

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. THURMOND:

S. Res. 156. A resolution recognizing the contributions of the United States Army Air Forces to the United States victory in World War II; to the Committee on Armed Services.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. HUTCHISON (for herself, Mr. BROWN, Mr. FRIST, Mr. INHOFE, and Mr. MACK):

S. 1073. A bill to establish a national advisory referendum on limiting the terms of Members of Congress at the general election of 1996; to the Committee on Rules and Administration.

THE NATIONAL VOTER OPPORTUNITY TO INFORM CONGRESS EFFECTIVELY (VOICE) ON TERM LIMITS ACT OF 1995

• Mrs. HUTCHISON. Mr. President, I offer a bill similar to one I introduced in the last Congress. My bill, the National Voter Opportunity To Inform Congress Effectively on Term Limits—or VOICE—Act, would authorize a national advisory referendum on term limits for Members of Congress. It is a companion bill to legislation being introduced today in the House by Congressman PETE HOEKSTRA of Michigan.

In recent years, the American people have come to realize that the seniority system, coupled with the overwhelming electoral advantages of incumbency, has created a class of career politicians—a class not envisioned by our Founding Fathers.

Our Founding Fathers envisioned the Congress as a body of citizen-legislators. People who had trades, professions, or businesses would serve for a period of time, bringing with them experience and fresh ideas to shape the laws that would govern commerce and quality of life.

There has been a vigorous grassroots effort mounting in this country to return us to this vision. Especially over the past few years, the movement to limit congressional terms has gained significant ground. Despite the Congress' reluctance to impose term limits on itself, the people have chosen to press forward without us by passing ballot initiatives to limit the terms of their own Federal representatives. In 23 States—nearly half the country—the people have spoken overwhelmingly and unequivocally that they want the terms of their Congressmen and Senators to be limited.

Last May, the term limits movement suffered a major blow with the Supreme Court's ruling in U.S. Term Limits, Inc. versus Thornton. In a 5-to-4 decision, the Court said the State-imposed term limits violate the Constitution and that any effort to limit congressional terms must be done through a constitutional amendment. This ruling effectively overturned all 23 States term-limits laws that had been passed up to now.

The House's failure to pass an amendment last March proves that there is virtually no chance for term limits in this Congress. Even in this Chamber, a recent rollcall survey found that we are still 24 votes shy of having enough support to approve a term-limits amendment. Congress is truly out of touch with America on this issue.

That is why, Mr. President, I feel it is so important that we give every American, in all 50 States, an opportunity to speak directly to their Federal representatives on the term-limits matter. My bill would do just that by conducting a nonbinding, national referendum. It would place a simple and straightforward question on every ballot in the 1996 election, "Should Congress approve a constitutional amendment to limit the number of terms that a Member of the United States House of Representatives and United States Senate can serve in office? Yes or No."

Let me hasten to add that this legislation would not create an unfunded Federal mandate. This bill provides that States would be reimbursed at a rate of 4 cents per voter for the cost of putting the question on the ballot. This Federal reimbursement would be offset by corresponding reduction in the franking budget for Members of the House and Senate.

Mr. President, I want to urge my colleagues to join me in giving the American people a voice in the next election on whether the terms of their representatives in the U.S. Congress should be limited. Rather than debating about what we think the American people want and need, let's give them the opportunity to tell us themselves, clearly and directly. It is time we invoke the communicative power of democracy and ask the people what they think. •

By Ms. MOSELEY-BRAUN (for herself, Mr. SIMON, and Mr. INOUE):

S. 1074. A bill to amend the Public Health Service Act to provide for expanding and intensifying activities of the National Institute of Arthritis and Musculoskeletal and Skin Diseases with respect to lupus; to the Committee on Labor and Human Resources.

THE LUPUS RESEARCH AMENDMENTS OF 1995

• Ms. MOSELEY-BRAUN. Mr. President, today, I am introducing with Senators SIMON and INOUE the Lupus Research Amendments of 1995. This bill would provide the funding so desperately needed by NIH to increase current education, prevention, and treatment efforts.

Systemic lupus erythematosus [lupus] is a painful, potentially devastating chronic autoimmune disease that occurs mostly in young women of childbearing age. Lupus causes the body's defense system to malfunction and attack its own healthy organs. Every element of the victim's musculoskeletal system is susceptible, ranging from the skin and joints to the blood, heart, lungs, and kidneys.

Health officials estimate that between 1.4 million and 2 million Americans, 90 percent of whom are female, are afflicted with lupus. Both the cause and a cure for lupus are currently unknown. Treatments can be effective but can lead to adverse side effects which cause severe and sometimes incapacitating pain, making it impossible for victims to maintain jobs and live normal lives. Increased and intensive research, thus, offers the best hope for prevention and better treatment of lupus and its related disabilities.

The Lupus Research Amendments of 1995 would expend clinical research for the discovery and evaluation of new treatments; encourage the coordination of improved screening techniques; and improve information and education programs for health care professionals and the public. In addition, researching the cause of lupus may reveal other abnormalities of the immune system, and this knowledge could help experts better understand related illnesses. It is to this end that I reintroduce this legislation, which authorizes funding of \$20 million for fiscal year 1996 and such sums as may be necessary for both fiscal years 1997 and 1998.

This legislation can make a real difference to the millions of Americans, particularly women, who are afflicted with lupus. I urge my colleagues to join me in supporting this important legislation.

Mr. President, I ask unanimous consent that a copy of the bill be included in the RECORD.

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

S. 1074

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 "Lupus Research Amendment of 1995".

SEC. 2. FINDINGS.

The Congress finds that—

(1) lupus is a serious, complex, inflammatory, autoimmune disease of particular concern to women;

(2) lupus affects women 9 times more than men;

(3) there are 3 main types of lupus; systemic lupus, a serious form of the disease that affect many parts of the body; discoid lupus, a form of the disease that affects mainly the skin; and drug-induced lupus caused by certain medications;

(4) lupus can be fatal if not detected and treated early;

(5) the disease can simultaneously affect various areas of the body, such as the skin, joints, kidneys, and brain, and can be difficult to diagnose because the symptoms of lupus are similar to those of many other diseases;

(6) lupus disproportionately affects African-American women, as the prevalence of the disease among such women is 3 times the prevalence among white women, and an estimated 1 in 250 African-American women between the ages of 15 and 65 develops the disease;

(7) it has been estimated that over 500,000 Americans have been diagnosed with the disease, and that many more have undiagnosed cases;

(8) current treatment of the disease can be effective, but may lead to damaging side effects; and

(9) many victims of the disease suffer debilitating pain and fatigue, making it difficult to maintain employment and lead normal lives.

SEC. 3. EXPANSION AND INTENSIFICATION OF ACTIVITIES REGARDING LUPUS.

Subpart 4 of part C of title IV of the Public Health Service Act (42 U.S.C. 285d et seq.) is amended by inserting after section 441 the following new section:

“LUPUS

“SEC. 441A. (a) IN GENERAL.—The Director of the Institute shall expand and intensify research and related activities of the Institute with respect to lupus.

“(b) COORDINATION WITH OTHER INSTITUTES.—The Director of the Institute shall coordinate the activities of the Director under subsection (a) with similar activities conducted by the other national research institutes and agencies of the National Institutes of Health to the extent that such Institutes and agencies have responsibilities that are related to lupus.

“(c) PROGRAMS FOR LUPUS.—In carrying out subsection (a), the Director of the Institute shall conduct or support research to expand the understanding of the causes of, and to find a cure for, lupus. Activities under such subsection shall include conducting and supporting the following:

“(1) Research to determine the reasons underlying the elevated prevalence of lupus in women, including African-American women.

“(2) Basic research concerning the etiology and causes of the disease.

“(3) Epidemiological studies to address the frequency and natural history of the disease and the differences among the sexes and among racial and ethnic groups with respect to the disease.

“(4) The development of improved screening techniques.

“(5) Clinical research for the development and evaluation of new treatments, including new biological agents.

“(6) Information and education programs for health care professionals and the public.

“(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated \$20,000,000 for fiscal year 1995, and such sums as may be necessary for each of the fiscal years 1996 and 1997. The authorization of appropriations established in the preceding sentence is in addition to any other authorization of appropriations that is available for such purpose.”•

By Mr. HARKIN (for himself and Mr. KENNEDY):

S. 1075. A bill to reauthorize and improve the Individuals With Disabilities Education Act; to the Committee on Labor and Human Resources.

THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT AMENDMENTS OF 1995

Mr. HARKIN. Mr. President, 20 years ago this November, Congress enacted Public Law 94-142, the Education for All Handicapped Children Act, now known as part B of the Individuals With Disabilities Education Act [IDEA]. The purpose of this law is simple—to assist States and local communities meet their obligation to provide equal educational opportunity to children with disabilities in accordance with the equal protection clause of the 14th amendment of the U.S. Constitution.

I believe that IDEA is an excellent law. Prior to the enactment of Public Law 94-142, 1 million children with disabilities were excluded entirely from receiving a public education and more than half of the children with disabilities in the United States did not receive appropriate educational services that would enable them to enjoy full equality of opportunity.

Because of IDEA, millions of children with disabilities are now receiving a free and appropriate public education. Educational outcomes for children with disabilities have improved dramatically over this 20-year period.

For many parents who have disabled children, IDEA is a lifeline of hope. As one parent recently told me:

Thank God for IDEA. Because of IDEA our child is achieving academic success. He is also treated by his nondisabled peers as “one of the guys.” I am now confident that he will graduate high school prepared to hold down a job and lead an independent life.

The rewards of IDEA go beyond the classroom and into the very being of our family. IDEA gives us the strength to face the challenges of bringing up a child with a disability. We know that our son is entitled to an appropriate education just like his nondisabled peers. We also know that IDEA provides us with the tools to ensure that the promise of equal educational opportunity is realized.

In May, Danette Crawford, a junior at Urbandale High School in Des Moines, IA, testified before the Subcommittee on Disability Policy. Danette explained that she has cerebral palsy which greatly limits her ability to carry out any personal care tasks and fine motor activities such as writing. She uses a wheelchair for mobility. Danette testified that:

My grade point average stands at 3.8 and I am enrolled in advanced placement courses. The education I am receiving is preparing me for a real future. Without IDEA I am convinced I would not be receiving the quality education that Urbandale High School and the Talented and Gifted Program provide me. After graduating high school I hope to attend Carleton College in Northfield, Minnesota, focusing on a double major in political science or history and Spanish. Carleton is sometimes referred to as the “Harvard of the midwest.” I hope to pursue a law degree.

However, despite the great progress that has been made over the past 20 years, significant challenges remain. As Secretary Riley points out, too many students with disabilities are still failing courses and dropping out of school; enrollment in postsecondary education is still too low; and too many students are leaving school ill-prepared for employment and independent living.

As ranking member of the Subcommittee on Disability Policy, I am pleased to introduce, along with Senator KENNEDY, the ranking member of the Labor and Human Resources Committee, the Clinton administration’s bill reauthorizing the Individuals with Disabilities Education Act.

With this reauthorization we have the opportunity to take what we have learned over the past 20 years and use

it to update and improve this critical law.

I commend Secretary Riley, Judy Heumann, Assistant Secretary for Special Education and Rehabilitative Services, Tom Hehir, Director of the Office of Special Education Programs, and their staffs for developing a carefully crafted bill that will enhance educational opportunities for over 5 million children with disabilities.

The administration has developed their bill based on numerous meetings and discussions with all interested parties, including parents, educators, and administrators across the country. The administration has reviewed over 2,000 recommendations sent in response to a call for comment last fall on suggestions for improving the IDEA.

I do not believe that everyone will be in complete agreement about each of the provisions in the bill. But, I do believe that the administration has achieved a necessary balance that is so important in this law.

I fully support the six key principles on which the administration’s proposal are based:

Aligning IDEA with State and local education reform efforts so students with disabilities will benefit from them;

Improving results for students with disabilities through higher expectations and meaningful access to the general curriculum, to the maximum extent possible;

Addressing individual needs in the least restrictive environment for students;

Providing families and teachers with the knowledge and training to effectively support students’ learning;

Focusing on teaching and learning; and

Strengthening early intervention to ensure that every child starts school ready to learn.

I look forward to working with Senator FRIST, the chair of the Subcommittee on Disability Policy, Senator KASSEBAUM the chair of the Labor Committee, and other colleagues to craft a consensus bill in the tradition of this committee. It is my hope that the administration’s bill will be used as the vehicle for achieving this consensus.

Mr. President, I ask unanimous consent that the letter of transmittal of the administration’s bill from Secretary Riley to AL GORE, in his capacity as President of the Senate, be inserted in the RECORD.

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

U.S. DEPARTMENT OF EDUCATION,
June 30, 1995.

Hon. ALBERT GORE, Jr.,
President of the Senate, Washington, DC.

DEAR MR. PRESIDENT: Enclosed for consideration of the Congress is the “Individuals with Disabilities Education Act Amendments of 1995,” the Administration’s proposal for improving and restructuring Federal education programs for children with

disabilities under the Individuals with Disabilities Education Act (IDEA). Also enclosed is a section-by-section analysis summarizing the contents of the bill. I am sending an identical letter to the Speaker of the House.

Since enactment of P.L. 94-142, the Education for All Handicapped Children Act of 1975, results for children with disabilities have improved dramatically. Before the enactment of that ground-breaking law, one million children with disabilities were excluded from school altogether, and many were housed in dehumanizing institutions. Today, one of the basic goals of the IDEA has been largely met—children with disabilities have access to education. As we undertake a review of this legislation, we reaffirm our commitment to the basic purposes of the IDEA and the recognition of the Federal role in ensuring that all children with disabilities are provided the equal educational opportunity that the Constitution guarantees. With this reauthorization, we have the opportunity to take what we have learned over the past twenty years and use it to update and improve this important law.

Despite the great progress that has been made, significant challenges remain. Too many students with disabilities are failing courses and dropping out of school. When appropriate interventions are not provided, these students often get in trouble with the law and spend significant time in jail. Enrollment in postsecondary education is still low, and students are leaving school ill prepared for employment and independent living. Children from minority backgrounds and children with limited English proficiency are often inappropriately identified as disabled and placed in special education classrooms with low expectations. In addition, school officials and others complain that the current law is unnecessarily prescriptive, that it focuses too much on paperwork and process, that it imposes unnecessary costs, that it creates barriers to effective discipline, and that it spawns too much litigation.

Our reauthorization proposal addresses these issues and makes improvements to ensure that the fundamental objectives of the law are achieved, while preserving and maintaining existing rights and protections for children and their families. We based our reauthorization proposal on six key principles that clearly define our mission to improve results for students with disabilities, beginning as early as possible in the child's life.

(1) Align the IDEA with State and local education reform efforts so students with disabilities can benefit from them.

(2) Improve results for students with disabilities through higher expectations and meaningful access to the general curriculum, to the maximum extent appropriate.

(3) Address individual needs in the least restrictive environment for the student.

(4) Provide families and teachers—those closest to students—with the knowledge and training to effectively support students' learning.

(5) Focus on teaching and learning.

(6) Strengthen early intervention to ensure that every child starts school ready to learn.

Aligning the IDEA with State and local education reform efforts so students with disabilities can benefit from them underlies our entire proposal.

We need to stop thinking about "special education" as a separate program and separate place to put students and start thinking about the supports and services children need in whatever setting is the least restrictive—whether it be the regular classroom, a resource room, a separate classroom, or a separate school. We must promote the transformation of our current categorical edu-

cation system into a system for all children that meets the individual needs of each child.

We envision an education system that sets higher expectations for all students, gives all students the opportunity to learn to challenging standards, and takes responsibility and is accountable for the success of all children. The strategies we describe below are critical to the development of a system that meets this vision.

Our second principle is that the IDEA must focus on improving results for students with disabilities through higher expectations and meaningful access to the general curriculum, to the maximum extent appropriate.

We know that most children work harder and do better when more is expected of them. Disabled students are no different. When we have high expectations for students with disabilities, most can achieve to the challenging standards established for all students, and all can achieve more than society has historically expected.

One strategy for increasing expectations and access to the general curriculum is improving the individualized education program (IEP). Our proposal would refocus the IEP process on educational results and include requirements that make more sense. The new IEP would include meaningful annual objectives for the student and focus on enabling the child to participate and achieve in the general curriculum. Parents would be informed of their children's progress, by means such as report cards, with the same frequency used to inform parents of non-disabled children. The IEP procedures would be revised to require the participation of at least one regular education teacher in the IEP meeting, and provide for earlier transition planning to help ensure that each student completes secondary school prepared for employment or postsecondary education and independent living.

A related strategy for promoting high expectations and access to the general curriculum is the inclusion of students with disabilities in State and district-wide assessments. While civil rights laws already prohibit the discriminatory exclusion of students with disabilities from participation in assessments, some States exclude over 90 percent of all students with disabilities from those assessments. Of course, a small number of students with significant cognitive disabilities cannot appropriately be included in general State and district-wide assessments. States and districts would conduct alternate assessments for these few students.

Our long-range strategy is that each State would use assessment results and other data it collects on students, such as drop-out rates, to assess and report on its progress toward meeting goals the State would establish for the performance of children with disabilities. We believe that when States assess students with disabilities and report to the public on the results, they will focus more on ensuring that students with disabilities receive the help they need to participate and achieve in the general curriculum and meet the challenging standards established for all students.

The third principle underlying our proposal is addressing individual needs in the least restrictive environment appropriate for the student.

A central purpose of the IDEA is to ensure that each child receives an effective and individualized education that addresses the child's particular needs in the least restrictive environment. Today, children are often identified and served according to the disability category within which they are labeled rather than according to what they need to achieve their full potential. Several critical changes will help defeat this unfortunate categorization.

Our first strategy is to ensure that Federal and State requirements and funding systems do not create disincentives for appropriate placements and services. We propose that the Federal funding formula be changed to allocate to States all new funding above their fiscal year 1995 grants on the basis of the total number of children in the State, not just children with disabilities. This change in the formula would remove disincentives for States to undertake improvements such as the increased provision of early intervention services, and would remove incentives for States to over-identify students as disabled. We are also proposing that any State that bases State aid on the type of settings in which children are served demonstrate that its funding formula does not result in placements that violate the IDEA's least-restrictive-environment requirement or agree to change its formula.

Our second strategy is to promote better ways of identifying and serving students. Under the current IDEA, students must be identified as being in one of 13 specific disability categories to be served. This fosters an undesirable categorical approach to evaluating, labeling, placing, and serving children. We propose to use a new eligibility definition which, together with changes in reporting requirements, would encourage States to move toward less categorical approaches, while permitting States to retain their current eligibility criteria if they choose to do so. Evaluation procedures would also be streamlined so that what is educationally relevant is not lost and resources can be better devoted to helping students. Currently, States are required to conduct extensive evaluations and reevaluations that are costly and of limited utility in making decisions regarding a student's particular educational needs. Under our proposal, agencies would be required to convene an evaluation team every three years to consider the need for additional data, but they would no longer have to conduct tests to re-determine whether the child has a disability unless the agency or parent believes it is necessary. Our proposal would increase the focus of evaluations and reevaluations on instructionally relevant information and whether modifications are necessary to achieve the IEP objectives for the child.

Our fourth principle is that families and teachers must have the knowledge and training to effectively support student learning.

We must provide families and teachers—those closest to students—with the knowledge and training to effectively support students' learning.

There are 14 categorical programs in the IDEA, and over the past two decades there has been much good work done in each of them. However, despite some real successes, we believe that these programs need significant reform. Having developed separately over the years to address specific issues, the 14 programs are fragmented and too narrowly focused. We envisioned a streamlined, comprehensive, and coordinated approach for the discretionary programs that will be more effective in improving results for children with disabilities, while also making more effective use of resources. To achieve this, our proposal would replace the 14 current programs with five flexible authorities. This action would reduce duplication and fragmentation, while fostering collaborative, coordinated efforts across disciplines. The programs would concentrate on developing meaningful and timely information on improving results for students with disabilities and then putting that information into the hands of those who need it: States, school districts, educators, and parents. To ensure that issues concerning the special needs of children with low-incidence disabilities, such

as deaf-blindness, continue to be adequately addressed, there would be a minimum "floor" for discretionary spending across the new discretionary authorities to meet the needs of these children.

Family involvement is at the heart of the IDEA. Our proposal will more fully involve parents in decisions about where and how their child is educated. For example, our proposal would require parents to be involved in the decision regarding the child's educational placement. Currently, parents are entitled to participate in the IEP meeting in which decisions are made about the services to be provided, but they are not entitled to participate in placement decisions, and are, therefore, often excluded. Detailed notice to families of their rights is another critical safeguard, yet families currently receive duplicative notices with excessive and confusing information. Our proposal would streamline the notice requirements while ensuring that families would receive all the necessary information whenever they need it.

We also want to reduce unnecessary lawsuits that create emotional and financial burdens for parents and school districts. While the right of parents to "due process" hearings to resolve disputes is central to the implementation of the law, recourse to these hearings should be a last resort when less adversarial methods have failed. In States that have mediation in place, parents and school districts report that mediation not only helped them to clarify and resolve their particular disagreement, but that it also helped them to work together better and avoid future conflicts. Our proposal would require that mediation be offered to all parents as an option to resolve disputes.

Many children with disabilities have significant health and other needs that cannot and should not be met by schools alone. Our proposal would give States and districts the flexibility to use some of their IDEA funds to help support the development of State or district-wide systems for coordinating education, health, mental health, and social services.

OUR FIFTH PRINCIPLE IS TO INCREASE THE
FOCUS ON TEACHING AND LEARNING

Over the past 20 years, the IDEA has focused on process without sufficient attention to educational results for children with disabilities. Too often, the fundamental purpose of the law is lost. To achieve the improvements we are seeking, we must maximize the extent to which resources are used for teaching and learning. The proposals I have described above for improving IEPs, eligibility determinations, and evaluations of children will help to redirect considerable resources toward more instructionally relevant activities that support higher achievement for children with disabilities. We also propose to reduce unnecessary paperwork for schools, while improving services for students, by allowing schools to use their IDEA funds to pay for special education services in the regular classroom for the purpose of benefiting students with disabilities without having to track whether nondisabled students also benefit.

Requirements imposed on State and local educational agencies also drain resources that could be better used to improve teaching and learning. For example, current application requirements direct States to document their compliance with various procedures. To establish their eligibility for funding, States routinely submit to the Department boxes of documents containing copies of all State policies and procedures for special education. Yet, States are not required to plan for improving educational results. To reduce unnecessary burden, our proposal would eliminate State plans. States would

merely be required to update documentation kept on file at the Department. Similarly, we would give States the discretion to eliminate applications from LEAs as long as appropriate documentation is on file.

A new State improvement authority would recognize the key role that the States play in implementing the law and enhance the ability of State agencies to carry out their own plans for program improvement by providing flexible resources based on an IDEA State Improvement Plan. Recognizing that the essential element of school improvement is well-prepared teachers and administrators, the authority would focus substantial attention and funding on teacher preparation. This authority would distribute funds to States on a formula basis and would be an impetus for improving the entire IDEA program by giving States additional resources to undertake the strategies they have identified for meeting their performance goals for children with disabilities. To assist States in these efforts, States would also be given flexibility to consolidate funds available for administration of Part B programs.

Maintaining a safe and orderly environment is essential for learning. Our proposal addresses the issue of school discipline related to students with disabilities. We believe the changes we are proposing to improve the educational opportunities of students with disabilities and to promote effective practices will help curb potential discipline problems. However, prevention is not always sufficient, and there are times when schools must take steps to address misconduct. Our proposal would extend the Improving America's Schools Act amendment to IDEA, which permits schools to immediately remove a child from the classroom for up to 45 days for bringing a gun to school, to cover other dangerous weapons such as knives. We are also proposing that schools be permitted to go to hearing officers to obtain quick decisions about whether a child is dangerous and may be removed from the classroom. Hearing officers already exist in every State to address special education issues. This provision would help schools to expedite decisions related to dangerous conduct that does not involve weapons.

Our sixth principle is to strengthen early intervention to help ensure that every child starts school ready to learn.

Support for families also means working with them to address the early intervention needs of their infants and toddlers. While States and communities have made tremendous progress in implementing their early intervention systems for children from birth through age two under Part H of the IDEA, there remain two major challenges: ensuring that all eligible infants and toddlers receive services, and supporting the prevention of developmental delays by expanding the inclusion of at-risk infants and toddlers within the Part H comprehensive system of services. To address these challenges, our proposal would give States greater flexibility in their efforts to serve infants and toddlers at risk of developmental delay. We also propose to draw on the best expertise in the nation to evaluate the need for and develop an appropriate definition of developmental delay in infants and toddlers in order to help States ensure that all children in need are identified and served.

I urge Congress to act favorably and quickly on these proposals. Their enactment will help local communities in their efforts to create safe, disciplined schools that have high expectations for all their students, and well prepared teachers, and will strengthen the involvement of families in their children's education. I look forward to working with you as we all strive to improve the

IDEA in order to improve results for children with disabilities.

The Office of Management and Budget advises that there is no objection to the submission of this proposal to Congress and that its adoption would be in accord with the program of the President.

Yours sincerely,

RICHARD W. RILEY,
Secretary.

Mr. KENNEDY. Mr. President, I am pleased to join my colleague, Senator HARKIN, the ranking member of the Subcommittee on Disability Policy of the Labor and Human Resources Committee, in introducing the Clinton administration's bill reauthorizing the Individuals With Disabilities Education Act.

In its 20 years of existence, IDEA has greatly improved public education for students with disabilities in the United States. It has given them the opportunity for a public education and the necessary services to improve the quality of their lives and futures.

However, despite the significant advances made through IDEA over the past 20 years, we still have a long way to go. Educational outcomes for students with disabilities remain less than satisfactory. Enrollment in post-secondary education is low, and students with disabilities too often emerge from public education poorly prepared to find employment and live independently.

Moreover, children from minority backgrounds are often mislabeled and placed in special education classrooms, subject to low expectations for achievement. In the majority of States, African-American students are over-represented in special education programs, compared with their percentage of the overall student population. In fact, studies have shown that young African-American males are often inappropriately placed in special education programs, or placed in overly restrictive settings. Once there, they generally remain trapped there, often with very little opportunity to move into regular classrooms, even when such transitions are obviously warranted.

Currently, Federal and State funding contributes to this problem by creating disincentives for appropriate placements and services. Some funding systems base allocations on the number of disabled students that each State educates. As a result, special education programs often operate in ways specifically designed to attract State and Federal dollars to local school districts—not to serve students best.

The administration's bill takes a significant step in addressing this problem by changing the formula so that all new funding to States above their grants for the 1995 fiscal year is allocated on the basis of the total number of children in the States, rather than just the number of children with disabilities.

We have learned much over the past 20 years, and have gained an understanding about what does and does not work. We now have the opportunity to

make significant improvements in the implementation and enforcement of this important law. The Department of Education has worked diligently and carefully to develop legislation that makes substantial improvements in areas that need revision, and to expand upon provisions that have worked in the past.

Specifically, the legislation focuses on aligning IDEA with State and local education reforms, giving students with disabilities the same opportunity to benefit from those reform efforts as other students. The legislation focuses on ensuring that each child receives an individualized education that addresses the child's particular needs in the least restrictive environment possible. It increases the focus on teaching and learning, and works to strengthen early intervention to help ensure that every child starts school ready to learn. It promotes training and education for parents and teachers to help them serve their students better.

The bill also promotes involvement by families of every economic level. Family involvement is a critical component of success in education, and should be at the heart of education reform. Parents in all communities must be able to take a more active role in decisionmaking concerning the education and placement of their children. The administration's bill takes effective steps to make this possible, and contains provisions to ensure that families, teachers and school administrators have the knowledge and training they need to work effectively with students and with each other. It also provides mechanisms to encourage mediation as an available option for parents seeking to resolve disputes.

One of the most significant reforms of public education is to reduce categorizing and labeling, and to focus instead on raising expectations and increasing access to the general curriculum for all students.

All children have the right and deserve the opportunity to receive the proper education for their individual needs, whether or not they have a disability. Each parent has a right to be involved in that process.

I am proud to cosponsor this vital legislation, and I commend Secretary Richard Riley and his staff for their efforts to make the act more effective for all children with disabilities. I look forward to working with my colleagues on the committee to reauthorize and improve IDEA and to achieve its great goals.

By Mrs. BOXER:

S. 1076. A bill to designate the Western Program Service Center of the Social Security Administration located at 1221 Nevin Avenue, Richmond, California, as the "Francis J. Hagel Building," and for other purposes; to the Committee on Finance.

THE FRANCIS J. HAGEL BUILDING ACT OF 1995

• Mrs. BOXER. Mr. President, I am honored to rise today to introduce this

legislation to honor a true hero among civil servants—Frank Hagel—a Federal employee who rose through the ranks to become a top manager and whose leadership was sorely tested during a crisis at the center a few years ago.

His death at an early age last January was mourned throughout the San Francisco Bay area.

Frank Hagel was the seventh director of the Social Security Western Program Service Center in Richmond, CA. Built in 1975, the center stands in the heart of Richmond, and has had as many as 2,000 employees, but now down to 1,200 largely because of automation. In addition to updating the benefit payment rolls, center employees answer the Social Security Administration's national toll-free number during peak times.

Hagel, a native of Missouri, began his Federal career as a file clerk in 1965 at what was then called the Kansas City Payment Center. His hard work and talent enabled him to work his way up through technical and managerial positions in the organization. His special abilities were recognized at the highest levels in SSA. He was called upon frequently to lead management review teams, to serve on strategic planning task forces, and to lead national work groups on critical organizational issues. For his effort, he was recognized with the agency's highest honor award, the Commissioner's Citation.

In March 1986, he moved to California from Missouri to undertake the challenge of providing Federal oversight and liaison to the State of California's disability determination process. He helped the State achieve consistency in timeliness and accuracy.

His continued success led to his promotion in December 1990, when he became Assistant Regional Commissioner, processing center operations. This was a crowning achievement for a man who had started 25 years earlier as a file clerk. Before the year was out, Hagel's skills and abilities would be tested again.

The Western Program Service Center suffered an outbreak of Legionnaire's disease in September 1991. This outbreak included two deaths and serious illness to a dozen more employees from the disease. Fear and panic were rampant but Hagel led his employees through this terrifying period. His first steps were to reassure employees by providing information, health screening, and blood tests to all who wanted it. Hagel then began to put the center back in operation. Because the building had to be closed, the entire 1,200-person work force had to be relocated, and within 2 weeks the operation serving Social Security beneficiaries was back on its feet.

Hagel's calm and steady hand at the head of the center during this crisis earned him a second Commissioner's Citation in 1992.

In 1994, Hagel became Assistant Regional Commissioner, management and budget, region IX. In this position, he

had a broader set of responsibilities to provide support to the entire regional operation, including 180 field facilities. Again, his leadership and his example proved invaluable to the region.

Hagel died on January 1, 1995, leaving a reputation for his willingness to listen closely to everyone, unerring respect for each and every individual, broad lines of communication from labor to the business community and most important, an intense caring for the American people for whom he served.

That caring carried into his personal life. He counseled at-risk youth at the high school level and encouraged other adults to participate.

Mr. President, hundreds of Social Security employees have petitioned me—from mail clerks to top managers—asking that we honor Frank Hagel by naming the building in which they work after their late leader. I am honored to present legislation carrying out their wishes.

I ask unanimous consent to include in the RECORD a copy of the bill and a resolution from the city of Richmond, CA, in support of this naming bill.

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

S. 1076

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

SECTION 1. DESIGNATION OF FRANCIS J. HAGEL BUILDING.

The Western Program Service Center of the Social Security Administration located at 1221 Nevin Avenue, Richmond, California, shall be known and designated as the "Francis J. Hagel Building".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in section 1 shall be deemed to be a reference to the "Francis J. Hagel Building."

"RESOLUTION

"Whereas, The City of Richmond is proud to recognize significant contributions provided by Francis J. Hagel, to improve the quality of life of those Americans who qualify for Social Security benefits, and to provide critical assistance to Richmond residents, while Assistant Regional Commissioner for Processing Center Operations for the Social Security Administration's Western Program Service center in Richmond, and,

"Whereas, Francis J. Hagel, as a Richmond resident, was committed to rendering the highest caliber of community service to its inhabitants, and,

"Whereas, Francis J. Hagel, as Assistant Regional Commissioner for Processing Center Operations of the Social Security Administration's Western Program Service Center, directed the activities of employees processing the benefit payment records for over 4.5 million people in 14 western states and the Pacific Islands, and,

"Whereas, Francis J. Hagel, as Assistant Regional Commissioner for Processing Center Operations, with its 1200 employees, led it as an integral part of the local economy and one of its major employers: Now, therefore, be it

Resolved, That I, Rosemary M. Corbin, Mayor of the City of Richmond, on behalf of

the City Council, in recognition of the valuable contributions made by Francis J. Hagel to the City of Richmond as a resident and also as Assistant Regional Commissioner for Processing Center Operations, do hereby support the request that the name of the Social Security Administration's Western Program Service Center be changed to the Francis J. Hagel Building. •

By Mr. HARKIN (for himself, Mr. AKAKA, Mr. BINGAMAN, Mr. INOUE, Mr. KYL, and Mr. REID):

S. 1077. A bill to authorize research, development, and demonstration of hydrogen as an energy carrier, and for other purposes; to the Committee on Energy and Natural Resources.

THE HYDROGEN FUTURE ACT OF 1995

Mr. HARKIN. Mr. President, on behalf of myself, Senators AKAKA, KYL, INOUE, BINGAMAN, and REID, I am introducing today a very important piece of bipartisan legislation, the Hydrogen Future Act of 1995. I want to especially commend my colleague from Hawaii, Senator AKAKA, for his leadership in this area and for the good work he has done in putting together this bill. He continues a great tradition begun by the late Spark Matsunaga as a national leader in the field of hydrogen energy research and development.

Hydrogen is plentiful, efficient, and clean burning source of energy. It is ideal in that it combusts to pure water, and leaves no pollutants—no ozone depleting chemicals, no acid rain, no radioactive waste. All you get is pure, clean when you burn hydrogen.

Hydrogen also efficiently powers fuel cells, the latest breakthrough in power. Unlike electricity, which it complements, hydrogen can be stored and it can be piped long distances with no energy loss. And hydrogen energy is not simply a pipe dream. It is already on the road, powering some buses in Vancouver. But much more work needs to be done to bring hydrogen energy to the point where it can be used on a wide scale basis.

With a modest investment in research and development, we can save billions through improved efficiencies and better protect our fragile environment. If we don't act now to develop this alternative energy source, our global competitors will clearly have an advantage. They are already investing more than we are in developing hydrogen. For example, as of several years ago, Germany was spending about \$50 million a year on renewable hydrogen, five times our meager investment.

Our bill says that the United States is committed to hydrogen. We recognize its great potential. And we are willing to make a very modest and cost effective investment to back up that commitment. As does the bill passed by the House, our legislation authorizes \$25 million in fiscal year 1996, \$35 million in fiscal year 1997, and \$40 million in fiscal year 1998 for research on hydrogen energy. This bill is clearly not everything I would want. It is a good faith attempt at a bipartisan compromise to move us forward.

As you may know, the House has already passed H.R. 655, the companion to our bill. H.R. 655 was sponsored by Representative BOB WALKER, chair of the House Science and Technology Committee, and it was passed by voice vote on May 2, 1995. Representative WALKER has been a real leader in this area and has done it not for political reasons, but out of a true commitment to science and a careful study of the great potential of hydrogen. So the Hydrogen Future Act has broad bipartisan support in Congress and I am hopeful that the Senate will follow the House in quickly and decisively passing this bill.

It is up to us to provide vision to the energy policy of this country by authorizing funds for hydrogen research. Then it is up to our scientists to provide focus to the hydrogen program, through the Hydrogen Technical Advisory Panel, which our bill continues, and through peer reviewed research, which our bill emphasizes.

During the first energy crisis back in the seventies, I served on the House Science and Technology Committee shaping programs for renewable energy and alternative energy production during the Carter administration.

And we held dozens of hearings regarding energy and particularly the role of technology in providing new sources of energy.

If one thing emerged from my 10 years on that committee, it was the understanding—the realization—that hydrogen is truly our best hope for an environmentally safe sustainable energy future.

I carried that understanding with me to the Senate where I learned even more from giants like Spark Matsunaga. And I am proud to have sponsored the Renewable Hydrogen Energy Research and Development Act which built on Senator Matsunaga's work and is reflected in the legislation we are introducing today.

I know hydrogen can be the answer to many of the energy and environmental challenges we face today. It can lead us down the road to a better future. But it is up to us to pave that road. It is up to us to build it. We should fund hydrogen research until every American knows what the promise of hydrogen is, through his or her use of hydrogen in everyday life.

And I know we have begun. When I first became interested in solar hydrogen several years ago, the DOE program consisted of three or four basic university research programs, exploring alternative methods to produce hydrogen. The program has grown—much more slowly than I would have liked—but it has grown.

In addition to the basic research into alternative hydrogen production techniques, DOE now funds programs in advanced hydrogen storage, systems analysis, as well as the fuel cell for transportation program that has grown a lot faster than the hydrogen program itself.

Do we want a set of fuel cell automobile fleets and hydrogen dispensing stations? Or do we want a dozen photovoltaic and wind hydrogen generating stations? Do we want to set a long-term goal of supplying 1 or 5 or 10 quads of energy by 2105 from renewable hydrogen?

I would vote for all of the above.

But even if Congressman WALKER, Senator AKAKA, Senator KYL, I and the other supporters of this legislation succeed in doubling or tripling what I consider to be a totally inadequate hydrogen budget, we could not meet all of these goals.

So we have to be selective. We have to make choices. This bill does that. We have compromised on the level of funding authorized and the activities to be undertaken.

As I have indicated to you, there are many promising avenues of research for hydrogen. But I want to give one specific example so you can understand the potential of hydrogen. Well, let me tell you about a major hydrogen project that I think is quite important for America. It's called electro-farming.

As Joan Ogden of Princeton and other scientists have shown, hydrogen from biomass is probably the least costly source of renewable hydrogen we have today. DOE does have a biomass energy program, and it has grown very rapidly over the last few years. But the DOE biomass program is focussed on either methanol production or direct electricity production via steam generators—or on biomass gasification to drive gas turbines.

But, as far as I know, there is no program to maximize the hydrogen production in a biomass gasifier for use in a fuel cell. Electro-farming would take advantage of one of our Nation's greatest underutilized assets: the American agriculture production system.

What would that mean on the ground in a State like Iowa? Well right now, the Federal Government pays farmers not to grow crops on 34 million acres of erodible land—the Conservation Reserve Program or CRP.

Just a couple of years ago, the Iowa legislature passed legislation mandating utilities to buy renewable electricity at 6 cents per kilowatt-hour. Well, I worked out a proposal which I presented to the Hydrogen Technical Advisory Panel last year using present day input costs. What we found was that if farmers grew an energy crop like switchgrass, the Government could save on CRP payments and the farmer could earn a profit for growing biomass for energy.

In fact, based on preliminary numbers we found that an Iowa corn farmer could earn 3-10 times more per acre growing switchgrass on an electro-farm than growing corn on a conventional farm. The fact is electro-farming is a win-win-win proposal. The Federal Government wins—cutting conservation reserve program payments, improving our environment, and reducing

dependence on foreign oil. The farmer wins—diversifying his earning base, improving his income, and possibly even becoming energy independent. And utilities win—adding capacity relative to demand and reducing transmission costs.

I think the electro-farm could form one foundation for what I believe to be a good midterm goal for the hydrogen program: sustainable energy centers.

As I suggested to the hydrogen scientists last year, the Department of Energy should initiate one or more sustainable energy centers to demonstrate the production, storage, and use of hydrogen as an energy carrier.

The main purpose of these centers would be to prove to the public and the business community the technical and economic potential of renewable hydrogen. This would show to everybody that hydrogen can provide a zero emission fuel for the future in a cost effective manner.

But unfortunately most people don't know about hydrogen. For most citizens, hydrogen reminds them of the hydrogen bomb or, if you're older, the Hindenburg. If we are to create a sustainable energy option for the future based on renewable hydrogen, we have to educate people on the merits of hydrogen. So the main purpose of the sustainable energy centers would be to show people how hydrogen can be used safely and effectively to heat their homes, power their cars, and drive their factories.

The sustainable energy centers would also serve as a training center for hydrogen scientists and technicians. It would permit the testing of new hydrogen components, and it would permit the integration of various production, storage, and utilization devices into a complete working energy system. In addition, it would permit the evaluation of many costs, to reassure private industry and interest them in developing hydrogen products on a commercially viable basis.

I believe that sustainable energy centers will take hydrogen the next step—moving it from a university-based R&D program to a publicly accepted energy carrier to complement electricity.

And substantially increasing the hydrogen budget is critical to move hydrogen from a basic R&D program to a major sustainable energy option for the 21st century.

In short, we all know what the vision is: hydrogen produced by renewable energy with absolutely no pollution of any type, and no resource depletion of any kind—a truly sustainable energy option.

Now we need to put flesh and bones on that vision.

We need to make it real so people can feel the heat from a hydrogen furnace, or drive a hydrogen powered car and see that there are no emissions from the tailpipe—or, in the case of a hydrogen fuel cell car, see that there is no tailpipe at all.

By passing and implementing this legislation, we can pass on to our chil-

dren and grandchildren a better future, a brighter future—without the pollution, without the smog, and without the resource depletion that is a fact of life today, but that can be a relic of the past tomorrow.

Mr. President, I ask unanimous consent that a copy of the bill be printed in the RECORD.

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

S. 1077

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 "Hydrogen Future Act of 1995".

SEC. 2. FINDINGS.

Congress finds that—

(1) fossil fuels, the main energy source of the present, have provided this country with tremendous supply but are limited;

(2) additional research, development, and demonstration are needed to encourage private sector investment in development of new and better energy sources and enabling technologies;

(3) hydrogen holds tremendous promise as a fuel because it can be extracted from water and can be burned much more cleanly than conventional fuels;

(4) hydrogen production efficiency is a major technical barrier to society's collectively benefiting from one of the great energy carriers of the future;

(5) an aggressive, results-oriented, multiyear research initiative on efficient hydrogen fuel production and use should be maintained; and

(6) the current Federal effort to develop hydrogen as a fuel is inadequate.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to direct the Secretary of Energy to conduct a research, development, and demonstration program leading to the production, storage, transport, and use of hydrogen for industrial, residential, transportation, and utility applications; and

(2) to provide advice from academia and the private sector in the implementation of the Department of Energy's hydrogen research, development, and demonstration program to ensure that economic benefits of the program accrue to the United States.

SEC. 4. DEFINITIONS.

In this Act:

(1) DEPARTMENT.—The term "Department" means the Department of Energy.

(2) SECRETARY.—The term "Secretary" means the Secretary of Energy.

SEC. 5. RESEARCH AND DEVELOPMENT.

(a) AUTHORIZED ACTIVITIES.—

(1) IN GENERAL.—Pursuant to this section, the Spark M. Matsunaga Hydrogen Research, Development, and Demonstration Act of 1990 (42 U.S.C. 12401 et seq.), and section 2026 of the Energy Policy Act of 1992 (42 U.S.C. 13436), and in accordance with the purposes of this Act, the Secretary shall conduct a hydrogen energy research, development, and demonstration program relating to production, storage, transportation, and use of hydrogen, with the goal of enabling the private sector to demonstrate the feasibility of using hydrogen for industrial, residential, transportation, and utility applications.

(2) PRIORITIES.—In establishing priorities for Federal funding under this section, the Secretary shall survey private sector hydrogen activities and take steps to ensure that activities under this section do not displace

or compete with the privately funded hydrogen activities of the United States industry.

(b) SCHEDULE.—

(1) SOLICITATION.—Not later than 180 days after the date of the enactment of an Act providing appropriations for programs authorized by this Act, the Secretary shall solicit proposals from all interested parties for research and development activities authorized under this section.

(2) DEPARTMENT FACILITY.—The Secretary may consider, on a competitive basis, a proposal from a contractor that manages and operates a department facility under contract with the Department, and the contractor may perform the work at that facility or any other facility.

(3) AWARD.—Not later than 180 days after proposals are submitted, if the Secretary identifies one or more proposals that are worthy of Federal assistance, the Secretary shall award financial assistance under this section competitively, using peer review of proposals with appropriate protection of proprietary information.

(c) COST SHARING.—

(1) RESEARCH.—

(A) IN GENERAL.—Except as provided in subparagraph (B), in the case of a research proposal, the Secretary shall require a commitment from non-Federal sources of at least 25 percent of the cost of the research.

(B) BASIC OR FUNDAMENTAL NATURE.—The Secretary may reduce or eliminate the non-Federal requirement under subparagraph (A) if the Secretary determines that the research is purely basic or fundamental.

(2) DEVELOPMENT AND DEMONSTRATION.—In the case of a development or demonstration proposal, the Secretary shall require a commitment from non-Federal sources of at least 50 percent of the cost of development or demonstration.

(d) CONSULTATION.—Before financial assistance is provided under this section or the Spark M. Matsunaga Hydrogen Research, Development, and Demonstration Act of 1990 (42 U.S.C. 12401 et seq.)—

(1) the Secretary shall determine, in consultation with the United States Trade Representative and the Secretary of Commerce, that the terms and conditions under which financial assistance is provided are consistent with the Agreement on Subsidies and Countervailing Measures referred to in section 101(d)(12) of the Uruguay Round Agreement Act (19 U.S.C. 3511(d)(12)); and

(2) an industry participant shall be required to certify that—

(A) the participant has made reasonable efforts to obtain non-Federal funding for the entire cost of the project; and

(B) full non-Federal funding could not be reasonably obtained.

(e) DUPLICATION OF PROGRAMS.—The Secretary shall not carry out any activity under this section that unnecessarily duplicates an activity carried out by another government agency or the private sector.

SEC. 6. TECHNOLOGY TRANSFER.

(a) EXCHANGE.—The Secretary shall foster the exchange of generic, nonproprietary information and technology developed pursuant to section 5 among industry, academia, and government agencies.

(b) ECONOMIC BENEFITS.—The Secretary shall ensure that economic benefits of the exchange of information and technology will accrue to the United States economy.

SEC. 7. REPORTS TO CONGRESS.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, and annually thereafter, the Secretary shall transmit to Congress a detailed report on the status and progress of the Department's hydrogen research and development program.

(b) CONTENTS.—A report under subsection (a) shall include—

(1) an analysis of the effectiveness of the program, to be prepared and submitted by the Hydrogen Technical Advisory Panel established under section 108 of the Spark M. Matsunaga Hydrogen Research, Development, and Demonstration Act of 1990 (42 U.S.C. 12407); and

(2) recommendations of the Panel for any improvements in the program that are if needed, including recommendations for additional legislation.

(3) REPEAL OF UNNECESSARY PROVISION.—The Spark M. Matsunaga Hydrogen Research, Development, and Demonstration Act of 1990 (42 U.S.C. 1401 et seq.) is amended—

(A) by striking section 103;

(B) by redesignating sections 104, 105, 106, 107, 108, and 109 as sections 103, 104, 105, 106, 107, and 108, respectively;

(C) in section 103 (as redesignated)—

(i) in subsection (a) by striking “”, consistent with the 5-year comprehensive program management plan under section 103;” and

(ii) in subsection (e) by striking “106” and inserting “105”;

(D) in section 104(b) (as redesignated) by striking “104” and inserting “103”;

(E) in section 105(a) (as redesignated) by striking “108” and inserting “107”;

(F) in section 106(c) (as redesignated) by striking “108” and inserting “107”;

(G) in section 107(d) (as redesignated)—

(i) by adding “and” at the end of paragraph (1);

(ii) by striking “; and” at the end of paragraph (2) and inserting a period; and

(iii) by striking paragraph (3).

SEC. 8. COORDINATION AND CONSULTATION.

(a) COORDINATION WITH OTHER FEDERAL AGENCIES.—The Secretary shall—

(1) coordinate all hydrogen research and development activities in the Department with the activities of other Federal agencies, including the Department of Defense, the Department of Transportation, and the National Aeronautics and Space Administration, that are engaged in similar research and development; and

(2) pursue opportunities for cooperation with those Federal entities.

(b) CONSULTATION.—The Secretary shall consult with the Hydrogen Technical Advisory Panel established under section 108 of the Spark M. Matsunaga Hydrogen Research, Development, and Demonstration Act of 1990 (42 U.S.C. 12407) as necessary in carrying out this Act.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act—

(1) \$25,000,000 for fiscal year 1996;

(2) \$35,000,000 for fiscal year 1997; and

(3) \$40,000,000 for fiscal year 1998.

(b) LIMITATION ON AUTHORITY TO OBLIGATE FUNDS.—

(1) LIMITATION.—In each of fiscal years 1996, 1997, and 1998, the total amount that may be obligated for energy supply research and development activities shall not exceed the total amount obligated for such activities in fiscal year 1995.

(2) RULE OF CONSTRUCTION.—Paragraph (1) shall not be construed as authorizing the appropriation of any Federal funds.

Mr. KYL. Mr. President, it is difficult to believe that the solution to U.S. air pollution and dependence on foreign oil could be solved by the most abundant element in the universe—hydrogen. Yet we know that hydrogen can fuel our cars and cool our homes while producing water as its only byproduct.

We know that this is possible through research conducted by the U.S. Department of Energy. Unfortunately,

we do not yet know how to extract hydrogen from water in large enough quantities or at a low enough cost to make it a viable fuel alternative in the United States.

While the Department of Energy has researched hydrogen as an alternative fuel for the last 5 years, the Governments of Japan, Germany, and Canada, where hydrogen-powered buses already run in Vancouver, have out-spent and out-researched us. The United States is already purchasing hydrogen fuel cells from Canada because they are not produced here.

By implementing the Hydrogen Future Act and increasing our funding for hydrogen research, we will remain competitive with other countries and will increase the likelihood that we will develop a nonpolluting alternative fuel which will reduce our dependence on foreign oil and energy products.

This bill would make hydrogen research a priority without increasing spending for research and development within the Department of Energy. It would also require non-Federal sources to pay for at least 25 percent of the research program costs and 50 percent of the costs directly related to any research development or demonstration project.

As I said before, we already know hydrogen can act as a power carrier. We already know our major international competitors are seriously researching its possibilities. We need to know how to produce it in larger quantities and at a reasonable cost, and that is why the Senate needs to pass the Hydrogen Future Act.

Mr. AKAKA. Mr. President, today I join my distinguished colleague, Senator HARKIN, in introducing legislation to encourage the development of a fuel for the future—hydrogen.

Hydrogen is an efficient and environmentally friendly energy carrier that can be obtained using conventional or renewable resources. There is growing evidence that hydrogen can be a solution for America's long-term energy needs.

Our Nation's economy is heavily dependent on fossil fuels. Eighty-nine percent of our primary energy base consists of oil, natural gas, and coal. These fossil fuels are nonrenewable and eventually will be exhausted.

U.S. energy consumption has risen steadily for more than a decade and will continue to rise over the next 20 years. From 1983 to 1992, our Nation's consumption of energy from primary sources rose 17 percent. Recent projections by the Energy Information Administration suggest that the United States' consumption of oil, natural gas, and coal will increase by more than 1.0 percent each year through the year 2010.

I want to point out that last year, for the first time ever, more than half of the oil used in our country came from foreign sources. Steadily rising demand for these finite energy resources dictates the need for research on alternatives such as hydrogen.

Now is the time to increase research efforts to develop a new source of energy if we are to make a smooth transition to the next generation energy source. Growing evidence points to hydrogen as the fuel to resolve our energy problems and satisfy a wide variety of the world's energy needs.

One advantage of hydrogen is that it can be produced from renewable resources through biomass conversion. Biomass conversion uses crops and forest product residues to produce hydrogen. Ultimately, the direct generation of hydrogen from water will provide us with a continuous supply of the fuel.

Hydrogen as a fuel is not a new concept, but technical progress towards this goal has been slow. For more than two decades there has been continuing worldwide interest in hydrogen as a renewable fuel.

The Library of Congress reported in “Hydrogen: Technology and Policy” that large quantities of hydrogen are being produced each year for non-energy uses, however, it would be difficult or impossible to meet future energy demands with today's hydrogen technology.

Some of the problems facing the development of hydrogen as a fuel are the high cost of production, storage, and distribution. More economical methods of producing hydrogen are urgently needed. Currently, the cost of producing pure hydrogen from water by electrolysis is prohibitive, unless cheap electricity is available.

The vast majority of the hydrogen produced today is transported only a short distance before use. An integrated production, storage, and distribution system will also be required. These are only a few of the barriers to making hydrogen fuel commercially viable.

Our Nation needs an active and systematic research, development, and demonstration program to make the breakthroughs necessary so that hydrogen can become a viable alternative to fossil fuels. “The Green Hydrogen Report” to be published by the Secretary of Energy's Hydrogen Technical Advisory Panel this summer will detail a research agenda for the fuel.

My predecessor, Senator Spark Matsunaga, was one of the first to focus attention on hydrogen by sponsoring hydrogen research legislation. The Matsunaga Hydrogen Act, as this legislation came to be known, was designed to accelerate development of a domestic capability to produce economically renewable hydrogen in sufficient quantities to reduce the Nation's dependence upon conventional fuels. As a result of Spark Matsunaga's vision, the Department of Energy is conducting research that will decrease the costs of producing, storing, and using hydrogen. But Congress's continued support for this program is needed.

The bill introduced today expands the current research program efforts under the Matsunaga Hydrogen Act. This new initiative acknowledges the

potential of hydrogen; the need for a strong partnership between the Federal Government, industry, and academia; and the importance of continued support for hydrogen research. It fosters collaboration among Federal agencies, State and local governments, universities, and industry. It encourages private sector investment and cost-sharing in the development of hydrogen as an energy source and associated technologies.

Hydrogen holds tremendous promise as the long-term solution to our Nation's energy problems. We urge our colleagues to support the Hydrogen Future Act of 1995.

ADDITIONAL COSPONSORS

S. 514

At the request of Mr. AKAKA, the name of the Senator from Hawaii [Mr. INOUE] was added as a cosponsor of S. 514, a bill for the relief of the heirs, successors, or assigns of Sadae Tamabayashi.

S. 515

At the request of Mr. BRADLEY, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 515, a bill to amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to provide for improved public health and food safety through the reduction of harmful substances in meat and poultry that present a threat to public health, and for other purposes.

S. 647

At the request of Mr. LOTT, the name of the Senator from South Dakota [Mr. PRESSLER] was added as a cosponsor of S. 647, a bill to amend section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 to require phasing-in of certain amendments of or revisions to land and resource management plans, and for other purposes.

S. 770

At the request of Mr. DOLE, the name of the Senator from West Virginia [Mr. ROCKEFELLER] was added as a cosponsor of S. 770, a bill to provide for the relocation of the United States Embassy in Israel to Jerusalem, and for other purposes.

S. 1055

At the request of Mr. HOLLINGS, the name of the Senator from Oklahoma [Mr. INHOFE] was added as a cosponsor of S. 1055, a bill to amend title 49, United States Code, to eliminate the requirement for preemployment alcohol testing in the mass transit, railroad, motor carrier, and aviation industries, and for other purposes.

SENATE RESOLUTION 147

At the request of Mr. THURMOND, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of Senate Resolution 147, a resolution designating the weeks beginning September 24, 1995, and September 22, 1996, as "National Historically Black Colleges and Universities Week," and for other purposes.

SENATE RESOLUTION 149

At the request of Mr. AKAKA, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of Senate Resolution 149, a resolution expressing the sense of the Senate regarding the recent announcement by the Republic of France that it intends to conduct a series of underground nuclear test explosions despite the current international moratorium on nuclear testing.

SENATE RESOLUTION 156—RELATIVE TO THE U.S. ARMY AIR FORCE

Mr. THURMOND submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 156

Whereas in World War II, the United States Army Air Forces played a decisive role in turning the tide of war both in Europe and the Pacific.

Whereas the price for this role in victory was high, with more than 50,000 Army Air Forces personnel killed in combat.

Whereas the strategic air campaign of the Army Air Forces in Europe during World War II successfully crippled the industrial and economic infrastructure and communications and transportation networks of Germany.

Whereas the Army Air Forces supported ground forces and gained air supremacy in the skies over the beaches of the D-Day invasion of Europe, an operation that set the stage for the downfall of the Third Reich.

Whereas in August 1942, the Army Air Forces commenced air operations that established air supremacy in the Southwest Pacific, thereby contributing significantly to victory in the battles for New Guinea and the Philippines.

Whereas the Army Air Forces supported the strategic and tactical thrusts of the Armed Forces across the central Pacific, the Aleutians, and the China-Burma-India Theater: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the courage, sacrifice, and devotion to duty of the personnel of the United States Army Air Forces in World War II; and

(2) recognizes the outstanding and critical contribution of the Army Air Forces to the worldwide victory of the United States in World War II.

AMENDMENTS SUBMITTED

THE BOSNIA AND HERZEGOVINA SELF-DEFENSE ACT OF 1995

NUNN (AND OTHERS) AMENDMENT NO. 1848

Mr. NUNN (for himself, Mr. GRAHAM, and Mr. ROBB) proposed an amendment to amendment No. 1801 proposed by Mr. DOLE to the bill (S. 21) to terminate the United States arms embargo applicable to the Government of Bosnia and Herzegovina; as follows:

On page 2, after line 18, insert the following:

"(4) The Contact Group, composed of representatives of the United States, Russia, France, Great Britain, and Germany, has

since July 1994 maintained that in the event of continuing rejection by the Bosnian Serbs of the Contact Group's proposal for Bosnia and Herzegovina, a decision in the United Nations Security Council to lift the Bosnian arms embargo as a last resort would be unavoidable."

On page 5, after line 12, insert the following and reletter subsections (e) and (f) as subsections (f) and (g) respectively:

"(e) INTERNATIONAL POLICY.—If the Government of Bosnia and Herzegovina submits a request to the United Nations Security Council for the departure of UNPROFOR from Bosnia and Herzegovina or if the United Nations Security Council or the countries contributing forces to UNPROFOR decide to withdraw from Bosnia and Herzegovina, as provided in subsection (a), the President (or his representative) shall immediately introduce and support in the United Nations Security Council a resolution to terminate the application of United Nations Security Council resolution 713 to the Government of Bosnia and Herzegovina. The United States shall insist on a vote on the resolution by the Security Council. The resolution shall, at a minimum, provide for the termination of the applicability of United Nations Security Council resolution 713 to the Government of Bosnia and Herzegovina no later than the completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina."

THE FOREIGN RELATIONS REVITALIZATION ACT OF 1995

D'AMATO AMENDMENTS NOS. 1849-1850

(Ordered to lie on the table.)

Mr. D'AMATO submitted two amendments intended to be proposed by him to the bill (S. 908) to authorize appropriations for the Department of State for fiscal years 1996 through 1999 and to abolish the U.S. Information Agency, the U.S. Arms Control and Disarmament Agency, and the Agency for International Development, and for other purposes; as follows:

AMENDMENT NO. 1849

At the appropriate place insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Iran Foreign Sanctions Act of 1995".

SEC. 2. IMPOSITION OF SANCTIONS ON PERSONS ENGAGING IN TRADE WITH IRAN.

(a) DETERMINATION BY THE PRESIDENT.—

(1) IN GENERAL.—The President shall impose the sanctions described in subsection (b) if the President determines in writing that, on or after the date of enactment of this Act, a foreign person has, with requisite knowledge, engaged in trade with Iran in any goods or technology (as defined in section 16 of the Export Administration Act of 1979).

(2) PERSONS AGAINST WHICH THE SANCTIONS ARE TO BE IMPOSED.—The sanctions shall be imposed pursuant to paragraph (1) on—

(A) the foreign person with respect to which the President makes the determination described in that paragraph;

(B) any successor entity to that foreign person;

(C) any foreign person that is a parent or subsidiary of that person if that parent or subsidiary with requisite knowledge engaged in the activities which were the basis of that determination; and

(D) any foreign person that is an affiliate of that person if that affiliate with requisite