washington, DC, and not by those in Lagos, Nigeria, or Riyadh, Saudi Arabia.

Mr. Speaker, we can control our own destiny and I respectfully submit that this legislation which I am now introducing is a positive and right step in that direction.

As I indicated earlier, the purpose of this bill is to provide the stimulus necessary to maintain a level of exploration, development, and production on the Outer Continental Shelf which is adequate to meet the energy needs of this Nation.

This bill will accomplish that purpose by making four important changes in existing law. First, the bill lowers from $150 to $25 or less per acre the amount of the minimum up-front bonus payment that an oil company must spend to obtain a lease on the Federal Outer Continental Shelf.

At today's oil prices, the $150 per acre minimum is clearly a major disincentive to leasing. In fact, during a recent hearing before the Panama Canal and OCS Subcommittee, the Department of the Interior's Director of the Minerals Management Service, Mr. William Bettenberg, noted that "$150 an acre is a fairly substantial amount. It costs you about $900,000 just to get a tract to lease, and since most tracts are dry, that is typically $900,000 for dry tracts."

Mr. Speaker, I agree completely with Mr. Bettenberg's assessment and I hope that the Department of the Interior will recognize the wisdom of returning to the pre-1981 rate of $25 per acre. In my judgment, this change alone will serve as a significant incentive for exploration activity, not only in the Gulf of Mexico but also in some of the so-called frontier offshore areas.

Second, my bill allows the Secretary to reduce the royalty rate as it applies to both new and existing leases. With crude oil prices now hovering in the $12 per barrel range, the

current royalty rate, which is normally 16⅔ percent, is causing many oil companies to not only forego participation in a lease sale but to prematurely abandon existing leases because the value of that resource is not sufficient to cover both the company's operating costs and the royalty payments to the Federal Government.

While the costs of production are low in the initial phase of development, as production proceeds, reservoir pressure declines and production costs per barrel incrementally increase.

I am convinced that by reducing the royalty rate toward zero, particularly as a lease approaches exhaustion, everyone involved in the leasing process will benefit. Profits to the operator would increase, additional royalties would accrue to the Government, employment would be higher, and the Nation would receive additional oil production at costs below that of imported oil.

Mr. Speaker, the value of oil and gas development in the United States must not be measured as the sum of royalties and up-front bonus payments. The real benefits of this program are reflected in the increase in domestic production of oil and gas and its positive impact on the energy security of this Nation.

The third change I have proposed in this legislation is simply an attempt to encourage the Secretary of the Interior to utilize his existing regulatory authority to offer large economic units during any future lease sales.

While an oil company may now bid on and win a number of adjacent tracts, by offering a number of tracts as a large economic unit both the Federal Government and the oil industry can maximize their efforts to find and develop commercially producible quantities of oil and gas.

By expanding the initial tract size, the Government would offer a much improved opportunity to include an expected fossil fuel reservoir.

Finally, my bill establishes an offshore safety advisory committee. While this is clearly not a new proposal, there is considerable support for the idea of establishing a committee of individuals representing oil companies, drilling contractors, fabricators, and general support services which would make recommendations to the United States Coast Guard on the safety aspects of offshore oil, gas, and other mineral operations.

As someone who has been a consistent and strong supporter of offshore safety, I believe that the need for this advisory committee has been demonstrated.

Mr. Speaker, now is the time for this Congress to refocus its efforts toward the goal of avoiding any future energy crisis. It is important to remember that just to maintain current levels of reserves and production, the United States needs to find the equivalent of 9 million barrels of oil and nearly 50 billion cubic feet of natural gas each and every day. We are falling short of that target, and we have no time to lose.

While I recognize that this proposal will not solve all of the problems facing the domestic energy industry, I suggest that my colleagues view this bill as an important component of a comprehensive effort to increase the amount of energy exploration and production in this Nation.

In combination with other changes, like the repeal of the windfall profits tax, immediate decontrol of all natural gas, elimination of the Fuel Use Act, and certain incentives for stripper well production, we can stop the perilous decline in our domestic energy industry.

It is clearly not in the best interest of American consumers to shut down OCS production and to leave ourselves totally at the mercy of foreign producers.

As we so vividly remember, the last time we became overly dependent on foreign energy sources, oil prices made their fastest climb in history.

Mr. Speaker, from my perspective, a centerpiece of any comprehensive energy program is the development of the 1 billion acres which comprise the Federal OCS.

By moving ahead in a timely and orderly way to explore, develop, and produce our offshore energy resources, we can assure future dependable supplies of energy, we can strengthen our economy, we can create and save thousands of jobs, we can decrease our growing dependence on foreign oil imports, and we can help reduce our huge trade deficit.

Mr. Speaker, I would urge each member of this body to closely review this important legislation and then join with me and our distinguished colleagues, Congressmen DON YOUNG, BILLY TAUZIN, NORM SHUMWAY, WEBB FRANKLIN, SONNY CALLAHAN, and Congresswoman HELEN BENTLEY, in promoting the expeditious passage of the Offshore Energy Security Act of 1986.

THE FUNDAMENTAL ISSUES IN NICARAGUA

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. TORRES. Mr. Speaker, it is critical that we focus in on the elementary issues involved in the Nicaraguan conflict. It is not a question of Soviet incursion, national pride, or even the invasion of Harlingen, TX. A recent article in the Los Angeles Times by Bill Maynes highlights those fundamental issues on which we must renew our focus. I commend this article to my colleagues' attention and would like to include it in today's RECORD.

[From the Los Angeles Times, July 20, 1986]

NICARAGUA: U.S. AGAIN INTRUDES ON THIRD WORLD

(By Charles William Maynes)

WASHINGTON.—The White House decisions giving the Central Intelligence Agency control over the U.S. proxy war against Nicaragua means the United States will once again be trying to micromanage a Third World conflict. Once again, CIA-selected leaders will be presented as individuals the Nicaraguan people have chosen. Once again, U.S. technology will struggle against Third World nationalism, tarnishing the U.S. image throughout the world. And once again, the United States will probably lose.

There are at least three reasons why the new U.S. policy will probably fail: the demand for social peace, the need for social justice and the weight of history.

Although the Administration usually suggests that revolutions should only take place by majority vote at the ballot box, the truth is that most revolutions, including our own, have been the work of minorities. The majority turns to the revolutionaries after concluding that they are more likely than the authorities to provide order.

In many Central American countries the people rightly view the agents of government as the principal cause of social disorder. Efforts of the man at the top, however well intentioned, are discounted because he cannot control his own military, usually beholden to the extreme right. In Guatemala, for example, a courageous man, Vinicio Cerezo, was recently elected on a platform of democracy and social reform. But he has been unable to stop the killing—more than 700 since his inauguration on Jan. 14. In June, his personal pilot was kidnaped and killed.

Despite Washington's claims of progress in El Salvador, murders by groups associated with certain government agencies continue at a sickening rate—close to 2,000 a year. Meanwhile, after a careful investigation in Nicaragua, Americas Watch concluded in early 1986 that "we are unable to detect in Nicaragua a deliberate, centrally directed practice of 'disappearing' detainees as took place in Argentina and Chile in the 1970s, in Guatemala from 1966 to the present and in El Salvador during the past six years."

The people of Nicaragua are distressed at many aspects of Sandinista misrule—the poor economy and the crackdowns on political freedom—but they know that the *contras*, whose use of terror as a political weapon is documented, threaten a return to the kind of social disorder that ravages neighboring states. It is probably for this reason that, despite a rising level of popular discontent, the *contras* have yet to take and hold a single town on Nicaraguan soil.

The need for more social justice in Central America is another reason why U.S. policy will probably fail. It is no accident that the conflict in Central America is now most acute in El Salvador and Nicaragua. In each, the poorest 20% of the population is much worse off than even in neighboring states like Honduras. In El Salvador the poorest 20% received only 2% of the national income in 1980. In Nicaragua, the figure was 3%. The average annual income for the poorest 20% in the two countries was about $50, compared with $111 in poor Guatemala.

It might be possible to deal with such misery short of revolution if the United States wholeheartedly backed democratic leaders pressing for radical change. But when one arises, like Jose Napoleon Duarte in El Salvador, the United States, for domestic reasons, cannot make it clear to the far right in the region that the United States stands categorically behind the call for drastic change. Hard pressed by the right, the Duartes of the region are forced to resort to half measures. Soon the options again appear starkly—either repression or revolution—but repression cannot work forever.

A final reason for potential U.S. failure involves our repeated inability to understand the dominant force of the age. It is not communism or capitalism but nationalism. The political movement that captures the national symbols prevails. And precisely because the status quo in Central America is

too identified with Washington, it is vulnerable.

When the history of the American involvement with the Nicaraguan resistance is written, the single greatest mistake will turn out to be U.S. unwillingness to work with Eden Pastora, who maintains that he is a "democratic revolutionary," whereas those the United States supports are "counterrevolutionaries." Pastora perhaps exaggerates his differences with *contra* leaders. But is it an accident that all three of the top *contra* civilians come from Nicaragua's business or financial world? One is a former Coca-Cola executive, one a former banker and one a former president of the Chamber of Nicaraguan Industries. These are the people the CIA has selected to develop popular appeal among Nicaraguan peasants.

Because Pastora would not take orders form his CIA handlers, the United States dumped him. But it was precisely because he would not take orders that he had some chance of capturing the nationalist mantle from the Sandinistas.

The short-run alternatives the United States faces in Central America are now very bleak—in the immediate future, either un-American repression or anti-American revolution. Faced with those alternatives, a majority of the House of Representatives backed those who, with few figurehead exceptions, have always been on the side of repression; then tried to salve its conscience by insisting that the *contras* henceforth adopt higher standards of human rights.

There is, however, another choice, taking the longer perspective. In the short run, almost any radical political stance in Central America will be anti-American. But the countries involved are small and part of a larger international system still dominated by the United States. In time, like China, Mozambique and Yugoslavia, they will have no choice but to move toward some kind of accommodation with the United States. Meanwhile, there is little they can do to harm the United States unless they permit a foreign military presence—then virtually all Americans would support its removal by the U.S. military.

Perhaps before the countries of the region have been totally destroyed and many of their people driven across our borders as refugees, an Administration in Washington will again focus on this longer run.

MEXICO—A NEIGHBOR IN CRISIS

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. UDALL. Mr. Speaker, this is the eighth in a series of articles that I will be submitting over the course of the next several weeks that will illustrate the current crisis in Mexico.

I feel it is critically important to remember that Mexico is not some distant trouble spot, but, rather, our friend and valued neighbor to the south.

Today's article is an excellent followup to yesterdays article concerning the signing of the International Monetary Fund-Mexico accord. The Washington Post editorial calls the Mexican debt agreement a victory for common sense, but observes that it is by no means a final victory.

The article follows:

[From the Washington Post, July 24, 1986]

THE MEXICAN DEBT AGREEMENT

The Mexican debt agreement is a victory for common sense. It's by no means a final victory, for it represents only one step in the management of Mexico's enormous foreign debt and Mexico's return to economic growth. But things are now moving in the right direction, and that's enormously important to the United States. As a matter of foreign policy, Mexico's stability ranks second only to the Soviet strategic relationship in its significance to Americans in the coming decade.

Under this agreement the lenders will make extraordinary concessions to Mexico, and Mexico will make extraordinary efforts in its own behalf. The agreement, signed by Mexico and the International Monetary Fund with the active support of the World Bank and the Reagan administration, does not merely try to help Mexico carry its present debts. Mexico has to be able to carry them in terms that will permit its economy to expand, and that will permit it to continue to borrow. The drop in the price of oil has made Mexico's borrowing requirements imperative.

Mexico, on its part, has apparently abandoned demands for interest rates below market levels, which would threaten higher interest rates to the banks' other borrowers. Beyond that kind of negotiating concession, Mexico is now moving steadily ahead with the most profound kind of internal reforms. It is closing money-losing state-owned enterprises. It is beginning to dismantle the protectionist practices that preserve highly profitable inefficiency for well-connected businessmen. President Miguel de la Madrid and his government are already paying a substantial political price for these reforms, and Americans should not underestimate the risks that Mr. de la Madrid is running.

It's far from certain that the commercial banks will go along and put up their half of the $12 billion in new loans that the agreement would provide over the next 18 months. But the best bet is that, with the usual grumbling, they will cooperate. Otherwise, if there were a Mexican default, they might well be blamed for it. None of the American banks is likely to expose itself to the consequences of that—not with the U.S. Treasury actively supporting the agreement. If the American banks cooperate, the Japanese and Europeans will follow.

None of that can guarantee success. The present phase of Mexico's distress is wholly owed to one unpredictable event, the sudden collapse of oil prices last winter, and no doubt other unpredictable events lie ahead. But the agreement demonstrates that the international system—meaning Mexico, the Reagan administration and the IMF—are capable of dealing skillfully with an international economic crisis of the greatest urgency.

THE KATZ FAMILY OF MOSCOW

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. PORTER. Mr. Speaker, I rise once again to bring to my colleagues' attention the plight of another Soviet Jewish family, who is being denied their right to emigrate from the Soviet Union.

Simone Katz lives in Moscow with his wife Vera and their two children. Simone first filed emigration documents in March 1979, so that he could reunite with family members, who he has been separated from since World War II. The Katz family presently have relatives living in the United States and Israel.

Simone's visa request was virtually ignored by the Government. However, they have responded to his request with increased harassment and anti-Semitic behavior. Two months after applying he was beaten so severely that he has been receiving hospital treatment ever since.

Simone is a well-known physicist and mathematician and at the time of his application to emigrate he worked as a senior researcher, earning 400 rubles a month. After he applied for a visa, he was demoted to a minor researcher with a reduced monthly salary of 150–200 rubles. Although Simone is still working in his field, he can no longer publish scientific papers—before his application he published over 30 research articles—use a computer, or carry out any experiments, which are means so necessary to advance his research.

Dr. Katz has suffered further pressure and harassment at work. He has been accused of being a traitor to the Soviet state. When he was asked to speak at a major seminar, his colleagues were told to discredit him, but they refused. Simone invited all famous scientists to come to the seminar and they did, but they were refused entry to the auditorium. The audience was a group of organized imposters who had been planted to refute Katz's theories. Although the deputy director of the institute attended, all other institute members were barred admittance.

Simone sent letters to the Science Academy protesting this anti-Semitic act as a "travesty to all the traditions of science." In response to his formal protest, he received a call from a low-level official who told him that his statements were unsubstantiated and invalid.

Mr. Speaker, the continued prejudice of Soviet officials against Soviet Jews is atrocious. I encourage my colleagues to continue their strong efforts to press the Soviets until we see substantive changes in their practices. The Soviets must know that our voices will not be silent until the persecuted individuals, like Simone Katz and his family, are allowed to live freely in the land of their choice.

EXPLANATION OF VOTE ON H.R. 5161

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. WEISS. Mr. Speaker, I had intended to vote in favor of H.R. 5161, making appropriations for the Departments of Commerce, State, and Justice for fiscal year 1987. But with the passage of the Dornan anti-abortion amendment, a "yes" vote on this bill has become impossible for me.

The bill before us contains many items worthy of support, including continued funding for important programs that the administration

seeks to eliminate, like the Legal Services Corporation, which helps low-income people get the full legal representation they need and deserve; the Small Business Administration, which assists small businesses struggling for economic viability; and the Public Telecommunications Facilities Program, which provides planning and construction grants for public TV, radio, and nonbroadcast facilities.

This bill would also terminate funding for the Civil Rights Commission, an entity whose work has become an embarassment and an obstacle to those of us determined to see that all citizens have equal political rights and economic opportunities. If the Civil Rights Commission were still an independent body, I would continue to support it, as I have in the past. But since the Commission has been reduced to an ideological arm of the Reagan administration, it no longer serves any meaningful civil rights function, and deserves not to be funded.

Other programs in this bill that I support include funding for our participation in a variety of international organizations, including the United Nations, and the antidrug programs of the Drug Enforcement Administration.

For the last 5 years, I have voted in favor of the annual appropriations for the Departments of Commerce, State, and Justice: it is only with the greatest reluctance that I vote against this bill today. I cannot, however, support any measure that includes such an outright violation of a woman's constitutionally protected right to choose abortion as is presented here with passage of the Dornan amendment.

The amendment is not merely an extension of the Hyde amendment as we have been led to believe. That notorious amendment, as we are well aware, already unfairly denies coverage of abortion services to women dependent upon the Federal Government for health services, including Medicaid recipients, native Americans, Peace Corps volunteers, military employees and their dependents, Federal employees, and residents of the District of Columbia.

Mr. DORNAN's amendment, which has just been adopted, would go much further. In it, we are not talking about women dependent on the Federal Government for just health coverage. We are not talking about people living freely in our society who, when denied Federal financial assistance, can seek private assistance. We are not talking about people who have options. We are talking about women who are in the custody of the U.S. Government. We are talking about prisoners who, because of their incarceration, have no place else to go—and are therefore guaranteed by our statutes and our courts minimum standards for health care provided by the U.S. Government.

During a debate last year in the Senate on a similar measure, a point of order was raised questioning the constitutionality of the pending amendment.

The point was made that it has long been established that the eighth amendment's prohibition on cruel or unusual punishment requires that prisoners receive adequate medical care. A violation of the eighth amendment arises when prison officials withhold access to medical care. This would clearly result from the Dornan amendment—which would deny an incarcerated woman the ability to exercise her constitutionally protected right to have a legal abortion.

The amendment which we have just approved goes even further than the one defeated by the other body. This amendment not only denies abortion funding, it denies facilities for the performance of abortions—which, by the way, the Bureau of Prisons does not now provide—as well as expenses for transportation, staff escorts and housing related to the procuring of an abortion, except where the life of the mother would be endangered if the fetus were carried to term.

Without funding, without facilities, without transport, and without escort, there is no way possible that an incarcerated woman can obtain a legal abortion.

This analysis does not, as proponents of this amendment would argue, contradict the Supreme Court's decision upholding the Hyde restrictions on Medicaid funding for abortion. The Court held in Harris against McRae that the restriction on Medicaid abortions was permissible because it did not create an absolute barrier to the ability of a woman to have an abortion, which would be in violation of her privacy rights as recognized in Roe against Wade.

By contrast, the Dornan amendment would create an absolute barrier to indigent prisoners seeking abortion. I maintain that this is clearly a violation of the eighth amendment protections against cruel and unusual punishment and it is for this reason that I must vote "No" on H.R. 5161.

It is my hope that clearer minds will prevail during future consideration of this bill, and that this questionable provision will be dropped by the conferees. If this occurs, I intend to support this important appropriation bill.

RESTORE SAFETY TO THE AIR TRAFFIC CONTROL SYSTEM

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. DOWNEY of New York. Mr. Speaker, I rise today in strong support of an amendment to H.R. 4003, the Transportation appropriations bill, that my New York colleague Representative MOLINARI will offer. This amendment would mandate the Department of Transportation to rehire air traffic controllers who were unjustly fired by the President in 1981. It is the best and most sensible step toward achieving safer airways and fulfilling Secretary of Transportation Dole's plan to hire 1,000 new controllers over the next 2 years.

Anyone who has flown recently or is involved with air transportation knows of the serious problems which plague the air traffic control system. In fact, according to the National Transportation Safety Board, 1985 was the second worst year for fatalities in U.S. commercial aviation history: 564 people died as a result of air accidents that year. By contrast, 1980 was the safest year on record when there was only one accident and one death.

Fatality statistics, however, do not begin to shed enough light on the subject. Evidence presented in October 1985 at hearings before the Aviation Subcommittee of the House Committee on Public Works and Transportation as well as an independent study by the U.S. General Accounting Office published in March 1986 confirmed my longstanding suspicion that the Federal Aviation Administration could not and has not yet recovered from the dismissal of 12,200 air traffic controllers in August 1981. Over three-quarters of those fired—9,200 controllers—were full performance level controllers, fully certified to operate all positions in a defined area. They had achieved a degree of skill and expertise obtainable only through years—the average was more than 5 years on the job—of experience.

By February 1986, the FAA had 8,673 full performance level controllers at work. This number does not approach the prestrike level of 13,205 on July 31, 1981. Moreover, since the strike, the Office of Personnel Management has waived time-in-grade requirements so that controllers can be considered full performance level with only half of the normal 4 to 5 year service requirement. We have a dangerous situation of understaffing and inexperience in our control towers. Predictions of continued manpower shortages extend into the foreseeable future as the GAO expects more seasoned controllers and supervisors to retire than the FAA anticipates.

These shortages pose an incredible burden on the current workforce. The New York State Air Traffic Control Center is located in my district in Ronkonkoma, NY, and I am acutely aware of the difficulties under which our air traffic controllers work. The vast majority, 91 percent, of current air traffic controllers believe that there are fewer full performance level controllers than needed to maintain safety in the skies.

The same conclusion is being reached by every group that has studied the problem. The Flight Safety Foundation, an international organization dedicated solely to the improvement of flight safety, reported that "the present air traffic control system does not provide the same level of safety as before the strike." The GAO citing controller stress, staffing shortages, increased traffic, declining morale, lack of supervision, and an inexperienced workforce, concluded that "controllers at many major facilities are being stretched too thin and over time, the situation could impair their ability to continue to maintain the proper margin of safety." The most chilling analogy was drawn at a hearing of the Aviation Subcommittee of the House Committee on Public Works and Transportation by my colleague from Minnesota, Representative OBERSTAR:

> The system is akin to a time bomb ticking away. Air traffic is at record levels, but the system designed to handle it remains overworked at critical times in peak periods. The combination of both and the added element of inclement weather is a recipe for disaster.

We can rectify this dangerous situation by supporting Representative MOLINARI'S amendment ordering the rehiring of 1,000 experienced and qualified controllers to the depleted ranks of the air traffic system. The need

for improved safety measures is evident, as is the need for providing relief to the thousands of overworked air traffic controllers. Representative MOLINARI'S amendment will accomplish these vital goals.

In announcing her opposition to this remedy, Secretary Dole expressed concern that a morale problem could develop among current controllers. While it is difficult to imagine greater dissatisfaction in the ranks for the controllers than currently exists, this concern is under investigation by the GAO. The findings, I believe, will point in the opposite direction. Rehiring experienced controllers will relieve a great deal of the pressure on current controllers and improve working conditions.

When you fly, you put your life into the hands of a long line of professionals: ground crews, maintenance personnel, pilots, navigators, and air traffic controllers, to name a few. By mandating the rehiring of 1,000 fired controllers, we can strengthen a crucial link in the chain. A clear need exists and an experienced body of personnel stands ready to fill it. The safety of the general public will be best served by this amendment. I strongly urge my colleagues to avail themselves of this opportunity to restore safety to and confidence in air travel by supporting this amendment to H.R. 4003.

WHITE HOUSE CONFERENCE ON SMALL BUSINESS

HON. SHERWOOD L. BOEHLERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. BOEHLERT. Mr. Speaker, I ask my colleagues to join me in commending and congratulating the 1,823 delegates to the White House Conference on Small Business. The Conference will be holding its second convention here in Washington between August 17–21, 1986. This event culminates a series of similar conferences which have been held across the country and in each of the 50 States. These small business "summits" have proven an invaluable source of insightful ideas presented by those who must operate under the laws we set—the small businesspersons themselves. This Conference provides a unique opportunity for them to exchange their divergent opinions, creating viable recommendations for Government action on small business issues.

The grouping of small businessmen at a national conference establishes a catalystic atmosphere for positive change. Through a forum such as this, the public is made aware of the contributions small business makes to America, thereby enhancing the ability of small business to continue carrying out its role as the Nation's major job creator. These imaginative entrepreneurs dare to dream, bucking traditional business trends and constantly injecting new blood into the American business climate. Their foresight and calculated risk taking insures America of new business and employment opportunities and, in turn, prosperity for the generations of today and tomorrow.

Beginning with productive conferences on the State level, more than 2,200 recommendations are passed on to the regional and national conferences by participating small businesspersons. During each successive conference, climaxing with the national meeting in Washington, recommendations are eliminated, refined, and clarified. Those proposals judged to be both prudent and actionable are then presented to the President and Congress, effectively assisting us in developing Federal policies which allow small businesses to grow and prosper.

Delegates to the 1980 White House Conference sent 60 recommendations to the President and the Congress. Since them, two-thirds of these recommendations have been acted upon legislatively or administratively—most notably the Economic Recovery Tax Act of 1981, which enacted sensible revisions to this country's Tax Code. With over 300 recommendations expected from this year's Conference, we can look forward to even more productive output from the delegation—especially the savvy businesspeople from my district: Richard Burgess, Clyde Cook, Beverly Margolis, and Sigurd Rahmas.

Among the many proposals on the agenda for the National Conference are two ideas which I believe meet the Conference criteria of being both prudent and actionable. The first is the permanent reauthorization of the Small Business Innovation Development Act, which requires Federal agencies with annual research and development budgets of $100 million or more to allocate at least 1.25 percent of that spending to small firms. By enacting this legislation, we take steps toward insuring the life of many small business firms while also providing the Federal Government with the best productivity for the money that we can buy—the services of America's small business.

The other proposal which deserves our careful consideration will be the Conference suggestions for solutions to end the liability crisis, which has many of our small business people to either curtail operations or go completely out of business due to insurance premium increases and unavailability of policies at any price. The loss of any small business to this problem takes a vital bite out of both our economy and society as a whole.

In addition to the issues being debated, differences between the 1980 and 1986 Conference will be apparent by the nature of the delegates as well. More than a third of the 1986 participants will be women, compared with only 15 percent at the 1980 conference.

The ultimate goal of the national White House Small Business Conference is to establish a clear statement of small business priorities that is representative of the concerns of this country's 14 million small business men and women. To date, the small business community has responded enthusiastically and optimistically to the reconvening of the Conference. I am confident that the spirit of enterprise which abounds in this country will bring forth specific and comprehensive recommendations for executive and legislative action which will maintain and encourage the economic vitality of small business and, thereby, the Nation.

ROMANIAN GOVERNMENT ABUSES

HON. DENNIS E. ECKART

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. ECKART of Ohio. Mr. Speaker, recently the President sent a message to Congress requesting the extension, under the waiver clause of the Trade Act of 1974, of the most-favored-nation status for Romania.

For the past 11 years, Congress has received such messages and complied with them in the hope that the economic benefits bestowed, and pressure exerted by congressional oversight hearings and by our State Department would bring about a change of the depreciating state of human, cultural, religious, and national minority rights in Romania. Unfortunately, the opposite has prevailed.

Since 1977, but particularly since the economic crisis of 1982, the Ceausescu regime has repeatedly denied the rights of its citizens, particularly its religious believers and national minorities.

The persecution of the Christian denominations has long been exposed by Members of this body. Therefore, the State Department has attempted to negotiate the issue with the Romanian Government. Little to no success has been made and the persecution continues.

The Hungarians are another victim of an increasingly brutal denationalization drive by the Ceausescu regime. Numbering at 2.5 million, the Hungarian minority is repeatedly denied the right to participate in their cultural heritage. Higher education classes in Hungarian and the opportunity to study in the mother tongue are increasingly limited on the high school and intermediate levels. Book production is limited, cultural institutions have been partially or completely eradicated, and publications of anti-Hungarian as well as other anti-minority hate literature have been printed. All this and more has been allowed to take place with the hope of eliminating the national consciousness of all minorities within Romania.

Those opposed to Ceausescu's regime find it increasingly difficult as they are brutalized and intimidated by police. Thousands have been arrested without cause and others disappear.

Mr. Speaker, under these circumstances, and especially since the Romania Government refuses to discuss these blatant and intolerable abuses against human rights, despite attempts by our diplomats to talk about these violations taking place within Romania, I could not in good faith vote for an extension of the Romania MFN status, unless substantial improvements were made by the Romanian Government in regard to the religious, human, cultural, and self-determination rights of the national minorities in Romania.

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OLMSTED'S LEGACY—WHAT SUMMIT COUNTY, OHIO, SHARES WITH CENTRAL PARK IN NEW YORK

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. SEIBERLING. Mr. Speaker, I would like to bring to the attention of the House an excellent article by Mary Paolano which appeared recently in the Akron Beacon-Journal concerning the legacy of Frederick Law Olmsted, the premier landscape architect in the United States during the late 19th century and the father of the landscape architecture profession in our country.

Ms. Paolano's article, "What Summit Shares With Central Park," describes some of the legacy of Olmsted, his sons and associates, whose works include not only the famous Central Park in New York City but also plans for parks and landscapes in Summit County, OH, as well. Indeed, their work spans the Nation, from the cities of Boston, New York, Hartford, Baltimore, and Washington, DC, to Seattle, Portland, San Francisco, Denver, Kansas City, and New Orleans, to name just a few.

As Ms. Paolano points out, Warren Manning, one of Olmsted's associates, designed the grounds of Stan Hywet Hall in Akron, a magnificent pre-tutor style house and gardens which are listed on the National Register of Historic Sites and also are designated a National Historic Landscape. In doing so, he shared a heritage that Olmsted himself left in designing such masterworks as the grounds of the Vanderbilt's Biltmore mansion in Ashville, North Carolina.

I was pleased to note that Ms. Paolano also mentioned H.R. 37, the Olmsted Heritage Landscapes Act, which passed the House last year. While the legislation is relatively modest and would simply provide for identification and basic research and information on landscapes designed by Olmsted and/or his associates, it would do much to raise public consciousness about the wonderful legacy that remains. My hope that the Senate will act on the legislation soon.

Following is Ms. Paolano's article, which I commend to the Members' attention:

[From the Beacon-Journal (Akron)]

WHAT SUMMIT SHARES WITH CENTRAL PARK

(By Mary Paolano)

What does Summit County have in common with New York's Central Park? What does Stan Hywet share with the Vanderbilt's Biltmore mansion?

These and countless other beautifully designed places such as Stanford University, Michigan's Birmingham and Belle Isle, the Cleveland Art Museum environs and the Boston Harbor area were all planned by Frederic Law Olmsted or his sons and associates.

U.S. Rep. John Seiberling is working to change the "countless" to a government-sponsored listing of the places created by these planners. The public and private landscaping by these men is an important part of this country's heritage. Planning briefs can in some cases be retrieved and the original designs studied and perhaps even restored.

Walter Manning, Stan Hywet landscaper, made a study of a national plan to make the best use of our natural resources, stressing that we are exceptionally blessed by having abundant water and good soil in the temperate zone.

A poet's inspiration started the whole thing. Henry David Thoreau was worried about the New York metropolis taking over what was at that time pig farms and hovels. He felt that each town "should have its own wilderness park, a common possession forever." William Cullen Bryant pushed the idea of a contest for a central park in the city with his influence as journalist, lawyer, naturalist and civic leader.

Olmsted and Calvert Vaux won the award and for $2,000 Central Park was born.

Olmsted, almost blinded in his youth by poison sumac, never got a college degree. He audited Yale courses in science and engineering. He studied farming, was an apprentice topographical engineer and studied old and new landscaping methods in Europe. He learned from hands-on experience what would work and what wouldn't. He wrote books on farming and a still-reliable work on slavery and its economic impact on the antebellum South.

His treatment of Central Park as a work of art got him projects in major cities and the opportunity to develop Stanford University as an entity with its grounds.

Olmsted was the first "landscape architect" as he puts his designs on landscapes through the use of plantings, open space and water.

Yosemite Park and the Niagara Falls reservation were saved by him.

His son, Frederick Law Olmsted II, carried on his work, eventually being honored by admirers by having a stand of redwood trees named for him.

After Roxbury Latin School, he graduated magna cum laude from Harvard. By 1893 he was working beside his father on the Chicago World's Fair where he was thrilled to work with great artists such as Saint-Gaudens and Millet.

After a summer's session with the U.S. Coast Guard in the Rocky Mountains, he went to Biltmore in North Carolina where the 12,000-acre estate he developed included a river and a mountain.

After his father's death, Olmsted and his brother, John, founded Olmsted Brothers. The Washington Cathedral, West Point, the Brooklyn Botanic Gardens and many private homes were landscaped by the firm.

In 1900, Olmsted taught the first landscaping college course at Harvard. The next year saw the Olmsteds restoring and developing the century-old plans of L'Enfant for Washington, D.C.

Olmsted is credited with firming up the national parks and the Congressional Act of 1916 establishing the National Park Service.

The Summit County Metropolitan Park Board hired the firm to make a general study of Summit County. Various plans were suggested for parks, from the Clinton area to the wooded section between Akron and Cleveland. Always conscious of the practicality of any plans, along with the aesthetic considerations, the Olmsteds hoped that the valley would not be taken over as Central Park had threatened to be, or that trains would not ruin the valley.

With typical prescience, they foresaw that the heavy traffic would be up on the ridges, where someday "minimum speed limits would be maintained and the person who drives for pleasure would be forced to seek other routes" than the highways.

Seiberling has proposed that the government make an inventory of the Olmsted's parks and landscapes. The House has approved the legislation, which can be done within existing budgets. It is hoped that Sen. Patrick Moynihan, D-N.Y., can get it through the Senate.

This bill would be a fitting tribute to Seiberling at the end of his long years of service in saving our national natural treasures.

SEEK TO EXTEND COOLING-OFF PERIOD ADDITIONAL 60 DAYS

HON. JOHN R. McKERNAN, JR.

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. McKERNAN. Mr. Speaker, today, I join Representatives FLORIO, SNOWE, and several of our colleagues in introducing legislation to provide for a temporary prohibition of strikes or lockouts with respect to the Maine Central Railroad Co. and the Portland Terminal Co. labor-management dispute.

This legislation is necessary to ensure that essential transportation services of the Nation are not disrupted by the ongoing dispute between management of the railroad and the Brotherhood of Maintenance of Way Employees.

On May 16, pursuant to section 10 of the Railway Labor Act, the President signed Executive order 12557 which established a Presidential Emergency Board to investigate and report its findings with respect to the dispute. Establishment of the emergency board commenced a 60-day cooling-off period during which time no change in the conditions out of which the dispute arose was permitted by either party. This action became necessary when the strike threatened to spread to the Conrail system and beyond, posing a serious disruption of transportation services essential to the Nation.

While the purpose of the cooling-off period was to provide an atmosphere more conducive to continued negotiations, particularly one which would allow striking employees to return to work, a compromise was unfortunately not reached prior to the expiration of the cooling-off period.

All avenues provided in the Railway Labor Act for resolving this dispute have been exhausted and settlement appears unlikely at this time. Because of our concern that this dispute may again escalate and further threaten to disrupt essential transportation services, we have introduced this legislation to extend the cooling-off period for an additional 60 days.

I urge my colleagues to support this measure so that all parties in the dispute will have an opportunity to renew negotiations and strive for an equitable settlement.

CAPTIVE NATIONS WEEK

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. SMITH of New Jersey. Mr. Speaker, over 25 years ago, the U.S. Congress unanimously passed the first Captive Nations Week resolution. Mr. Speaker, I think that this resolution is as germane today as it was at the height of the cold war when President Eisenhower made the first captive nations proclamation.

Since 1917, the tyranny of communism has been imposed on one-third of the world's population. It is fitting that once a year Americans pause to remember the plight of the nations of Eastern Europe, those struggling against Communist expansionism in Latin America, and the people of Afghanistan and Kampuchea.

Jews and others who dare to speak out for human rights in the Soviet Union are relentlessly persecuted. Trade union leaders in Poland have been tossed into prison, interrogated and harassed. The Chinese Government systematically enforces its no-exceptions policy of one child per couple, leading to widespread forced abortion and infanticide.

In Afghanistan, children have been maimed with bombs the Soviet Army has disguised as toys. The Marxist Government of Ethiopia's fiscal policy amounts to the deliberate starvation of its citizens.

Mr. Speaker, we in the free world have a moral obligation to join with the peoples of these captive nations to fight against military occupation, against Communist expansion, and against political oppression.

The principles of human rights and national self-determination cannot be separated. Only in those nations where citizens can participate in the determination of the destiny of their own nation can human rights be assured.

It is no coincidence that only totalitarian states mark their borders with walls and barbed wire to keep their people from fleeing for freedom. In those nations, Mr. Speaker, thousands pray for the day when they will be free.

As a member of the Foreign Affairs Committee and the U.S. (Helsinki) Commission on Security and Cooperation in Europe, I have had the privilege to visit a number of the captive nations we remember this week. I can assure my colleagues that in their hearts, the people in these nations long for freedom from the oppression of communism.

In 1982, I met with Jewish refuseniks in Moscow and Leningrad. They shared frightening experiences of persecution at the hands of Soviet authorities. Just last year, I led a congressional delegation to Romania to investigate reports of rampant violations of religious freedoms. Once again, I was struck by the courage of religious believers behind the Iron Curtain. Churches bulldozed, Bibles destroyed, arbitrary arrests, prolonged imprisonment on trumped up charges—the Romanian Government has a wide array of methods for persecuting those who dare to believe in God. And yet, the ranks of believers are growing, rather than shrinking.

In the face of such courage, how can we help but remain firm in our support for these victims of Communist tyranny? We must reverse the tide of Communist expansion which began in 1920. We will continue to observe Captive Nations Week until we can one day celebrate the renewed independence of these captive nations.

WELCOME TO THE TAIWAN BENEVOLENT ASSOCIATION OF AMERICA

HON. DAN MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. MICA. Mr. Speaker, I am pleased to welcome the Taiwan Benevolent Association of America to its ninth annual convention this weekend in Arlington, VA. Over 1,500 representatives and members of the association will be gathering for this event.

The Taiwan Benevolent Association of America is an organization of American citizens of Taiwanese origin. As you may know, there are about 1 million Chinese Americans in the United States, of which 300,000 are from Taiwan.

Founded in 1978, the Taiwan Benevolent Association has grown into an organization of 20,000 active members, with nine branches throughout the United States. The group is interested in enhancing the general welfare of its members and promoting cultural exchange and understanding between Taiwan and the United States.

I have had the privilege of visiting Taiwan, where I was welcomed by the innate hospitality, courtesy, and friendliness of the Chinese people. I found a nation with a rich and colorful history that nonetheless is in step with the space age.

The importance of Taiwan as a protector of vital United States interests in the Far East cannot be underestimated—history has proven Taiwan to be an important friend and ally. The Congress has reaffirmed on several occasions that the security of the people of Taiwan remains a priority of the United States. It is essential that Americans and the people of Taiwan continue to enjoy this mutually beneficial relationship.

Mr. Speaker, let us commend the efforts of the Taiwan Benevolent Association of America in fostering understanding between Taiwan and the United States and wish them every success for their ninth annual convention.

THE PAIRING OF PROTESTANT AND CATHOLIC YOUNGSTERS

HON. TONY COELHO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. COELHO. Mr. Speaker, I would like to take this opportunity to share with my colleagues an exchange program which is designed to promote peace among people who have known only war.

Children's Committee 10, initiated by Fresno substitute teacher Vincent Lavery, has been pairing Protestant and Catholic youngsters from Northern Ireland in American homes for the past 5 years. Over 1,000 children have been given trips to America so that they may begin to overcome the religious hatred which underlies the war and suffering to which they have become accustomed. Recently, the program has expanded to include Moslem and Christian children from war-torn Lebanon.

I salute the efforts of Mr. Vincent Lavery and the hope which this program offers. Through the labors of Mr. Lavery and the American host families, childen who have known only death and destruction are learning that communication and friendship pave the path toward peace and prosperity.

The article from the Fresno Bee to follow:

[From the Fresno Bee, July 16, 1986]

VISITING IRISH CLERICS LAUD LAVERY PROGRAM

Two clergymen from violence-plagued Northern Ireland, one Catholic and one Protestant, were in Fresno Tuesday extolling the virtues of an innovative program that provides free American vacations for children growing up surrounded by religious hatred.

The Rev. Jimmy Arbuthnot, Protestant minister, and the Rev. Matt Wallace, Catholic priest, who both live in Belfast, were brought together five years ago to help select children for a program founded by the Fresno substitute schoolteacher Vincent Lavery.

"It has been fantastic to see the reactions [of the American host families when greeting their young guests at airports], Arbuthnot said at a Hilton Hotel news conference. "The joy and enthusiasm that they have. I can't explain it to you in words."

Since 1981 the program, called Children's Committee 10, has provided more than 1,000 Northern Irish children with free vacations in the homes of volunteer American families, pairing Catholic and Protestant youngsters. The only rules are that politics and religion are not to be discussed.

This summer's batch, about 200 children, arrived July 1 in America and will be here until August 11. Two of the children are staying in Fresno. Arbuthnot and Wallace have been traveling around America visiting host families.

Wallace said that five years of the program have "produced very good, very positive results back home. Not so much that we've tried to make it a public issue back there, but many of the kids have continued to correspond, they visit each other. Even their parents have remained good friends over a five-year period."

The program has had considerable media coverage in America including an NBC-TV movie called "Children in the Crossfire".

But both Clergymen said the program has received very little press attention in Belfast, at their preference, because they fear that politicians or terrorists might try to exploit what essentially has been a non-political, grass roots effort.

Lavery this year expanded the program to include 16 Moslem and Christian children from Beirut, Lebanon. Eight of the Lebanese youngsters arrived in Fresno Sunday night.

"What people fail to understand is that the program as it has been conceived for Northern Ireland is spilling over into Amer-

ica and Lebanon and other countries," said Arbuthnot. "It has united churches here in the [United] States. I know of several churches that have worked together for the first time, simply because of that program."

The two clerics said that they would like to see the program expand to more countries where there is religious strife or warfare. They even suggested bringing Soviet and American youngsters together and suggested Ireland as the place for them to meet.

"It's a wonderful place to visit, you know." said Arbuthnot.

PIONEER ELEMENTARY SCHOOL, AN EXEMPLARY SCHOOL

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. EDWARDS of California. Mr. Speaker, I'm proud to advise my colleagues that Pioneer Elementary School, located in Union City in my district, has been recognized by the Department of Education as an exemplary school. Pioneer is one of a select group—only some 200 elementary schools nationwide received this honor.

The schools evaluated in this program were rated on their achievement and overall quality. Pioneer was distinguished particularly for its assimilation of the many foreign students who attend school. Nineteen different languages are spoken by the student population at Pioneer, and these students have shown remarkable achievement.

The staff at Pioneer was also cited as highly motivated and truly excited about teaching kids. Parent and community involvement was highly rated and proven to be a key element in Pioneer's selection. Clearly, Pioneer's principal, Ms. Carla Eide, is to be commended for her leadership in bringing these elements together effectively and cooperatively.

Each school participating in the program is first nominated by their State school officers, then evaluated by a team of academic professionals. It is truly an honor to bring to the attention of my colleagues the accomplishments of Pioneer Elementary.

HEROIC RESCUE BY COAST GUARD FROM ELIZABETH CITY, NC

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. JONES of North Carolina. Mr. Speaker, the men and women of the Coast Guard every day risk their lives to save people and property in peril at sea. These acts of bravery occur all along our Nation's coasts. Too frequently, these heroics go unnoticed by Congress and the public.

Recently, Coast Guard personnel at Elizabeth City, NC, performed a remarkable search and rescue mission. My good friend, Mason Peters, has vividly chronicled this heroic act in the Virginia Pilot.

The rescue is noteworthy in two special ways. Were it not for the high technology of the SARSAT Satellite system and the Soviet-American cooperation in maintaining this system, the distress calls could never have been received. Also essential to the rescue was the deployment into the ocean waters of a Coast Guardsman trained as a rescue swimmer. The rescue swimmer program was first mandated by the House Merchant Marine and Fisheries Committee in the fiscal 1984 Coast Guard Authorization Law.

We should all be grateful for the dedication and professionalism of the Coast Guard, as described in the Virginia Pilot article.

[From the Virginia-Pilot, July 11, 1986]

SATELLITE LEADS RESCUERS TO SHIPWRECKED SAILORS

(By Mason Peters)

ELIZABETH CITY.—Their sailboat capsized in a thunderstorm's hurricane gust 110 miles southeast of the Virginia Capes almost on the stroke of midnight Wednesday.

Early Thursday, the two men sat for hours on the side of the slowly sinking 28-foot yawl Elissa, expecting to drown in rising seas made bright with lightning. They thought their emergency radio transmitter—and their last real hope for rescue—had washed away, but they lashed themselves to the sinking boat anyway.

Eight and a half hours later, with the help of a Russian marine satellite, Greg B. Bayne, 26, and Harry Bowman, 32, both of Charleston, S.C., were plucked from the sea.

At 8:34 a.m. Thursday a helicopter and a fixed-wing aircraft from the Elizabeth City Coast Guard Air Station arrived over the stricken Elissa, and First Class Petty Officer Joseph "Butch" Flythe of Ahoskie, N.C., dived from the helicopter into 6-foot seas and swam to the shivering sailors.

"We never heard anything. Then all of a sudden there he was," said Bayne, the owner-captain of the sailboat. "It was pretty damned nasty. We were just sitting there on the gunwale, the side of the boat, not panicky or anything, but just wondering what was going to happen, waiting. There was about 4 inches of the boat still sticking out of water."

When Elissa capsized in a powerful thundersquall that churned out to sea late Thursday with 80 mph winds, Bowman managed to grab an EPIRB that was stowed in the cabin. An EPIRB—for emergency position-indicating radio beacon—is a hand-held emergency radio that automatically broadcasts distress calls on an international frequency monitored by aircraft and satellite.

"We put the EPIRB in the dinghy because we thought that's where we'd end up," said Bowman, who was sailing from Charleston to Nantucket, Mass., as Bayne's crew. The men are neighbors at Isle of Palms, a Charleston suburb.

"Then in one of the lightning flashes we saw the dinghy was gone, washed away," Bayne said. "We saw the red light go on when we turned on the EPIRB, so we knew it was working, but we figured all anybody would ever find was an empty dinghy."

In the first light of dawn and flickering lightning, hours after the capsize, Bayne and Bowman saw the buoyant EPIRB caught in nearly submerged rigging by Elissa's bowsprit. "The transmitter was going under water, and we didn't know whether it was still transmitting," Bayne said.

It was.

Hundreds of miles overhead, a Russian marine rescue satellite called SARSAT, jointly operated with the U.S. Air Force, picked up the feeble signal from Elissa's distress radio. The satellite made three globe-girdling passes over Elissa's EPIRB and pinpointed the capsized sailboat 110 miles southeast of the Virginia Capes and about the same distance slightly northeast of Nags Head. Air Force rescue coordinators at Scott Air Force Base in Illinois relayed the SARSAT information to 5th Coast Guard headquarters in Portsmouth.

"We got the first call at a little after 4 a.m." said Lt. Chris Canty, duty operations officer at the Elizabeth City Air Station. "At daylight we had a fixed-wing Falcon and an H-3 helicopter searching the area."

"The distress signal was very weak, and we ran a box search," said Lt. j.g. Kevin Rahl, 27, co-pilot of the twin-jet Falcon. "At one time we went up to 16,000 feet to try to get a better signal."

Rahl and Lt. Thomas Messeder, 31, the pilot, located Elissa at 8:34 a.m. and called the helicopter pilot, Lt. j.g. Dave Seavey, 34, to the scene. Lt. j.g. William McMeekin, 26, was the co-pilot.

Flythe, a member of a new Coast Guard Rescue Swimmer team, dived into the water from the helicopter and swam to the sinking yacht. "We didn't know what shape the two men were in," Flythe said. "We had to be sure before we tried to hoist them aboard." The Coast Guard has organized several Rescue Swimmer teams on both coasts, and the men are trained to dive into the water from helicopters.

Flythe's dive Thursday was among the first operational uses of a Rescue Swimmer, he said.

"When I found that they were OK, I signaled for the basket and helped to send each of them separately up to the helicopter. Dave Jara, the flight mechanic, handled the winch and we had no trouble."

Bayne and Bowman were brought to the air station at 10 a.m. Neither appeared to have suffered physically from the experience, medics said.

"We lost everything we had," said Bayne, a professional crewman who has helped in trans-Atlantic deliveries of several sailing yachts. "Elissa wasn't insured, and all my navigation equipment was lost."

Coast Guard personnel scrounged for clothing to temporarily re-outfit the two men. "We'll make out," Bayne said.

Bayne said he and Bowman sailed from Charleston on Monday to visit friends on Nantucket Island, "and maybe do a little carpentering while I was up there." Bowman, a radio broadcasting graduate from the University of Oregon, said he had just "gone along for the sail." Bayne bought the mahogany hulled, Elissa two years ago and was making his first offshore voyage when the squall capsized the boat.

"There were two of them, two squall lines," Bayne said. "We saw the first one coming about 10 p.m. and reefed down for it; didn't have any trouble."

But Bayne said a second squall line approached after Bowman had gone below to sleep.

"There was lightning all over the place, bright as day," Bayne said. "We took all the sails off except a little storm jib. She seemed to be doing fine, running off before the wind, sort of broad-reaching on the port tack. Harry had gone back below.

"Then, just about midnight, this one big gust hit us. I couldn't head up, couldn't run off, couldn't do anything. The boat just

slowly went over. By the time the mast was in the water, the sea was going into the cabin and I figured it was time to get the EPIRB."

100 YEARS OF PENN STATE FOOTBALL

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. CLINGER. Mr. Speaker, I'm extremely pleased to announce to my colleagues that the Penn State University football team, which played for the national championship last year, will begin its 100th season this fall. The university is located in my congressional district and the football team has enjoyed a national reputation for years.

In this day and age of growing concern over the credibility of collegiate athletic programs, Penn State University could well serve as a role model for other schools because of the emphasis it has placed on the integrity of both its educational and athletic programs.

As a recent editorial in the Centre (PA) Daily Times stated, the Penn State University football team gave the university its first national recognition, and together with the fine academic and research programs, the football team, under coach Joe Paterno and his staff, has continued to keep Penn State in the national spotlight.

I would like to submit the Centre (PA) Daily Times editorial into the CONGRESSIONAL RECORD for the benefit of my colleagues who I know all join me in congratulating the Penn State University football team on its 100th season and wishing Coach Paterno and the team continued success in the future.

PENN STATE FOOTBALL: INTEGRITY WINS

One hundred years ago, they wore pink and black. They had ski caps with tassels, elected someone captain because he owned the football and paid their own expenses to go to Lewisburg and trounce Bucknell.

Today, they wear blue and white. More than 80,000 fans cram into Beaver Stadium to watch them play. And their reputation extends across the nation.

The Penn State football team will begin its 100th season this fall. And a number of people this week are spending time and effort to appreciate what the program has achieved.

The observations have been coined "Century of Excellence." What makes the Penn State program stand out is that it hasn't conveniently forgotten the rulebook to build a winning tradition.

The team hasn't had a losing season since 1938. Yet it has never been investigated by the National Collegiate Athletic Association. It has not been tainted by a drug scandal. And it has the reputation for paying more than lip service to academics by graduating more of its athletes than most other comparable programs.

The entire program, as Ridge Riley traced in his book "Road To Number One," began innocently enough with pickup teams on the Old Main lawn. Until one day the players thought they'd like to take on Bucknell. So they practiced for two weeks, traveled the requisite distance to Lewisburg and—on Nov. 12, 1887—won that first football game 54-0.

In between that victory and last January's loss to Oklahoma in the Orange Bowl have come numerous highs and lows. But Penn State has won better than 600 games—only one of five Division I teams to achieve that milestone

Today, it's safe to say that the football team, more than the school, gave Penn State its first national recognition.

Joe Paterno and his staff have, in a large way, been responsible for earning that niche. But they also inherited a strong program built on the shoulders of class coaches such as Bob Higgins and Rip Engle.

That foundation has also consisted of quality players—not just the stars who got the press and honors, but the ones who worked hard on the practice fields and in the classroom, graduated and distinguished themselves in careers.

It's been fun to be the home base for such a program. Throughout the years, alumni and fans have benefited from watching a number of good football games and players. And State College has benefited from the business done on football weekends, as well as the exposure the community receives.

It's been a remarkable 100 years for such a major college football program to emerge from humble roots in a small Central Pennsylvania town. That the program has become known for its integrity, as well as its success, does us all proud.

THE YOUTH DRUG PROTECTION ACT

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. LANTOS. Mr. Speaker, we, in the United States, are facing an epidemic—a drug epidemic. Across our Nation, new and highly addictive forms of cocaine—"crack" and "rock"—are resulting in a quantum leap in cocaine use, and a dramatic increase in cocaine-related deaths. This was dramatically brought home to Americans with the recent deaths of baskeball star Len Bias and professional football player Don Rogers from cocaine overdoses. The most disturbing finding is that young people are the fastest growing new users of cocaine.

Mr. Speaker, this tragic drug epidemic is affecting all Americans, not only those who use illegal drugs. Rampant drug use increases the danger on our highways, increases crime in our cities, and destroys families and homes throughout our Nation. More than half of all crimes are drug-related, and as illicit drug use grows, more crimes are committed. New York City police report that increased cocaine use is the principal cause of an 18-percent increase in robberies in that city this year.

The figures on drug use are staggering. Americans spend $110 billion a year on illicit drugs. One of every six teenagers will sample cocaine before graduating from high school, and one of every three college students try cocaine by the time they receive their degrees. Current estimates suggest that there are 4 to 5 million regular cocaine users.

There has been an explosion in the amount of cocaine smuggled into this country from South America. In 1984, Federal Drug Enforcement Administration agents were seizing an average of 48 pounds of cocaine per month. That figure jumped to 275 pounds in 1985 and it is still higher for 1986. Earlier this year in the city of Los Angeles alone, three unrelated seizures in less than 1 week resulted in the capture of 790 pounds of cocaine.

Not only is cocaine increasingly available in our country, but the street price has also declined, making it easily and cheaply available to young people. According to recent reports, "crack" (smokeable freebase cocaine) sells for $5 to $20 a dose.

I welcome our Government's recent more active policy of assisting Latin American governments with technical help and military equipment to destroy fields and factories which produce illegal drugs for consumption in the United States. We are at war with international drug dealers. It is infinitely more effective to stop drugs where they are grown and produced than to wait until they are in the United States.

Mr. Speaker, to assist law enforcement officials to take more effective steps in the war against illegal drugs, I am today introducing the Youth Drug Protection Act. This legislation has three important elements to help protect our young people from the unscrupulous and criminal drug dealers who prey on our children.

First, the legislation substantially increases the penalties for cocaine distribution. Our laws are badly out of date as applied to cocaine. Under current law, cocaine dealers are not subject to maximum penalties unless they are trafficking in, importing, or exporting at least one kilogram (1,000 grams) of cocaine. This is 10 times as high as the amount of heroin required to merit a maximum sentence, yet cocaine is every bit as dangerous a narcotic.

Furthermore, an average dose of crack is only 65 milligrams. Thus, a crack dealer cannot be subject to the maximum penalty unless he is caught with a kilogram, or more than 15,000 doses of the drug. This simply never happens.

Because crack is so potent, drug dealers carry much smaller quantities of crack than of cocaine powder. Furthermore, by treating 1,000 grams of freebase cocaine no more seriously than 1,000 grams of cocaine powder, which is far less powerful than freebase, current law provides a loophole that actually encourages drug dealers. The result is that those who traffic in cocaine—those who make a profit by distributing one of the most addictive substances known to man, who are spreading a new crime wave through our cities and towns and who are fostering debilitating addiction among our young people—escape the severe punishment they deserve.

My legislation specifies that possession of one gram of a base form of cocaine shall be subject to the maximum penalties of the law: Fines of up to $250,000 and prison terms of 20 years for a first offense. Subsequent of-

fenses will bring fines and sentences of twice that amount. Mr. Speaker, if we are to make inroads to stop this hideous traffic in cocaine it is essential that we establish these meaningful penalties for cocaine.

The second provision of my legislation doubles the Federal penalties for employing young people to distribute drugs. We are finding throughout the country that drug dealers are using children to deliver the drugs, to seek out customers, and to watch for police. Recently in Florida, for example, drug dealers gave a group of children new bicycles and walkie-talkies, to ride around and report if they saw law enforcement officials coming into the neighborhood. The time has come for us to increase the penalties for using children in this appalling way.

The third provision of the Youth Drug Protection Act provides penalties for the manufacture of drugs within 1,000 yards of a school. Although the law currently provides penalties for distribution of drugs in or near a school, the proliferation of small "factories" for the production of crack from base forms of cocaine creates the real possibility of manufacture in or near schools. This is a danger that we can and must prevent.

Mr. Speaker, we must close loopholes that benefit drug dealers—these unscrupulous enemies of society—who today operate with impunity. As we continue to witness the explosive spread of cocaine, we must take stronger action to stop these abhorrent crimes against our children. Penalties must be increased so that our laws can deter crime. I urge my colleagues to cosponsor the Youth Drug Protection Act.

RECOGNITION OF AMERICA'S UNITED WAY

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. MICHEL. Mr. Speaker, I have introduced a resolution today along with the distinguished majority leader, Mr. WRIGHT and the chairman and ranking member of the Subcommittee on Census and Population, Messrs. GARCIA and HANSEN, recognizing the outstanding contributions made by the United Way over the last century.

The United Way has played an instrumental role in relieving critical health and human care needs for tens of thousands of people all over this country.

I believe that it is only fitting and proper that we, as a Congress, unite behind this resolution which applauds the United Way's invaluable work of the past and encourages them to continue their fine work and achieve their goal of doubling its effective resources by 1991.

The United Way is truly a nonpartisan organization which richly deserves our bipartisan support. We hope that the other Members of this body can join us in support of this resolution.

REMEMBRANCE OF TURKISH INVASION AND OCCUPATION OF CYPRUS

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. HOWARD. Mr. Speaker, in July 1974, Turkish troops invaded Cyprus and divided the once independent island into two zones of occupation with a wall between north and south. Turkish troops, now numbering 18,000, have imposed their rule upon the people of Cyprus and perpetuated the fear of further aggression against Greek Cypriots. The Turkish invasion was undertaken with United States arms. United States refugee aid has been administered to the victorious Turkish aggressors through the U.N. High Commission for Refugees.

As a result of the invasion, eight Americans and nearly 2,000 Greek Cypriots remain missing. Some of the missing have been identified in Turkish press photographs of prisoners, have spoken over Turkish Cypriot radio or have been seen by released prisoners. The International Red Cross has registered the missing as prisoners of war or civilian detainees.

The Turkish occupation of Cyprus is directly parallel to the appalling Soviet occupation of Afghanistan and East Europe. By ignoring such immoral and illegal acts, we merely serve to reward the aggressor. Therefore, the United States, standing as the beacon of freedom and democracy, should remember the sad and reprehensible occurance of July 1974 and resolve to work toward a just solution.

FAMILY PLANNING ASSISTANCE

HON. PETER H. KOSTMAYER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. KOSTMAYER. Mr. Speaker, I would like to share with my colleagues a recent feature article from the Buffalo News. It comes to the heart of an issue which is very important—U.S. family planning assistance to developing countries.

This article by Perdita Huston highlights the human dimension which is frequently forgotten when budget and policymaking are underway. As the members of the Foreign Operations Subcommittee mark up their fiscal year 1987 bill, I hope they will keep in mind this human dismension and take steps to retain assistance for family planning programs.

Particularly important are multilateral programs—such as the U.N. Fund for Population Activities—which are crucial to the delivery of family planning services to people whose very lives depend on their ability to control their fertility.

I urge my colleagues to consider their most timely article.

THE THIRD WORLD NEEDS FUNDS FOR FAMILY PLANNING

(By Perdita Huston)

WASHINGTON.—Rep. Jack Kemp, speaking at the National Right to Life Committee convention just a month ago, stated ". . . our place is with the least of our brethren, our place is to protect the weak, to put the love of children first, to preserve their future at the expense of politics as usual . . ."

Certainly these are laudable goals, responding to basic, decent values we all share; the problem arises when these values are translated into specific policies. In fact, Kemp and his colleagues are, indeed, playing politics with the well-being of millions of children throughout the world by seeking to cut off U.S. funding of the U.N. Fund for Population Activities.

The UNFPA, the primary agency aiding nations in research, design and implementation of long-term population programs, is the latest victim of anti-choice-for-women forces, who seek to reach beyond the anti-abortion issue to strike out all family planning programs. Alas, Kemp's "weak" and voiceless "brethren" and the children they cannot afford to bear will be the first victims of these cuts.

The poor, illiterate women of Africa, Asia and Latin America will tell anyone who takes the time to listen that they seek to provide a better life for their children. "I want to send them to school, so that they will have jobs and dignity . . ." But, they add, "if I keep having all these children, I won't be able to send any of them to school. I want to have a few to find a way to have just a few."

Kemp might take note of the fact that these women rarely choose when and whom to marry; and they rarely choose if and when to have a child, for refusing a husband's wishes is unthinkable or, even dangerous. If they are to space their children as they wish, they must rely on the very family planning serves which are now crippled by funding cuts championed by Kemp.

Where is the logic? Are we to understand that the poor women of the developing world are to be sacrificed to presidential politics? Will their children be condemned to illiteracy and poverty to satisfy misinformed right-to-lifers who confuse abortion with sensitive family planning programs?

Do right-to-lifers care for the 40 million children in Latin America whose desperate parents sent them from home, believing they would have a better chance in streets? Will those who spout "pro-family" rhetoric prevent hungry families from sending more children into the streets because family planning clinics are closed?

In our compassion we give generously to another U.N. Agency, UNICEF, attempting to bandage the wounds of broken childhood. The logic of leadership, and in this case the word is statesmanship, entails "putting your love for children first" by assuring that, yes first, all children have the most basic of human rights, that of being a wanted child.

NATIONAL ENDOWMENT FOR DEMOCRACY: SOME SILVER IN A DARK CLOUD

HON. JIM LEACH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. LEACH of Iowa. Mr. Speaker, last week the House considered an amendment to eliminate funding for the National Endowment for Democracy.

My view is that the Endowment is fatally flawed. Its advocacy grantsmanship abroad—its service as a kind of international political action committee—is too often so politically intrusive that it produces counterproductive results.

The case of the recent grant to two right-wing labor and student groups in France, which are opposed to the government of a long-standing democracy, is a case in point. The U.S. Government simply has no reason giving foreign aid to France at this juncture in their and our history. It particularly has no business giving support to groups bent on turning out the duly elected democratic Government of our oldest ally. If there is an institutional political problem with France, it is too much, not too little democracy.

On a number of occasions, I have indicated on this floor the philosophical problems I have with Endowment programming. I particularly object to the fact that in some cases Endowment programs don't even reflect American values for they involve political support of a nature that would be precluded by U.S. law if similar assistance were offered by a foreign government to an American candidate or political organization.

Nevertheless, I would like to acknowledge that I have reviewed with Endowment officials the programmatic agenda currently contemplated and feel obligated to observe that in most instances, programs are legitimate, innovative, and constructive.

From a constitutional and separation-of-powers perspective, the institutional arrangement by which Endowment programs are selected can at best be described as philosophically unseemly. Yet I believe this House should tip its hat to those individuals from the political parties, the labor and business communities, as well as Congress who have given so much of their time to advance American foreign policy.

My opposition to the Endowment remains, but in reviewing the tenor of my statements in recent and past debates on the issue, I believe I have been regligent in not underscoring the contribution members of the private sector, as well as this House, have made in trying to make this controversial program effectively serve American interests.

The work of dedicated Americans who differ with my conclusions about the appropriateness of this kind of institutional approach deserve to be commended.

Of particular significance is the leadership and diligence of the chairman of the House Foreign Affairs Committee, the gentleman from Florida, Mr. FASCELL; the oversight of the chairman of the subcommittee of jurisdiction, the gentleman from Florida, Mr. MICA; and the work of the President of the Endowment, Mr. Carl Gershman.

In this international no man's land of human and democratic rights conflict, the Endowment approach is loaded with landmines. Fortunately, a thoughtful group of foreign policy professionals have worked diligently to see that self-inflicted wounds are kept to a minimum.

DECADE OF PEACE

HON. BRUCE A. MORRISON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. MORRISON of Connecticut. Mr. Speaker, I rise in support of the proposal unanimously approved by the first International Conference on Conflict Resolution and Peace Studies. It proposes that the United Nations consider 1986 to be the first year of a decade of peace.

The participants of that conference came from all continents and many walks of life. They believed that such an act—the declaration of a decade of peace for special observances by governments and nongovernmental organizations—would highlight the need for continuing concerted action and encourage a variety of positive initiatives.

The international decade for peace would have three major world conferences at the beginning, middle, and end of the decade. They would be preceded by regional preparatory conferences. Each of the conferences would be a point at which governments are pushed to compete with each other in regards to their commitments to world peace, not only to arms control, disarmament, and demilitarization but also to the building of international security and global cooperation.

I support this proposal wholeheartedly and urge the United Nations to place it on its agenda this fall.

THE MEDICAID IMPROVEMENT ACT OF 1986

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. CONYERS. Mr. Speaker, today I rise to introduce the Medicaid Improvement Act of 1986, H.R. 5235. In the past, I have stood firmly behind legislation that supports increased health care for all Americans. Thus, I urge you today to accept the challenge of lowering our Nation's high rates of infant mortality by expanding Medicaid coverage to all pregnant women and their children whose incomes fall below the Federal poverty guidelines. This cannot be an option left up to the States arbitrarily. It must be a mandate that begins to redirect the entire regressive nature of categoric public health policy in our Nation.

Health policy in our country has historically neglected provisions for support of pregnant women and new mothers. A recent Columbia University study showed that our of 75 Western nations, ours was the only one without a law insuring social support and health services for the unique developmental requirements of pregnancy and childbearing. We tend to treat both these important events as disabilities, and insurance benefits are provided in the same way and to the same limited extent as they are for illness.

This philosophy lies at the root of the 3 percent rise in infant mortality rates noted in 1983 for children between 28 days and 1 year alone. This was the largest increase in 18 years. Infant deaths are more than twice as high among blacks as among whites, and in several major cities, the rates are three times the national average. This gave rise to the widest disparity in more than four decades between the infant mortality rates of blacks and whites.

This entire phenomena can be controlled with early access to prenatal care. The most recent data from the National Center on Health Statistics shows that 25 percent of all births in the United States are to women who receive no prenatal care, and they are the very ones most likely to deliver a child prone to early infant death.

Too many American mothers receive late or no prenatal care. This happens either because they are outside the qualifications for Medicaid, or because they have no health insurance at all. Many who are working and insured cannot afford the expensive copayments and deductibles contained in the policies they do have, therefore limiting their access to good prenatal care and increasing the possibility of producing a low birth weight infant. Low birth weight now accounts for two-thirds of all infant deaths.

With the increase in the Nation's teenage pregnancies, access to early prenatal care is an even more serious problem. For nonwhite teens, whose infant mortality rates are twice as high across the Nation, fewer than 40 percent begin prenatal care in their first 3 months. Mandating the improvement of Medicaid coverage for all States would cut down considerably the numbers of low-birth weight babies born to teen mothers, thus affecting a decrease in the overall rates of infant mortality.

At this very moment, there are over 3 million women of childbearing age living on incomes between their State's AFDC level and the Federal poverty line. Medicaid now only has jurisdiction to cover pregnant women whose incomes are below State AFDC levels. Under the legislation I am proposing today, States would be able to offer Medicaid to women and children from families whose incomes are above State AFDC standards, but below designated Federal poverty levels.

The Medicaid legislation covering pregnant women with family incomes below State AFDC levels has been in effect only since July 1 of this year. The struggle to achieve it was long and hard, but it was a modest reform to say the least. Thirty-one States still have AFDC/Medicaid eligibility levels below 50 percent of the Federal poverty line, meaning a family of three cannot qualify for Medicaid if their income is over $4,500. These very States have infant mortality rates significantly higher than the rest of the Nation.

We need to move now to create a mandate for all States to improve their Medicaid cover-

age to include all pregnant women who fall below the Federal poverty guidelines. If we neglect to do so, we risk once again leaving a wide margin of women unprotected. They will continue to be of racial and ethnic minorities, under 24, and living in our industrial urban areas, or rural communities of the South and Southwest. Many of them will be pregnant mothers in my own district, the First Congressional District in Michigan, where infant mortality rates are now climbing as high as those in some Third World countries.

This is not a decision we can afford to leave up to the discretion of State health policy agencies. There are some 13 States already whose track records show that they have not chosen options previously available to them to expand their Medicaid options to cover greater numbers of women and children.

Out of the 13, 2, Louisiana and Alabama, rank in the top 10 for the Nation's highest infant mortality rates. Kentucky, Indiana, and Idaho rank second, fourth, and ninth in the category of highest white infant mortality rates, and they are also States showing low track records for exercising Medicaid options. South Dakota, the State with the highest nonwhite infant mortality rate in the Nation has also not chosen to exercise previous Medicaid options.

What we need now is effective legislation that accomplishes the entire job. The health status of our Nation cannot continue to be compromised. Already, more babies are dying in the Nation before their first year of birth than the numbers we lose to diabetes, breast cancer, and lukemia. We accomplish nothing by not committing the necessary dollars to provide low-income pregnant women with needed access to good prenatal care.

CHINOOK COAL MINE, BRAZIL, IN

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. MYERS of Indiana. Mr. Speaker, coal mining is one of the most dangerous occupations in the United States. It is with great pride that I inform you that one such mining operation in Indiana's Seventh Congressional District is the recipient of the 1985 Sentinels of Safety Award for being the safest surface coal mine in the Nation.

The Chinook Mine, owned and operated by AMAX Coal Co., recorded an impressive 543,676 employee hours without a lost-time injury. This performance is especially notable since 1985 stands as the safest year in U.S. mining history.

The Sentinels of Safety Award is given jointly by the Mine Safety and Health Administration of the U.S. Department of Labor, the American Mining Congress, a national trade association representing the mining industry. The award was created in 1925 to promote greater interest in mine safety and the development of more effective accident prevention programs by according national recognition to operations achieving outstanding safety records.

It is with great pleasure that I salute the AMAX Coal Co., and the 271 men and women at the Chinook Mine in Brazil, IN, for a job well done. I know they will continue to build upon this impressive record.

EMERGENCY RELIEF FOR THE MAINE CENTRAL RAILROAD CO., LABOR-MANAGEMENT DISPUTE

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Ms. SNOWE. Mr. Speaker, I rise today in support of Representative FLORIO's legislation that will provide emergency relief in the Maine Central Railroad strike.

This legislation provides for a temporary prohibition of strikes or lockouts with respect to the Maine Central Railroad Co., and Portland Terminal Co., labor-management dispute. Without such relief, the labor dispute between the common carrier, Maine Central Railroad Co., and the Brotherhood of Maintenance of Way Employees would threaten essential transportation services of the Nation. It is imperative to the national interest that essential transportation services be maintained.

On May 16, the President ordered the establishment of an emergency board to intervene in the strike between the Brotherhood of Maintenance of Way Employees and the Maine Central Railroad. Such action was necessary since a compromise was not reached, and because a strike threatened to spread nationwide to the Conrail system.

Creation of the emgergency board allowed a 60-day cooling-off period to go into effect. In addition, negotiations were allowed to continue between the striking Brotherhood of Maintenance of Way Employees and Guilford Transportation Industries. I supported the establishment of an emergency board, since its purpose was to create an atmosphere conducive to renewed negotiations.

It was also the intent in invoking the emergency board that employees be allowed to go back to work. However, Maine Central Railroad abolished many existing jobs, claiming that layoffs were directly related to the loss of business of strike. I was concerned that this unprecedented action endangered the Federal mediation process.

However, a compromise was not reached between Maine Central Railroad and the Brotherhood of Maintenance of Way Employees by the end of the cooling-off period. All procedures for resolving this labor dispute provided for in the Railway Labor Act have been exhausted and have not resulted in settlement of the dispute. Therefore, an extension of the cooling-off period is necessary and has ample precedent here in the House. The legislation being introduced today by the Maine delegation would require another 60 days for a cooling-off period, extending to September 20, 1986.

I hope that my colleagues will join with me in supporting this resolution, so that the parties involved in the strike will have an opportunity to continue negotiations and resolve this dispute in an orderly manner, and to protect essential transportation services throughout the Nation.

TRIBUTE ACCORDED MARK T. PATTERSON, IDAHO EDUCATOR

HON. RICHARD STALLINGS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. STALLINGS. Mr. Speaker, I would like to take this opportunity to pay tribute to a very special resident of the Second Congressional District and a very special friend of education, Mr. Mark T. Patterson.

In 1970, Mark Patterson retired after a career in education that spanned more than 35 years. Since his "retirement," Mr. Patterson has served 6 years on the school board, and 8 years on the city council in Bellevue, ID.

Over the years, education has been a priority for Mark Patterson—a fact obviously in his professional life, but perhaps even more distinct in his private life.

Committed to helping deserving young people continue their education, Mark Patterson personally has financed and awarded 25 scholarships—each in the amount of $500—to students graduating from Wood River, Carey, and Richfield High Schools. In addition to the scholarship program, he has helped other students pay for their college tuition.

Mr. Patterson was born in Leland, UT, in 1907, and moved to Carey, ID in 1909. He graduated from Carey High School in 1926, earned a degree from Ricks College, an Albian Normal teaching certificate, and a B.S. from Brigham Young University.

Mr. Patterson taught school in Victor, Bennington, and Grant, ID. For 4 years, he served as the county superintendent in Hailey, ID. He served as a teacher and later a principal over a 19-year period in Carey and Bellevue, ID—Blaine County School District No. 61.

Mark Patterson, and his wife, Patricia, raised six children. Each of the children obtained their bachelor degrees; two are attorneys, three are teachers, and one is an electrical engineer. Among his 15 grandchildren, four have secured B.A. degrees and two are attorneys.

I am proud that Mark Patterson lives in the Second Congressional District. His commitment to education and the young people of Idaho is exemplary, and I know that the lives he has touched have benefited from his love and support.

CHIEF DAVID M. HOWELLS, SR., ALLENTOWN, PA, WINS VFW 1985-86 "J. EDGAR HOOVER AWARD" AS LAW ENFORCEMENT OFFICER OF THE YEAR

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. RITTER. Mr. Speaker, I would like to take this opportunity to single out a distin-

guished resident of the Lehigh Valley. Chief David M. Howells, Sr., is the recipient of the 1985-86 "J. Edgar Hoover Award" which was presented by the National Council of the Veterans of Foreign Wars to the Nation's most outstanding law enforcement officer.

Chief Howells combines an active career in the Allentown Police Department with a thorough involvement in the academic community. David M. Howells, Sr., started his career in Allentown as a patrolman in 1958. He then rose through the ranks to sergeant of the patrol division; captain and training director; assistant chief; and in April 1984, became chief of police.

The academic background of Chief Howells is equally impressive. He is a graduate of Allentown High School, the Pennsylvania State Police Academy and the FBI National Academy. He has an A.A. degree in police management from Lehigh County Community College and a B.A. degree in police administration from Alvernia College, Reading, PA.

Chief Howells also attended Muhlenberg College, Rutgers University, Mercyhurst College, University of Louisville, University of Virginia, Temple University, and the New Jersey State Police Academy. During his career he has attended over 100 police-related courses and seminars.

Chief Howells is a veteran of the U.S. Marine Corps, having served from June 17, 1952 to June 16, 1955. He was attached to the 1st Air Naval Gun Fire Company 1st Marine Division as a sergeant and served 22 months overseas.

I have had the distinct personal pleasure to know and work with Chief Howells during my tenure in the U.S. Congress. My friend, David Howells is not only a religious man, but the kind of person who practices his religion in his daily relationships with other people. His courage, his strength and his kindness have enriched the life of the citizens of the Lehigh Valley—including the life of their U.S. Congressman. I'm proud to be Chief David M. Howells' representative in the U.S. Congress.

It is most fitting that Chief Howells was presented with the J. Edgar Hoover Award from Veterans of Foreign Wars for his exemplary citizenship, his loyalty to our Nation, and his service in our Armed Forces. The highest award for "valor" forms an appropriate summation of his total contributions to the Lehigh Valley and the national community.

CAPTIVE NATIONS WEEK

HON. FRED J. ECKERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. ECKERT of New York. Mr. Speaker, having celebrated this month our great Nation's 210th year of independence and paid special tribute to a recently refurbished Statue of Liberty and all for which she stands, let us look now to the vast stretches of the world where governments have brutally enslaved entire populations.

This third week in July we observe the 28th anniversary of Captive Nations Week which serves as a painful reminder that those people lucky enough to escape extermination by communism are denied even the most basic human rights. And those with the heroic courage to protest their countries' subjugation face a life of exile, imprisonment and torture.

With the invasion of the independent sovereignties of Armenia, Azerbaijan, Byelorussia, Georgia, Ukraine, and others in the 1920's and Estonia, Latvia, and Lithuania in 1940, the Soviets began a ruthless campaign of russification and denationalization of their border nations. Throughout these Soviet occupied states the Communists have relentlessly denied the indigenous populations their territorial integrity, culture, and religion, while forcing upon them Soviet communism along with its official policies of atheism, mass deportations to Russia, and rule by invading Communists. In addition, since 1917, the Communists have been responsible for the unnatural deaths of more than 60 million people in the Soviet Union alone. Let us applaud this week the vigor with which these states have hung on to their own traditions and let us ensure these victims of Soviet imperialism that their plight has never and will never be forgotten or ignored by the free world.

At the end of World War II, the Iron Curtain slammed shut on Eastern Europe and the nations of Romania, Poland, Hungary, Czechoslovakia, East Germany, and Bulgaria were introduced to Soviet puppet regimes, rigged elections, and rule by terror. Although subjected to savage Soviet intolerance of dissent, the people of these conquered nations have not acquiesced to their domination. The uprisings in Hungary in 1956 and Czechoslovakia in 1968 will continually remind the free world that these nations and their neighboring slave states will not resign to tyranny. And although such protest is always crushed by Soviet muscle, Eastern Europeans refuse to give up. Even today, after more than 5 years of constant Communist suppression, the outlawed Polish workers movement, "Solidarity," continues to strive for basic human rights.

Nor will the more recent victims of Soviet imperialism in Asia allow freedom to perish without opposition. Afghans, Vietnamese, Cambodians, and Laotians give their lives every day so that their fellow countrymen may be released from the yoke of communism some day. During this very special week let the free world not forget that these poor people have been prey for the most brutal warfare and yet they persist in their struggle for liberty. While the Soviets have thought nothing of using poisonous gas to try to quell insurgencies in Asia, the determined resistance continues.

Mr. Speaker, while we discuss recent Soviet overtures for better relations, let us not forget what peaceful coexistence means to a great portion of the globe this year. Exercising typical contempt for Ukraine, the Soviets allowed a deadly nuclear accident to ravage the countryside around Kiev and spread throughout Eastern Europe before acknowledging that there was even a problem. And after conceding an accident had taken place, the Communists refused to allow any organized assistance for the striken Ukrainians from their relatives and friends in the West. Furthermore, in Afghanistan the Communists have not only stepped up their vicious war against the native people but have begun to manufacture bombs disguised as toys in order to blow off the little hands of Afghan children. We have been reminded this year, too, that the Cuban jails are packed with political prisoners upon whom the Communists inflict hideous cruelties.

I think it would also be appropriate this week to acknowledge those nations which may soon be added to our Captive Nations list. In Nicaragua and Angola especially the Soviets are working overtime to seize two more satellites for their global empire. Daily news from Central America reveals that the Sandinista Communists are following in the footsteps of their Bolshevik benefactors by eliminating free press, harassing the church, militarizing their society and intimidating the population into submission. In southern Africa, Cuban proxies of the Soviet Union have beefed up their effort to crush all armed resistance to Communist rule in Angola; and elsewhere on the African continent a terrifying parallel can be drawn between Stalin's manmade famine in Ukraine in the early 1930's, which killed over 7 million peasants, and the recent relocation policy of the Communist Ethiopian government which has starved millions.

Finally, let us remember, too, that Russia is the first "Captive Nation," the first victim of Communist oppression.

Let us hope and pray that one day all nations captured by communism shall be free.

CONGRATULATIONS TO THE MERCEDES TIGER BASEBALL TEAM

HON. E de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. DE LA GARZA. Mr. Speaker, I would like to take a moment to compliment the 1986 Mercedes Tiger Baseball Team on their magnificent season. As District Champs, Bi-District Champs, Regional Champs, Quarter-Final Champs, Semi-Final Champs, and State Runners-Up, the Tigers triumph is an outstanding achievement of which all can be proud.

Being an avid baseball fan myself I can only say the season contained all that a sports buff could want and then some. To the members of the team I extend my congratulations on a job well done for it took teamwork, skill, dedicated ambition, and above all talent to realize this success. The Tigers story is nothing short of fantastic and theirs is a victory well deserved.

THE 28TH ANNUAL OBSERVANCE OF CAPTIVE NATIONS WEEK

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. YOUNG of Florida. Mr. Speaker, this is the 28th consecutive year that our Nation has observed Captive Nations Week, a time when we proclaim our support for the countless mil-

lions of people around the world living under Soviet domination but who retain their burning desire to one day live as free men and women.

Throughout the years, our support for oppressed people has been constant. Unfortunately, so too has been the Soviet reign of Communist oppression. Since President Eisenhower proclaimed the first Captive Nations Week in 1959, no nation has been able to throw off the shackles of communism. Instead, five more nations have fallen to communism and I believe we can also now add to the list the countries of Nicaragua and Angola.

Last Saturday I had an opportunity to participate in the annual Pinellas County, FL, observance of Captive Nations Week held this year on Treasure Island. We are fortunate in our area to have representatives of many nations—including those from a number of countries listed as captive nations. Some of the participants in Saturday's program were able to provide compelling firsthand accounts of life in these captive nations prior to, during, and after their takeover by the Soviet Union. These personal recollections of life in nations where freedoms were taken away by Communist forces make this ceremony most meaningful and serve as a forceful indictment of just how far the Soviet Union will go to achieve their goal of global domination.

History chronicles the path of Soviet expansion, as their Communist rule now touches all parts of the world including our own hemisphere. Yet there are still those who say that it is the United States that destabilizes world peace. Nothing could be further from the truth.

And there are those who clamor for negotiations with the Soviet Union because, despite the Soviet record, they believe negotiations alone will eliminate future Soviet aggression.

Did the Soviet Union negotiate with the 31 captive nations of the world before overrunning them? Of course not. The Soviets used raw power to eliminate the national identities and suppress the individual rights and freedoms of the people of these nations. They used force and aggression—guns, tanks, and combat boots.

Obviously, it's important for us to keep our lines of communication open with the Soviets, and negotiations are one way to fulfill this aim. While we are negotiating, however, we must continue to stand guard against Soviet aggression to protect ourselves and our allies.

Those who believe that negotiations alone with the Soviet Union are the solution to the world's problems should recall the results of our past negotiations. The people of the captive nations recall the results of the Helsinki accord of 1975. This document of prinicples was signed by 35 nations—including the United States and the Soviet Union—and sought to insure the preservation of human rights throughout the world. The Helsinki agreement stated the signatories' belief in fundamental freedoms, equal rights and self-determination of people, the territorial integrity of states, and the refraining from the use of force and aggression. In the 11 years since signing this document, the Soviet Union has managed to violate every section of the agreement.

The Soviets have eradicated the national identity, culture, and ethnic background of innocent people. They have replaced democracy with oppression. They have created bands of surrogate hoodlums that roam and terrorize parts of the world. And they have invaded neighboring countries and practiced policies of near genocide on defenseless farmers and tribesmen.

The personal accounts I heard Saturday from those who witnessed firsthand Soviet terror and power agree that the Soviets and their Communist friends play by a different set of rules. The Soviets only respect and are deterred by strength. The people I listened to as they recounted their personal experiences know that if our Nation is to remain the hope of freedom, and the hope of world peace, we must be ready and strong to defend ourselves and our allies from any potential aggressor who would threaten our sacred freedoms and liberties.

The message of Captive Nations Week is one of hope for those living under Communist rule. It is also a stark reminder of how quickly freedoms can be taken away, how hard they are to regain, and how terrible is the tyranny and oppression of Soviet communism.

A LETTER FROM SOVIET REFUSENIK, NAHUM MEIMAN

HON. GERRY SIKORSKI

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1986

Mr. SIKORSKI. Mr. Speaker, for some time, I have been following the sad and distressing case of two Soviet refuseniks, Inna and Nahum Meiman. Inna Meiman has a severely debilitating cancer which is slowly killing her. Since 1983, the couple has been trying to emigrate from the Soviet Union to get the medical treatment so desperately needed to save Inna's life.

I have pursued numerous avenues on behalf of the Meimans. I have written to General Secretary Gorbachev urging him to release the Meimans. I initiated a letter-writing campaign to the Soviet leader from my constituents and other Members of Congress. Most recently, I sponsored, along with Representative BEN GILMAN and Representative TIM WIRTH, House Concurrent Resolution 317, a congressional resolution that calls on the Soviet Union to release these brave refuseniks.

Having received a letter from me which spelled out the Meiman's desperate situation, a friend visiting the Soviet Union with her church group sought out Nahum Meiman. She spent several hours talking to him about his wife's grave illness. My friend learned that Inna Meiman's condition is worsening and that she now must be cared for by her sister.

Nahum Meiman was thrilled to know that so many of us in the United States are working to help him and his wife, and he requested that my friend take to the United States a letter he has been trying to send to General Secretary Gorbachev. Knowing of the security restrictions on tourists, my friend photographed the letter, rather than take it with her.

The letter which follows is transcribed word for word from the photographed letter, and the original photograph bears Mr. Meiman's signature. It accurately reflects the inhumane and distressing situation which Inna and Nahum Meiman face today in the Soviet Union. I feel it is uurgent that this letter become part of the public record, and it is Nahum Meiman's specific request. I also will be sending a copy of this letter to General Secretary Gorbachev, in hopes that Inna and Nahum Meiman's pleas are heeded.

AN OPEN LETTER TO GENERAL SECRETARY M.S. GORBACHEV

113127 Moscow, USSR,
Nab. Gorkogo 4/22, Apt. 57.

Honorable General SECRETARY GORBACHEV:

On March 15 Pravda published your reply to a letter from the head of the International Life Institute, Prof. M. Marois. That letter was sent to both you and President Reagan.

You highly assessed the purpose of the Institute. To Prof. Marois' first question, "Do you consider it the primary task of our time, from the biological, philosophical and political point of view, to assert that life, especially human life, is the highest value?" You replied "Yes, certainly yes," and then developed your views on the question in detail.

Your eloquent response cannot fail to create a most favorable effect among many people the world over. But only your attitude to the fate of ordinary people, not the controversial finesses and complexity of international affairs, can serve as the litmus paper for assessing your reply.

I wrote you last October that the Soviet Visa Office (OVIR) and the authorities backing it had doomed my wife, a seriously sick 53-year-old woman, to a torturous, slow death. My wife's life was being sacrificed in the name of imaginary security for the Soviet Union, which would supposedly be threatened if this piteously sick woman were allowed to take advantage of invitations to go abroad for treatment.

It is in your power to prevent such a crime against humanity. This would only confirm your reply to Prof. Marols. If not, what is all your pathos worth?

My wife, Inna Kitrosskaya, is a teacher of English. She was stricken with sarcoma on the back of her neck in the fall of 1983. After an operation that October, it was obvious that my wife could not find adequate treatment in the Soviet Union. She was invited to go for treatment to oncological clinics in Sweden, the United States, France and Israel. Former Minister of Health of France, Mme. Simone Veil, not only sent an invitation, she came to Moscow herself to call on my wife. Regrettably, OVIR categorically refused to grant an exit visa.

The only treatment given my wife was repeated surgery. In less than two years, she was subjected to four hazardous operations. In the fall of 1985, when the tumor regenerated, specialists feared risking another operation. Since then, my wife has been abandoned to her fate, with an increasing tumor and increasing intolerable pain.

Last December, a famous physician and scientist, Prof. Douglas P. Zipes, wrote you that there had just been two remarkable breakthroughs in cancer therapy in the United States, with some hope of curing my wife. Meanwhile, U.S. Senator Charles Grassley wrote Soviet Ambassador Dobrynin that my wife had been accepted for the Sloan-Kattering Experimental Program in New York. Last month Prof. Zipes again appealed to you by telex to allow my wife to

go for treatment to the United States before it was too late.

For clarity's sake, I must say a bit about myself. I am a mathematician 75 years old. I had the misfortune at the dawn of the Atomic Age to do certain quite unrealistic calculations for the late Academician Landau at the Institute of Physical Problems (IPP) of the Soviet Academy of Sciences. My calculations have long since lost all sensitivity and interest to everyone everywhere. Academy President Alexandrov, who was the Director of the IPP when I worked there, certified back in 1975 that I possess no secret information. How can anyone talk seriously about scientific, and in my case, merely calculatory, secrets more than 30 years old? It is absolutely absurd.

Yet that absurd fabrication was enough not only to deny me my inalienable right to emigrate, to reunite with my only daughter abroad, it denies my wife her only chance of survival.

In January 1980, I was called in to a local Prosecutor's Chief of Investigation and told officially that because of my former classified work, it had been decided never to let me emigrate. I asked who had decided, and was told that no one had the right to tell me. It had been decided by a competent body. This echoes the nightmares of Kafka and Orwell. It appears from the cruel, senseless treatment of my wife that my secret life sentence covers her too. After all, she married me 26 years after I had completely ceased secret work.

Not long ago, my wife received an invitation from Mrs. Max Kampelman to visit her as a guest for three months. The invitation is endorsed by U.S. Senators Gore, Pell, Stevens, Wallop, Moynihan, Rudman, Warner, Hart, and Nunn, Ambassador Zimmerman, and Ambassador Kampelman himself.

The Soviet national Visa Chief Col. Kuznetsov refused to even read the invitation. He said my wife would be refused permission to visit abroad. He knew, he said, that the real reason for any trip would be to get medical treatment. He made that sadistic statement right after your reply to Prof. Marois appeared in the press.

My fight for the life of my wife, totally lawful and without violating a single Soviet law, has produced a certain peculiar result: our phone was cut off on March 25. How despicable to deprive such a terribly sick woman, bedridden, requiring constant care and medical assistance, of her telephone. I myself, at the age of 75, have cardiac problems and several other ailments. The two of us live alone.

Whose point of view on the value of human life is prevalent—Col. Kuznetsov's, the official who ordered our phone cut off, or yours?

Respectfully,

Prof. NAHUM MEIMAN.