United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, SECOND SESSION

Vol. 142 WASHINGTON, WEDNESDAY, MARCH 6, 1996 No. 29

House of Representatives

The House met at 11 a.m.

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

Your goodness to us, O God, is beyond our measure and Your grace to us is not restrained. In spite of missing the mark and seeing too much our own way, You allow your blessings to flow and Your mercies never to cease. We pray that this day we will open our hearts and minds to the daily gifts of faith and hope and love and pray that these gifts will brighten our day and make us faithful in Your service. In Your name, we pray. 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.

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

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

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

Mr. BONILLA. 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. Pursuant to clause 5 of rule I, further proceedings on this question are postponed.

The point or order is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Ohio [Mr. TRAFICANT] come forward and lead the House in the Pledge of Allegiance.

Mr. TRAFICANT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 927), an act to seek international sanctions against the Castro government in Cuba, to plan for support of a transition government leading to a democratically elected government in Cuba, and for other purposes.

THE MIDDLE EAST

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

Ms. ROS-LEHTINEN. Mr. Speaker, Patrick Henry said ''Gentlemen may cry peace, peace. But there is no peace.'' In quick succession, four blasts have extinguished 54 lives and scarred another 210.

Hamas has demonstrated again that it is a murderous group of fanatics who are so poisoned with hate—so obsessed with slaughter—that no innocent life is safe.

Terrorism experts have stated that Hamas and its allies will attempt to inflict this sort of horror on Americans. We must work together with the Israelis in stopping these madmen.

Arafat must also shoulder his share of the blame for this situation. He has failed to prevent the uses of territory under his administration from being used as a staging area for these plots.

He has failed to comply with the conditions of the Oslo peace accords that required that he remove those sections of the Palestine National Covenant which call for the destruction of Israel.

Until such time as Arafat lives up to those agreements he has signed and eliminates Hamas from areas for which he bears responsibility, the United States should know that there is little good in negotiating with him.

HEALTH INSURANCE COVERAGE

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

Mr. PALLONE. Mr. Speaker, Democrats are uniting behind a proposal that would make modest but important improvements in America's health insurance. This is a bill that was sponsored by the gentlewoman from New Jersey [Mrs. ROUKEMA] that would basically guarantee that insurance companies could not deny health insurance coverage for preexisting conditions and also would improve what we call portability, the ability to take your insurance with you or to guarantee that your insurance is renewed even if you lose group coverage.

Today we have over 150 House Democrats who are cosponsoring the Roukema measure, including myself. We are challenging the House Republican leadership to let this bill come to the floor without loading it up with all kinds of other proposals that would make it less possible for the bill to pass. This is something that President Clinton endorsed in his State of the Union Address.

The time has come now for bipartisan support for this health security and health insurance reform for all Americans. I call upon the House leadership to bring this bill to the floor so that we can see better guarantees that preexisting conditions would not prevent someone from getting health insurance and that someone who loses their

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health insurance on the job can still get it in the individual market.

CONGRATULATIONS TO CONGRESSMAN JIM BUNNING

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

Mr. BURTON of Indiana. Mr. Speaker, a great, great honor befell one of our colleagues yesterday. JIM BUNNING from Kentucky, a very good friend of mine. Everybody here in the front row was elected to the Baseball Hall of Fame. This is an honor that very few baseball players ever achieve. JIM pitched no-hitters in both the American and National Leagues. He did extraordinary things and it is high time he was recognized.

I remember when I was about 6 years old, and he was in the majors, how much I admired JIM BUNNING. Maybe I was a little bit older, but anyhow let me just say that JIM deserves this honor. I hope all of my colleagues will take the opportunity today to congratulate him. It is a great honor for JIM BUNNING and a great honor for the State of Kentucky.

DISTRICT'S FEDERAL PAYMENT

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

Ms. NORTON. Mr. Speaker, education is the motherhood and apple pie of Congress, yet the divergent ideology on education is punishing 80,000 schoolchildren in the Nation's Capital. Six months into the appropriation year, a third of the District's Federal payment is still here, yes, it is still here, and the District is going to run out of money at the end of the month.

The issue is not the District but whether tuition should go to private and religious schools. We passed it here with a compromise. There is very little money involved, yet nationally of course there is a proposal to cut a billion dollars and a million kids from the title I education and disadvantaged program.

The House is free to argue the point. It is a fair point to argue, as to whether vouchers should obtain or whether we should cut large amounts of money from public schoolchildren. I ask my colleagues, however, to care about the District's schoolchildren and about the survival of the Nation's Capital itself. Do not allow us to run out of money at the end of March because money you owe us is stuck here.

FOCUS ON RESULTS

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

Mr. HAYWORTH. Mr. Speaker, I appreciate the words of the delegate from the District of Columbia.

While we may have some philosophical differences that should be debated on this floor and while we may have problems from time to time, when I returned to the Sixth District of Arizona, one message was given to me overwhelmingly by liberals and conservatives, Democrats and Republicans. They said, Congressman, focus on results and what works.

Therefore, our mission is clear. To do, in the words of President Clinton, what he said he wanted to do, to end welfare as we know it, to find a way to cut into the bureaucracy so $32 billion is not spent on the bureaucracy of education but instead put on the frontlines helping children learn and ultimately to allow the American people to hang onto more of their hard-earned money to decide how to spend that on their children instead of sending it here to Washington bureaucrats.

Those three broadly defined goals deal with results. Let us work together to see those results brought to fruition.

A MESSAGE FROM SARA LEE

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

Mr. TRAFICANT. Mr. Speaker, Sara Lee is closing their Virginia apparel factory; 42 workers lose their jobs. Sara Lee is also closing a T-shirt factory in North Carolina; another 370 workers lose their jobs.

But Sara Lee says there is a lot of good news here. They are going to keep open their distribution center in Martinsville, VA. Distributing center. They will not make the products here. They will distribute them so America can buy them but Americans cannot work in the factory.

My colleagues, America does not build a TV, a VCR, a typewriter, or a telephone, but they are distributing them all over our Nation. With NAFTA and GATT, this is not even trade anymore. This is a takeover. America is becoming a distribution center for foreign made imports.

Think about it, Congress. There is a serious message in there.

ARE MORE PROGRAMS THE ANSWER

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

Mr. JONES. Mr. Speaker, despite large increases in Federal spending, test scores for students in the United States continue to fall. In fact, according to a recent study, United States students scored far below Japanese and British students in all subjects for which there were comparisons. In some subjects, Japanese students came very close to doubling scores of United States students. So, what is the President's answer to this problem? More spending and more programs.

This is not the answer. Last week, Chairman GOODLING held a press conference to discuss his committee's finding that there are 760 Federal education programs scattered throughout 39 separate departments, agencies, and commissions. This web of Federal programs costs over $120 billion per year to educate citizens on everything from the disposal of boat sewage to citizenship. Each of these programs has its own application process, and each requires large amounts of staff time to administer—on the Federal, State, and local levels. Money spent on redundant programs is money not spent on our children.

This must change.

PULLING THE RUG OUT FROM UNDER AMERICAN STUDENTS

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

Mr. BALDACCI. Mr. Speaker, as March 15 draws closer, we are reminded that Congress has failed to enact the fiscal year 1996 appropriation for education. Five months of uncertainty about Federal funding has had a devastating impact on schools in Maine and throughout the country.

I am concerned about the effect of this uncertainty, combined with deep spending cuts, on our schools. Schools are having to make plans for the next school year without even knowing what resources they will have available.

I visited a number of schools in my district over the February recess. I was so impressed with the students I saw who were eager to ask questions and to learn. The message I received is that we must invest more in our students, to help them grow and develop to their fullest potential.

Unfortunately, some of our majority colleagues seem determined to pull the rug out from under America's future by pushing cuts in education funding. That's moving in the wrong direction, and I urge my colleagues to oppose these efforts.

ELECTION YEAR POLITICS WITH THE WAR ON DRUGS

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

Mr. DOOLITTLE. Mr. Speaker, today's Washington Post contains the following headline, ''About Face, Clinton To Restore Staff He Cut From Antidrug Office.''

First paragraph reads:

> Moving full circle in this election year, President Clinton plans an ambitious upgrading of White House drug control policy office, 3 years after virtually wiping out that office.

Mr. Speaker, a recent survey shows huge increases in drug use amongst our children. Not only is there increasing drug use, but the average age at which children first use drugs is now age 13.

Mr. Speaker, the President has pursued a policy of appeasement in the

war on drugs. He has cut drug enforcement programs. As Members heard, he has, in fact, been AWOL in the war on drugs. And now, in an election year, he has decided to do something about it.

Mr. Speaker, it is truly tragic that our children have been allowed to suffer for 3 years while the President was pursuing his true priorities.

□ 1115

PASS THE BIPARTISAN HEALTH CARE BILL

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

Ms. DELAURO. Mr. Speaker, my Republican colleagues are trying to come to terms with the failure of their agenda. They are instead trying to repackage their image. They would have us believe that they are on the side of working Americans. But let me tell my colleagues that their agenda in fact would hurt working Americans.

Just take a look at the issue of health care. There is today in this body a bipartisan bill to improve the health security for average working Americans. The bill would prevent the insurance companies from denying health coverage because of preexisting medical conditions. It would increase health care availability for all. And this bill has the support of Republicans and Democrats in the House and Senate, but they will not bring it up for a vote. There has been no action and no activity on this bill, and they are trying to load it down with controversial proposals in order to try to defeat it.

I will quote from the Wall Street Journal this morning that says, ''But passing the provisions that the House suggests, passing the provisions in the House, may set up a confrontation with the Senate'' and the bill would not pass.

Mr. Speaker, if we are serious about helping working Americans, let us talk about health care security, bring up the bill.

WE NEED TO ENCOURAGE OIL AND GAS PRODUCTION AT HOME

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

Mr. CALVERT. Mr. Speaker, a strong domestic oil and gas industry not only means more jobs and a better economic future, but is essential for our Nation's national security.

Throughout the last decade America's oil and gas industry has lost a staggering number of jobs to sunnier business climates.

My Energy and Mineral Resources Subcommittee has been conducting hearings to highlight the need for a Federal energy policy that encourages domestic exploration and production.

This policy must allow our oil and gas producers to have greater public land access while reducing the regulatory burden on doing business at home.

I have no doubt that this Congress will reverse recent trends and move toward a policy that encourages exploration and production to ensure a vibrant healthy economy.

CONDEMNING BOMBING ATTACKS IN ISRAEL

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

Mr. NEAL of Massachusetts. Mr. Speaker, I rise this morning to condemn in the strongest possible terms the deadly bombings that have terrorized the people of Israel for the past 9 days. In Jerusalem, in Ashkelon, and most recently in Tel Aviv, suicide bombers representing the Islamic fundamentalist group Hamas have taken more than 50 innocent lives, injured hundreds, and placed the mideast peace process in jeopardy. In this time of mourning and reflection in Israel, I extend my own personal condolences to the families of those killed in these senseless acts of violence.

Just 2 years ago, Yitzhak Rabin and Yasser Arafat stood on the south lawn of the White House and signed the declaration of principles which set the historic peace process in motion. This morning, in the wake of the bombings, that peace seems as distant and elusive as ever.

At this critical hour, we in the United States Congress must reaffirm our commitment to the goal of bringing peace to the Middle East, and pledge to vigorously support efforts that will swiftly bring to justice those who seek to undermine that peace through cowardly acts of violence.

RECOGNIZING THE FIFTH ANNIVERSARY OF THE END OF THE PERSIAN GULF WAR

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

Mr. BONILLA. Mr. Speaker, I rise today to remember the sacrifice and achievement of our Persian Gulf war veterans.

This month marks the fifth anniversary of the end of the war which liberated the small country of Kuwait and ensured access to the region's energy supplies.

Unfortunately, we have done little to reduce the threat of energy dependence.

Five years later the U.S. dependence on foreign oil has grown; America now imports 52 percent of its annual oil supply.

We import 9 million barrels of oil a day to satisfy demand.

For a country that in on the cutting edge of technology, there is no excuse for a lack of energy preparedness which places American lives at risk. U.S. producers have the capability to tap into an estimated 60-year supply of oil and natural gas that lies undiscovered in America. And they can do this without threatening the environment. Five years ago we learned a lesson—we need to open the doors to energy independence to ensure our freedom from foreign tyrants' threats.

CUTS IN EDUCATION PROGRAMS

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

Mrs. CLAYTON. Mr. Speaker, it is inconsistent to talk about building for the future, while tearing down the present.

Yet, Members of this House seem ready to abandon education by making the largest cuts in our history, with overall funding for the Department of Education likely to be reduced by 25 percent.

In fiscal year 1949, 9 percent of the Federal budget was spent on education. This year it is about 1.4 percent. On education spending, we are headed in the wrong direction.

We talk about restoring families and helping our young people.

Yet, we take away the very key to their ability to have useful and productive lives—the opportunity for an education.

Recent national polls show that Americans overwhelmingly support education and believe that it should be a top priority of Congress. Instead of a tax cut for the wealthy, we should put more money into education for our children and for the future.

We must restore these cuts. We must invest in America's families, America's children, America's future workers. We must be prepared to meet the challenges of the changing global economy.

Stop the education cuts and secure America's economic future.

WE MUST SHIFT EDUCATION DECISIONS FROM WASHINGTON TO LOCAL SCHOOL BOARDS

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

Mr. HUTCHINSON. Mr. Speaker, President Clinton in his recent State of the Union Address proposed one more Federal education program, this one to provide merit-based scholarships to the top 5 percent of high school graduates, but the fact is there are already 47 scholarship and fellowship programs operated by the Federal Government, and this highlights a point made by the gentleman from Pennsylvania [Mr. GOODLING] at a press conference last week. He pointed out that our committee has discovered over 760 Federal education programs spanning 39 different agencies and departments. Many of these programs were designed to meet exactly the same goals, they overlap, they duplicate, and each has its own

application process and its own set of regulations.

So why does President Clinton propose one more education program, program 761? Is it to improve the education of our children or merely to make us feel like we are educating our children by spending more money on more programs?

What we must do is shift education decisions from Washington bureaucrats to parents and local school boards. We can and we must do better.

REPUBLICAN-CONTROLLED CONGRESS MAKING GOALS IN EDUCATION AND HEALTH CARE UNATTAINABLE

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

Mr. GEJDENSON. Mr. Speaker, as I have been meeting in my district with working people and men and women who run small businesses, the two needs that turn out to be the most prevalent are the needs of a good education and training for the workers and good health care for all of them as well. Both of these goals are fast becoming unattainable. By the action of the Republican-controlled Congress it will be more difficult in the next year for kids to go to college, to get training and education. It is becoming more and more difficult between HMO's and the inaction, the lack of action, by the Federal Government in health care. Small businesses cannot afford to buy health care even for their top managers, as the price of these programs continue to climb and the benefits continue to shrink. HMO's are endangering people's health and survival in the way many of them are being managed, and what we are doing is we are crippling the future of this country unless we are ready to make sure that our workers are the best trained and the best educated in the world.

We compete globally. The reality is there are a billion-two Chinese and Indians, another billion, that are going to compete with us. Unless we are well trained we are going to lose the economic battle. The decisions made here will determine who will win and who will lose.

STOP THE DUPLICATION OF GOVERNMENT PROGRAMS

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

Mr. CHRYSLER. Mr. Speaker, as my colleagues know, continuing on with the gentleman from Arkansas [Mr. HUTCHINSON], his comments on the duplicative nature of the Federal Government programs where 760 Federal programs spanning 39 separate agencies and departments and commissions; we also when we got here found that we had 163 job training programs, and now, with the Careers Act, we only have 4. The trade programs in this country; we had 115 trade programs and 19 different agencies. With my legislation to dismantle the Department of Commerce, we consolidated that into one trade office. The economic development programs; there were 315 economic development programs in the Federal Government. We need two, one for the private sector and one for the public sector.

We need to stop the duplication of the Government programs and get rid of this Government-knows-best attitude here in Washington, DC, because the American people cannot afford it any longer.

HOW TO AFFORD TO GIVE TAX RELIEF TO MIDDLE-INCOME PEOPLE

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

Mr. DUNCAN. Mr. Speaker, a few weeks ago it was announced that AT&T was laying off 40,000 employees.

Then, several days ago, it was reported that Robert Allen, the head of AT&T, had made over $16 million last year.

Mr. Speaker, this is almost obscene. There is no way that Mr. Allen could really have earned $16 million for 1 year of work.

And to take this much money at the same time that thousands in his company are losing their jobs is really too cruel for words.

This excessive and exorbitant compensation was criticized even a columnist in yesterday's Wall Street Journal.

Also yesterday, most publications reported that average compensation for CEO's at 35 of our largest corporations averaged $4.3 million and had gone up 23 percent since the year before.

I have said many times that the average person pays almost half of his or her income in taxes, counting taxes of all types, Federal, State, and local.

I do not favor higher taxes, but we need to give tax relief to middle-income people, and one way to help pay for it would be to raise the taxes on all these CEO's and athletes and others making over $1 million a year.

TRIBUTE TO CHARLES COOK

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

Mr. BARR. Mr. Speaker, 54 years ago, in 1942, the security of liberty was not as certain as it is today. The flame of freedom was in danger of being completely snuffed out by those who sought to enslave the world.

Thankfully, freedom was preserved for us by a generation of patriotic benefactors who left the safety of their homes and traveled thousands of miles to rid the world of the despots who started World War II.

One of those patriots was Charles Cook. Cookie, as his friends knew him, passed away earlier this month, a half century after he was freed from a Japanese POW camp. You see, Charles Cook was a survivor of the infamous 1942 Bataan death march. Those who survived the Bataan death march and remained prisoners of the Japanese imperial army suffered more than most people living today could even imagine. But Charles Cook did not suffer in vain. He gave us a priceless legacy. Along with others of that great generation, he left the legacy of freedom for America and the rest of the world. It is for us now to preserve that gift.

We must recognize our inherited obligation, and be zealous custodians of Charles Cook's gift of liberty, which he purchased so dearly.

AMERICA CANNOT AFFORD ANOTHER 4 YEARS OF PRESIDENT CLINTON

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

Mr. TIAHRT. Mr. Speaker, in my hometown, if they had found you in a dark alley with 75 pounds of cocaine and 4 pounds of heroin in the trunk of your car, there is a general consensus that you have done something wrong. But a Clinton appointed judge, Judge Herold Bear, who freed drug smugglers because he deemed it normal for suspects to run from the police turned these drug runners free. The public outcry over this brand of justice has been astounding, and President Clinton ought to demand the resignation of this judge immediately.

But what bothers me most about this case is we see yet another example where President Clinton's words do not match his actions. He may talk like a law and order conservative, but he appoints liberal judges who let criminals walk. If it had been up to this judge, these cops in New York City would not have been able to arrest a woman who was smuggling 4 million dollars' worth of drugs to Michigan, enough drugs to push on every kid in the city's school system, push drugs on each one of them.

America cannot afford these liberal judges and America cannot afford another 4 years of President Clinton.

□ 1130

THE CLINTON ADMINISTRATION HAS GONE FROM JUST SAY NO TO JUST SAY NOTHING REGARDING DRUGS

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

Mrs. CUBIN. Mr. Speaker, President Clinton and his administration have turned a blind eye to the alarming rise in youth drug abuse.

Marijuana use among 12- to 17-year-olds rose from 1.6 million in 1992 to 2.9 million in 1994. Between 1992 and 1994 the number of juveniles testing positive for marijuana more than doubled across the country in cities like Birmingham, Cleveland, Indianapolis, Phoenix, Portland, St. Louis, and San Francisco.

What was President Clinton doing during that time? Less than 1 month after he took office, in February 1993, he cut the staff at the office of drug control policy by 83 percent. Then he eliminated drug testing for the White House staff.

This administration has gone from just say no to just say nothing and it has got to change to save our young people.

CORPORATE WELFARE

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

Ms. MCKINNEY. Mr. Speaker, yesterday the Cato Institute issued this news release which said, ''huge amounts in corporate welfare remain untouched.''

Now, everyone in Washington knows that the Cato Institute is the furthest thing from a liberal think tank. Yet, even they understand that the corporate welfare state is about the only thing that is not being cut in order to balance the budget.

In fact, the Republican majority wants to cut Pell grants for 280,000 students while preserving subsidies for companies like McDonald's and Campbell's soup to advertise overseas. That Mr. Speaker, is a perverse set of priorities.

In this changing economy when workers are being axed in favor of cheap labor overseas or worker-replacing technologies, the last thing we should be doing is undermining educational opportunities of our future work force.

Mr. Speaker, the Republican majority needs to understand that what is good for our children's education, is good for America.

CUTTING STUDENT LOANS AND EDUCATION FUNDING PROGRAMS DOES NOT MAKE SENSE

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

Mr. BROWN of Ohio. Mr. Speaker, earlier this week I spoke in Wadsworth, OH, at the Wadsworth public library, to a group of young people and their parents who are looking in the next couple of years to attend college. It was mostly made up of sophomores and juniors in Wadsworth High School and Highland High School and other high schools in Medina County.

Mr. Speaker, before I spoke to this seminar, a young person and her father came up to me and said, ''How come Republicans, how come NEWT GINGRICH wants to cut student loans? It simply does not make sense.'' The Gingrich budget wants to cut student loans $4 billion, wants to make other cuts in the safe and drug free school program, Head Start, title I, Goals 2000, other education funding programs, another $3 billion. It simply does not make sense.

If we are ever going to be as globally competitive as we need to be in this country, we do not cut education. We do not cut student loans to middle-class families. We do not cut programs that help combat drug abuse in the schools. We do not cut title I. We do not cut school-to-work programs. Mr. Speaker, it simply does not make sense.

WE MUST PREVENT THE SHORTCHANGING OF OUR CHILDREN'S EDUCATION

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

Mr. LEVIN. Mr. Speaker, on Monday night I went to a school board meeting in one of my districts in suburban Detroit and talked with the school board that is working hard to make good things happen. There was real consternation about the cuts in education proposed by the majority here.

Then, yesterday morning, I was at an elementary school, Pattengill, in my old hometown of Berkley, MI, and I met with kids there in grades 1 through 3, and talked to their teachers. That program is supported by title I funds. There is a teacher with partial funding.

I read to and with the children, and I saw the results of an effective title I program. The test scores have gone up. The children are reading and beginning to learn basic math skills. What is being proposed on the majority side here to very much diminish the funding for those programs is only going to shortchange the children of America. We have to prevent that shortchanging.

WE CANNOT SHORTCHANGE OUR CHILDREN BY MAKING CUTS IN EDUCATION

(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, I believe that when someone shows you their leader, they are showing you a part of their soul. I must say, our soul around here is pretty sick. I am one of the few people who voted against the last continuing resolution because it was a 20 percent cut from education.

In my district in Denver, they were laying off Head Start workers because of this cut. Can you imagine our doing that to 3-year-olds, 4-year-olds, and 5-year-olds? That is wrong. What kind of a soul does it take to do that? I certainly hope that a lot of us wake up and find out that when we continue to have this little window to our soul by how we vote, people are going to get more and more alienated by what is going on in this town.

If we do not care about our children, if we do not prepare for our future, this country is really on the wrong course. We must put our children first, We cannot shortchange them on education.

THE JOURNAL

The SPEAKER pro tempore (Mr. EWING). Pursuant to clause 5 of rule I, the pending business is the question de novo of agreeing to the Speaker's approval of the Journal.

The question is on the Speaker's approval of the Journal of the last day's proceedings.

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 346, nays 65, answered ''present'' 2, not voting 18, as follows:

[Roll No. 45]

YEAS—346

Ackerman	Canady	Eshoo
Allard	Cardin	Evans
Andrews	Castle	Ewing
Archer	Chabot	Farr
Armey	Chambliss	Fattah
Bachus	Chenoweth	Fawell
Baesler	Chrysler	Fields (LA)
Baker (CA)	Clayton	Fields (TX)
Baker (LA)	Clement	Flake
Baldacci	Clyburn	Flanagan
Ballenger	Coble	Foglietta
Barcia	Coburn	Foley
Barr	Coleman	Forbes
Barrett (NE)	Collins (GA)	Ford
Barrett (WI)	Combest	Fowler
Bartlett	Condit	Fox
Barton	Conyers	Frank (MA)
Bass	Cooley	Franks (NJ)
Bateman	Cox	Frelinghuysen
Becerra	Coyne	Frisa
Beilenson	Cramer	Funderburk
Bentsen	Crane	Furse
Bereuter	Crapo	Gallegly
Berman	Cremeans	Ganske
Bevill	Cubin	Gejdenson
Bilbray	Cunningham	Gekas
Bilirakis	Danner	Geren
Bishop	Davis	Gilchrest
Bliley	de la Garza	Gonzalez
Blute	Deal	Goodlatte
Boehlert	Dellums	Goodling
Boehner	Deutsch	Gordon
Bonilla	Diaz-Balart	Goss
Bono	Dicks	Graham
Boucher	Dingell	Greenwood
Brewster	Doggett	Gunderson
Browder	Dooley	Hall (OH)
Brown (FL)	Doolittle	Hall (TX)
Brownback	Doyle	Hamilton
Bryant (TN)	Dreier	Hancock
Bunn	Duncan	Hansen
Burr	Dunn	Hastert
Burton	Edwards	Hastings (FL)
Buyer	Ehlers	Hastings (WA)
Callahan	Ehrlich	Hayes
Calvert	Emerson	Hayworth
Camp	Engel	Hefner
Campbell	English	Herger

Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaHood
Lantos
Largent
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Martini
Matsui
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Metcalf
Meyers
Mica
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Norwood
Nussle
Oberstar
Obey
Orton
Owens
Oxley
Packard
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schumer
Scott
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torres
Torricelli
Upton
Vucanovich
Walker
Walsh
Wamp
Ward
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Williams
Wilson
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NAYS—65

Abercrombie
Bonior
Borski
Brown (CA)
Brown (OH)
Clay
Collins (IL)
Costello
DeFazio
DeLauro
Dornan
Ensign
Everett
Fazio
Filner
Franks (CT)
Frost
Gephardt
Gillmor
Green
Gutierrez
Gutknecht
Hefley
Heineman
Hilleary
Hilliard
Hinchey
Jacobs
Kim
Latham
Levin
Lewis (GA)
Longley
Markey
Martinez
Mascara
McDermott
Meek
Menendez
Miller (CA)
Ney
Olver
Ortiz
Pallone
Pickett
Pombo
Rush
Sabo
Schroeder
Serrano
Taylor (MS)
Tejeda
Thompson
Torkildsen
Towns
Traficant
Velazquez
Vento
Visclosky
Volkmer
Waters
Watt (NC)
Wicker
Wise
Zimmer

ANSWERED ''PRESENT''—2

Gibbons
Harman

NOT VOTING—18

Bryant (TX)
Bunning
Chapman
Christensen
Clinger
Collins (MI)
DeLay
Dickey
Dixon
Durbin
Gilman
Houghton
LaFalce
Lipinski
McCarthy
Stokes
Waldholtz
Zeliff

□ 1155

Mr. JOHNSON of South Dakota changed his vote from ''nay'' to ''yea.''

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. GILMAN. Mr. Speaker, on rollcall No. 45, a journal vote, I was inadvertently absent. Had I been present, I would have voted ''yea.''

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 359

Mr. BONO. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of the bill, H.R. 359.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1963

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of the bill, H.R. 1963.

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

There was no objection.

CONFERENCE REPORT ON H.R. 927, CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY [LIBERTAD] ACT OF 1996

Mr. DIAZ-BALART. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 370 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 370

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 927) to seek international sanctions against the Castro government in Cuba, to plan for support of a transition government leading to a democratically elected government in Cuba, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from Florida [Mr. DIAZ-BALART] is recognized for 1 hour.

□ 1200

Mr. DIAZ-BALART. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. BEILENSON], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

(Mr. DIAZ-BALART asked and was given permission to revise and extend his remarks and to include extraneous material.)

Mr. DIAZ-BALART. Mr. Speaker, House Resolution 370 provides for the consideration of the conference report for H.R. 927, the Cuban Liberty and Democratic Solidarity Act of 1996, usually referred to as the Helms-Burton bill, and waive all points of order against the conference report and against its consideration.

The House rules allow for 1 hour of general debate to be equally divided between the chairman and ranking minority member of the Committee on International Relations.

This conference report is the response of the United States, of the Congress, and the President, to the murder of three American citizens and another U.S. resident by Castro over international waters on February 24.

Helms-Burton is also premised upon the firm conviction that an accelerated end to the Stalinist dictatorship in Cuba is not only something that we need to strive for because of elemental notions of solidarity with the terrorized and oppressed people of Cuba—but also because the establishment of democracy in Cuba is in the national interest of the United States.

The Castro regime is, to its core, a gangster regime. It is a regime that answered a request, last month, by 130 dissident groups for permission to meet peacefully, by arresting 186 dissident leaders and independent journalists—as of last Thursday.

This is a regime that, to further intensify its latest Stalinist crackdown on its internal opposition, felt the need to shoot down two American civilian planes, killing three U.S. citizens and another U.S. resident, over international waters a few days ago.

The message Castro sent the Cuban people by those murders of Americans was clear: If I can murder Americans over international waters and get away with it, imagine what I can do to you. It's important to note that before the murderous pilots of those MiG's visually identified the unarmed Cessnas that they had been ordered to shoot down, the radar that was guiding them had locked on to a cruise ship with hundreds aboard.

And how does the supreme gangster himself defend the murders. Read this week's Time magazine. Castro says:

> They dropped leaflets on Havana. It was a real provocation * * * we had been patient, but there are limits * * * in addition to these flights, there was also interference by the U.S. interests section in our internal affairs. What these people were doing was intolerable. They were giving money and paying the bills of dissidents * * * it was intolerable.

This is a regime that, according to the respected British publication Jane's Defence Weekly, has been sending special forces to be trained at the Hoa Binh Military Base in Communist Vietnam, since 1990, in preparation for strikes inside the United States in case

of war. According to Jane's Defence Weekly the purpose of those special forces in Castro's army, training in Vietnam, is to ''Take the reality of war to the American people, in order to create internal pressures on Washington.''

Let me briefly quote from a statement a few days ago by Senator DOLE: ''U.S. policy toward Cuba has consequences around the globe. The world is still a dangerous place.'' Adversaries are watching our response to the murder of American citizens. Our response is being noted—by Russian hardliners, by North Korean generals, by state sponsors of terrorism in Teheran and Tripoli, by Serbian leaders, by the Chinese military eyeing Taiwan. Timidity only emboldens our enemies.

This conference report is the response of the Congress and the President to the murder of American citizens.

The conference report codifies, it puts into law, the existing embargo against Cuba, much of which exists only in regulations and miscellaneous executive orders. It will now take an act of Congress to modify the embargo, and no President will be able to weaken the embargo unless a democratic transition is underway in Cuba.

President Clinton is urged to seek international sanctions against the Cuban dictatorship.

The President is authorized to furnish assistance to democratic opposition and human rights groups in Cuba. The President is also asked to develop a plan to assist the Cuban people once a democratically-elected government is in place and to terminate the embargo once a democratic government—without Castro or his brother Raul—is in power.

The conference report calls for the denial of entry into the United States of any individual who trafficks in property stolen from Americans by Castro. American citizens will be able to sue, in American courts, those who traffick in property stolen from them by Castro. This provision will protect the property rights of American citizens, deter foreign investment in Cuba, and make it much more difficult for the Castro regime to obtain hard currency.

The conference report reduces foreign aid to those countries that provide assistance in support of the extraordinarily dangerous Cuban nuclear facility Castro is trying to complete at Juragua. It also allows the President to cut aid to Russia, dollar for dollar, for its support of the intelligence facility to spy on the United States that the Russians still maintain in Cuba.

Just by filing Helms-Burton a year ago, foreign investment was cut in half in 1995 in comparison to 1994. When potential investors confirm that dealing in property stolen by Castro from Americans will expose them to the possibility of being excluded from the United States, no matter how unethical they may be, they will choose not to invest in Castro's slave economy.

By saying that we will not look kindly upon foreign interests dealing in property stolen from Americans, we are not acting in an extraterritorial fashion; we are protecting the property rights of American citizens, and in that way, also deterring foreign investment in Castro's apartheid economy.

The importance of codifying—putting into law—the embargo, cannot be overemphasized.

No democratic transition from a long-term dictatorship in recent decades has been possible without some important form of external pressure.

Franco's Spain and the European Community; Trujillo's Dominican Republic and the OAS; Pinochet's Chile; apartheid South Africa; the Greece of the colonels.

Where there has been no external pressure, such as in China, there has been no democratic transition and human rights violations have increased. The Washington Post confirms today in page A10, that in the State Department's annual report on human rights, to be released today, the fundamental premise of United States policy toward China, that expanding trade will lead to greater individual freedoms for Chinese citizens, is simply invalid.

We will be able, by the measures in this conference report, including codification of the embargo, to maintain sufficient pressure not only to accelerate Castro's collapse, but also to see to it that his demise will lead to an independent Cuba with full political liberties and human rights for the now suffering Cuban people.

The Senate passed this conference report yesterday, 74 to 22. The President supports it. I urge my colleagues to support this rule and the conference report.

Mr. Speaker, I reserve the balance of my time.

Mr. BEILENSON. Mr. Speaker, I thank our friend, the gentleman from Florida [Mr. DIAZ-BALART], for yielding the customary one-half hour of debate time to me. I yield myself such time as I may consume.

Mr. Speaker, we do not oppose the rule providing for the consideration of the conference report for the Cuban Liberty and Democratic Solidarity Act.

As the gentleman from Florida has explained, the rule waives all points of order against the conference report and, although we ought always to be cautious in providing blanket waivers for legislation, the granting of these waivers for this conference report is in accordance with our usual procedures when we consider conference reports in the House.

The chairman of the International Relations Committee, the gentleman from New York [Mr. GILMAN], in requesting the rule waiving all points of order, specifically referred to the scope of matters committed to the conference. So Members should be aware that the conference agreement on this sweeping legislation includes provisions that were in neither the House nor the Senate bill.

Many of us, moreover, are deeply concerned about the provisions of the conference report itself and about its effect on U.S. policy.

Mr. Speaker, for many of our colleagues, this bill will be easy to support—it tightens the U.S. embargo on one of the world's most despised dictators. Yet, it is not likely that Fidel Castro will be hurt by this legislation. Ironically, the Helms-Burton Act—a radical departure from current United States policy—will actually weaken our ability to encourage democracy in Cuba.

The fall of communism in Eastern Europe should have taught us an important lesson: the enemy of a closed society, such as Cuba, is not increased isolation—it is greater contact with the outside world. The Soviet Union did not disintegrate because of an economic blockade—it was exposure to Western ideas, freedoms and prosperity that hastened the end to the cold war. In marked contrast, 37 years of economic embargo against Cuba has failed utterly to topple the Castro government.

The dubious premise behind this legislation is that the Cuban economy is on the brink of collapse, and that by tightening our notoriously porous embargo, the demise of the Castro regime can be achieved with one final push.

The reality is more complex. The Cuban economy has been showing signs of recovery, brought about by limited reforms and new trade relationships with the rest of the world. And just as domestic opposition groups inside Cuba—the only real threat to the Castro government—have been invigorated by widening contacts with the outside world, this legislation will turn back the clock by imposing further isolation and hardship on the Cuban people.

Moreover, by codifying the Executive orders that have maintained the Cuban embargo since 1959, this legislation locks the United States into a failed policy, and denies the President the flexibility needed to respond to any future democratic transition in Cuba.

Many of us are disappointed that the President has dropped his opposition to this bill. Nevertheless, Congress has consistently recognized that the President's hands should not be tied in matters of foreign affairs—that a wide variety of tools should be available to the President to act in the national interest abroad. But, this bill mandates intransigency. As changes occur in Cuba—and they will occur—the President—this President, or some future President—will be restricted from acting in the carefully calibrated fashion that has marked our response to other dictators, and other emerging democracies.

The United States is the only country in the world that maintains an economic embargo against Cuba—a fact that the Helms-Burton Act, somewhat fatuously, tries to change. Many of our closest allies, moreover, are greatly offended—as they well should be—by this

legislation's attempt to coerce them into joining the embargo.

Countries such as Canada, and our allies in Western Europe, warn that provisions in this legislation violate international law, abrogate several treaties, abandon our commitment to international financial institutions and could lead to retaliation against United States interests elsewhere in the world. Moreover, the arrogance of this bill is striking—by following the mandates of this legislation, the United States will be imposing its own political agenda on countries—mostly friendly countries—throughout the world whose businesses are acting in full compliance with their own laws.

Finally, we are concerned by the manner in which the legislation seemingly subverts our national interest for the interests of a select few. The Helms-Burton Act gives unprecedented benefits to a few very wealthy former Cuban property owners—those who owned property in pre-Castro Cuba valued at more than $50,000 when it was seized in 1959—by giving these individuals and corporations the unprecedented right to sue, in United States Federal courts, foreign companies doing business on land they once owned.

This right is not available to anyone who has lost property anywhere else in the world—not in Germany, Vietnam, Eastern Europe, or Russia—and it will obviously create a legal nightmare in our already overburdened Federal courts. But more troubling is the manner in which the legislation will allow a few individuals and companies to profit from the economic activity in Cuba this legislation condemns. By allowing wealthy former Cuban landowners to settle out of court with companies doing business in Cuba, these individuals can now share in the profits to ongoing Cuban investment. Thus, the Helms-Burton bill succeeds, in effect, in lifting the embargo for a select few, and perversely creates an incentive for increased economic development in Cuba, from which only a small minority of Cuban-Americans will benefit.

Let me be clear and end it here. This debate is not about our opinion of Fidel Castro—he is one of the more abhorrent dictators of this century. We uniformly condemn Cuba's recent downing of civilian aircraft in clear violation of international law, and our hearts go out to the families of the pilots who perished.

But this bill is rash, extreme and misguided—it runs contrary to our experience of dealing with repressive regimes elsewhere in the world, and it is not in our own national interest. In the words of Louis Desloge, a conservative Cuban-American:

> Implementing an aggressive engagement policy to transmit our values to the Cuban people and to accelerate the burgeoning process of reform occurring on the island has a far better chance of ending Castro's rule than the machinations of [the] Helms-Burton [Act].

Mr. Speaker, I urge my colleagues to vote against the conference report.

□ 1215

Mr. Speaker, I reserve the balance of our time.

Mr. DIAZ-BALART. Mr. Speaker, the imagination of our opponents is truly amazing, as is the gentleman who was cited and called a conservative, that very well-known anti-embargo activist.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON], the distinguished chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I thank the gentleman from Miami, FL, for yielding me time.

Mr. Speaker, we just heard the previous speaker say we, the United States of America, are the only country that has levied sanctions against Cuba. Yes, is that not a shame? That is going to change come the next election, my friends. With 250 million consuming Americans with the highest buying power in the world, it is about time that we told some of our allies that we do not like standing alone. That is what Ronald Reagan did back in 1981 when he pulled them all together and we stopped communism dead in its tracks. No more spread of communism. Democracy is breaking out all over the world.

If we have to stand alone, we will. But these sanctions are going to stand until atheistic, deadly communism is dead in this hemisphere.

Needless to say, I rise in strong support of this legislation. I really commend the gentleman from Miami, FL [Mr. DIAZ-BALART], as well as the gentlewoman from Florida [Ms. ROS-LEHTINEN], who have been so valiant in bringing this legislation, along with the gentleman from New York [Mr. GILMAN], the chairman of the Committee on International Relations, and the gentleman from Indiana [Mr. BURTON], the chairman of the subcommittee. They are all to be highly commended to be here in this timely manner.

Last week's incident under which Castro killed four Americans, and they were Americans, underscores the need to start taking the situation seriously. For over 30 years we have tolerated Castro with a half-hearted embargo. The holes in the embargo, plus billions of dollars, $6 billion a year from the former Soviet Union, has allowed this dictator to survive and spread this atheistic communism.

Although I do not know it, Mr. Speaker, there may have been a good reason for not pushing Castro harder during the cold war, but certainly not now. It is time to get serious, and this legislation does get serious. That is why Castro is so upset about it. That is why the Russians are so upset about it, the Russians that we are giving billions of dollars to in aid. And they turn around and aid and abet this dictator? And that is why so many of our allies are upset, too. This legislation will hit them where it hurts, in their pocketbooks.

Regarding our allies, Mr. Speaker, there is no stronger supporter of this treaty organization called NATO than this Member of Congress. I do not take lightly the fact that many of them are concerned about this legislation. But let us be blunt: It is time for them to understand that we will not go merrily along while they provide a lifeline to this Communist just off our coast who is in fact a mortal enemy of the United States.

Our allies, especially Canada, to the north, and my district depends on a lot of that trade with Canada, but they should be put on notice we will not subjugate our national interests to their financial interests. Human decency and human rights come first before any dollar. Nor should we continue to grant them open access to our huge market—as I said before, 250 million Americans, they lick their chops to do business with the United States—if they insist on supporting Castro. I call on the President to drive home those points with them.

Mr. Speaker, Castro is teetering on the brink. Cuba's economy is in a meltdown. Communism does not work. Take away the $6 billion propping them up, and it is going down, down, down. It is only a matter of time before communism is dead in Cuba, as long as we enact legislation like this.

Castro has threatened renewed terrorism against the United States of America. The latest bombings in Israel show just how easily that can be done. We are so vulnerable. That could happen so easily right here in the United States of America.

With Russia's help Castro is constructing a dangerous nuclear power facility based on old faulty designs. Not only does this facility potentially subject us to a Chernobyl style disaster, but we can surely expect Castro to do what North Korea is doing, and that is to try to exploit the technology for the purposes of building nuclear weapons. And that cannot happen in this hemisphere.

We have had enough of this tyrant. It is time to bring this awful era of Fidel Castro to a close. Adoption of this conference report today will accelerate the arrival of that great day for both the Cuban people and the American people. Please come over here and vote for this rule and vote for this bill.

Mr. BEILENSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts [Mr. MOAKLEY], the ranking member of the Committee on Rules.

Mr. MOAKLEY. Mr. Speaker, I thank my colleague from California for yielding time to me. He made a very eloquent statement yesterday in the Rules Committee and I agreed with him entirely.

Mr. Speaker, this rule provides for the consideration of a very bad bill that I worry will have some very bad consequences.

Make no mistake about it the shootdown by the Cuban Government of two unarmed Cessnas nearly 2 weeks ago was an unconscionable act. President Clinton was right in rallying the international community to denounce this terrible overreaction and I believe the President was right in proposing additional sanctions against Cuba.

But I believe it would be wrong for this Congress and this President to embrace the Helms-Burton legislation because of this terrible act.

Helms-Burton is a bad bill, plain and simple.

Even though the White House has recently reversed its position on this bill, I would suggest that my colleagues read the letter the White House wrote us last fall when they very eloquently and persuasively made the case against Helms-Burton.

In fact, Secretary of State Warren Christopher expressed his concern that the bill would actually damage prospects for a peaceful transition in Cuba.

He further indicated that the inflexible standards mandated in the bill would make it difficult to respond to a rapidly evolving situation should it occur in Cuba.

Mr. Speaker, the Secretary was absolutely right Helms-Burton would put United States foreign policy toward Cuba in a statutory straitjacket.

And while passions are running understandably high and outrage is certainly justified the fact remains that Helms-Burton was bad policy a few months ago and it is bad policy today.

Our allies have expressed deep concern over the bill's provisions as they relate to foreign companies. Yesterday all of us received the statement by the European Union indicating strong opposition to the Helms-Burton bill.

Similar statements of opposition have come from Canada's Foreign Minister and leading diplomats around the world.

Mr. Speaker, my strongest objection to this legislation is that it will not encourage the departure of Fidel Castro and it will only make the lives of average Cubans more miserable—especially Cuban children economically strangling the island only hurt the most vulnerable—and I'm not sure that's what this Congress really wants to do.

I believe this bill is exactly what Castro wants at a time when communism has crumbled around the globe; at a time when the Cuban economy is in disarray; and at a time when the internal opposition in Cuba seems to be getting stronger. This bill only gives Castro an excuse to be more repressive and to justify his failed system.

So, I say to my colleagues, if you want to get at Fidel Castro, come up with a different approach. Helms-Burton will only breathe new life into his dictatorship.

Mr. Speaker, I submit for the RECORD editorials, which have recently appeared in the New York Times, the Boston Globe, the Chicago Tribune, the Washington Post, the Detroit News, the Philadelphia Inquirer, the Los Angeles Times, and the Baltimore Sun, all opposing Helms-Burton. I would also like to submit an article from the Washington Post exposing a little known loophole in the embargo and the statement by the European Union in opposition to the legislation. And I would like to submit a statement by Alfredo Duran, who fought at the Bay of Pigs and was imprisoned for over a year, the President of the Cuban Committee for Democracy, and a statement by Eloy Guitierrez Menoyo, who was a political prisoner for 22 years in Cuba.

Finally, Mr. Speaker, let me express again my strong opposition to the bill for which this rule provides consideration. I know the authors have the very best of intentions—but I firmly believe that by passing this bill we are making a big mistake.

Mr. Speaker, I include the following material for the RECORD:

[From the New York Times, Mar. 2, 1996]

A BAD BILL ON CUBA

The Clinton Administration has done many things right and one thing terribly wrong in response to Cuba's shootdown of two unarmed planes flown by Miami-based exiles.

Providing a Coast Guard escort to accompany an exile flotilla to the site of the downing today registers American determination to protect the security of international waters and airspace. Equally important, it minimizes the risk of either the exiles' or Havana's provoking a new incident. The Administration's decision earlier this week to suspend charter flights to Cuba and to impose travel restrictions on Cuban diplomats in this country made clear that Havana had attacked not just anti-Castro activists but international law itself.

However, the Administration is about to make a huge mistake by signing into law a bill, sponsored by Senator Jesse Helms and Representative Dan Burton, that aims to coerce other countries into joining the American embargo of Cuba. By dropping his opposition to the bill, Mr. Clinton junks his own balanced policy for encouraging democracy in Cuba and signs on to an approach that will inevitably slow the opening of Cuban society and pick a pointless quarrel with American allies.

The bill threatens foreign companies with lawsuits and their executives with exclusion from American soil if they use any property in Cuba ever confiscated from anyone who is now a United States citizen. Some of its provisions appear to violate international law and trade treaties, and the Administration had been saying since last summer that it would veto the measure unless these provisions were removed.

The United States is the only country that maintains an economic embargo against Cuba, an outdated policy that has failed in 35 years to topple the Castro Government. Trying to coerce other countries to join the embargo is offensive to American allies and unlikely to succeed.

Backers of the Helms-Burton bill believe the Cuban economy has been so enfeebled by the loss of subsidized Soviet trade that the Castro regime can be brought down with one final shove. But Cuba's economy, though hurting, has already revived from the depths of the early 1990's. Its recovery has been built on austerity, limited reforms and new trade relationships with the rest of the world. It is unrealistic to think that a reinforced American embargo would bring Mr. Castro down.

What Havana really worries about is the resurgence of opposition in Cuba itself. Opposition groups have been invigorated by Cuba's widened contacts with the outside world. They are also encouraged by a more supportive attitude on the part of Miami-based exile organizations. These used to view all Cubans who remained on the island, even opposition activists, with suspicion. Now groups like Brothers to the Rescue, the organization whose planes were shot down last week, see opposition groups on the island as a key to political change.

The Castro regime is alarmed by this potential link between domestic opponents and outside support groups, heralded by Brothers to the Resuce's previous airborne leafletting of Havana. Indeed, Havana's concern over this prospect may have been a factor in last week's missile attack against the exiles' planes. Washington should be doing everything it can to promote opposition within Cuba by encouraging more human interchange between the island and the outside world, not less.

The Helms-Burton Act is not an appropriate response to Cuba's murderous deed. It is a wholesale policy reversal that weakens America's ability to encourage democracy in Cuba. Mr. Clinton should return to his original sound position.

[From the Washington Post, Mar. 3, 1996]

THE GREAT CUBAN EMBARGO SCAM

(By Louis F. Desloge)

Virtually everyone agrees that President Clinton should retaliate forcefully against Cuba's tragic and murderous downing of two civilian aircraft last weekend. But the least effective and most counterproductive punishment is Clinton's acquiescence to the Helms-Burton bill to tighten the U.S. embargo of Cuba. This legislation, which the White House endorsed last week, albeit with reservations, will only play into Castro's hands by creating an expansive loophole for property claimants, especially wealthy Cuban Americans, to circumvent the embargo.

Jesse Helms and Dan Burton, conservatives whom I admire, are no doubt sincere in their motivation to subvert Castro's rule by applying economic pressure on his regime. However, they may very well achieve just the opposite of what they seek by buttressing, not undermining, Castro's support at home and weakening, not strengthening, the embargo's prohibition on trade with Cuba.

The Helms-Burton bill is a slick stratagem. Its stated purpose is to tighten the embargo by allowing Cuban Americans to have the unprecedented right to sue, in U.S. federal courts, foreign companies doing business on land once owned by these exiles. The idea is to discourage foreign business investment in Cuba, thus undermining the island's financial recovery which, the bill's supporters naively hope, will result in a collapse of the Castro regime. The bill's practical consequences are a different story.

A little-noticed provision in the Helms-Burton measure will enable a small group of Cuban Americans to profit from the economic activity occurring in Cuba.

To understand this provision, one must first know who helped write it. As the Baltimore Sun reported last May, the bill was drafted with the advice of Nick Gutierrez, an attorney who represents the National Association of Sugar Mill Owners of Cuba and the Cuban Association for the Tobacco Industry. Gutierrez acknowledges his involvement, as does Ignacio Sanchez, an attorney whose firm represents the Bacardi rum company. Sanchez told the Sun that he worked on the bill in his capacity as a member of the American Bar Association's Cuban Property

Rights Task Force and not as representative of the rum company.

It is not hard to surmise what these former sugar, tobacco and rum interests will do if and when the law takes effect: sue their competitors who are now doing business in Cuba.

Gutierrez told the Miami Herald last fall as saying that he (and his clients) are eyeing a Kentucky subsidiary of British-American Tobacco (B.A.T.) that produces Lucky Strike cigarettes. B.A.T. has a Cuban joint venture with the Brazilian firm Souza Cruz to produce tobacco on land confiscated from his clients, Gutierrez claims.

Bacardi would be able to sue Pernod Ricard, the French spirits distributor, currently marketing Havana Club rum worldwide. Bacardi claims that Pernod Ricard's rum is being produced in the old Bacardi distillery in the city of Santiago de Cuba.

Here is how this vexatious scheme will work if Helms-Burton becomes law. The former landowner of a tobacco farm files a suit in federal court against British-American Tobacco and seeks damages. If both sides want to avoid prolonged litigation they can reach an out-of-court settlement whereby the former tobacco grower can now share in the profits of the ongoing B.A.T.-Brazilian joint venture in Cuba. Likewise, Bacardi could reach a settlement to get a share of Pernod Ricard's profits from sales of Havana Club internationally.

These agreements do not need the blessing of the U.S. government. This is the million dollar loophole in Helms-Burton. The bill states: ''an action [lawsuit] . . . may be brought and may be settled, and a judgment rendered in such action may be enforced, without the necessity of obtaining any license or permission from any agency of the United States.''

What will be the practical result? Foreign companies like Pernod Ricard and British-American Tobacco are unlikely to abandon viable operations in Cuba because of a lawsuit. More likely, these foreign businessmen will agree, reluctantly, to pay off Cuban exiles suing under Helms-Burton. Given the choice of forfeiting millions of dollars invested in Cuba or their financial interests in the United States, the practical business solution might be to give the exiles a cut of the action. Far better to have 90 percent of something than 100 percent of nothing, these businessmen will reason. Allowing Cuban Americans a share of their profits will just be factored in as another cost of doing business.

Indeed, Helms-Burton gives the Cuban exile community a strong financial stake in Castro's Cuba. If the foreign businesses simply withdrew in the face of Helms-Burton, the exiled tobacco, sugar and rum interests would get nothing. But if British-American Tobacco or Pernod Ricard or any other foreign firm now doing business with the Castro regime offers an out-of-court settlement to Cuban American exiles, who is going to turn them down? Given the option, at least some people are going to choose personal enrichment over the principle of not doing business with Fidel. After all, Fidel has been in power for 37 years, and the exiles are not getting any younger.

The Clinton White House is not unaware of the scam at the heart of the bill. Before the shooting down of the plane, the president had objected to the provisions allowing U.S. nationals to sue companies doing business in Cuba. During last week's conference with Congress, the president's men surrendered and asked for a face-saving compromise: a provision giving the president the right to block such deals later on if they do not advance the cause of democracy in Cuba. But how likely is Clinton to block Cuban Americans in Florida, a key election state, from suing Castro's foreign collaborators later in the final months of an election year? Not very.

The bottom line is that Clinton, in the name of getting tough with Castro, has endorsed a bill that allows the embargo to be evaded and protects Cuban Americans who want to legally cut deals to exploit their former properties in Cuba while the rest of the American business community must watch from the sidelines.

In fact, the legislation could encourage a massive influx of new foreign investment in Cuba. Armed with the extortionist powers conferred by the legislation, former property holders could shop around the world for prospective investors in Cuba and offer them a full release on their property claim in exchange for a ''sweetheart'' lawsuit settlement entitling them to a piece of the economic action. Thus, the embargo is legally bypassed and everyone laughs all the way to the bank.

Actually, not everyone would benefit. The Clinton-endorsed version of Helms-Burton only exempts the wealthiest cabal of Cuba's former elites from the embargo's restraints. The bill will only allow those whose former property is worth a minimum value of $50,000 (sans interest) to file suits. And you had to be very rich to have owned anything of that value in Cuba in 1959. If you were a Cuban butcher, baker or candlestick maker, too bad. This bill is not for you.

What could be more useful to Castro in his efforts to shore up his standing with the Cuban people? The spectacle of the U.S. Congress kowtowing to these Batista-era plantation owners and distillers provides Fidel his most effective propaganda weapon since the Bay of Pigs debacle. Castro surely knows that the overwhelming majority of the Cuban people—60 percent of whom were born after 1959—would deeply resent what can be characterized, not unfairly, as an attempt to confiscate their properties and revert control over Cuba's economy to people who symbolize the corrupt rule of the 1950s. Rather than undermining Castro's rule, this bill would drive the people into his camp.

Where is the logic in denying the vast majority of the American people the right to become economically engaged in Cuba if it is extended to only a select, wealthy few? Is the concept of ''equal protection under the law'' served if non-Cuban Americans are now relegated to the status of second-class citizens? Or is the real intent of this bill to allow rich Cuban exiles the opportunity to get a jump start and thereby head off the ''gringo'' business invasion certain to follow the demise of the embargo and the inevitable passing of Castro.

Let us put an end to this special interest subterfuge. Whatever obligation the United States had to my fellow Cuban Americans has been more than fulfilled by providing us safe haven and the opportunity to prosper and flourish in a free society. Providing us, once again, another special exemption which makes a mockery of the American Constitution, laws and courts, not to mention making a farce of U.S.-Cuba policy, is an insult to both the American and Cuban people.

If we are going to lift the embargo for a few wealthy exiles then, fine, let us lift it for all Americans. To be fair and consistent, why not liberate the entire American community to bring the full weight if its influence to bear upon Cuban people? Implementing an aggressive engagement policy to transmit our values to the Cuban people and to accelerate the burgeoning process of reform occurring on the island has a far better chance of ending Castro's rule then the machinations of Helms-Burton.

[From the Boston Globe, Feb. 27, 1996]

MISSTEPS ON CUBA

When Fidel Castro sent his MIG fighters up against two alleged intruders last weekend, he not only shot down two unarmed civilian aircraft and killed American citizens, he shot himself in the foot as well.

In the last few months there had been signs that relations between Cuba and the United States—frozen for more than 30 years—might be beginning to thaw. In October President Clinton eased some of the travel and financial restrictions on Cuba in the interests of greater ''people to people'' contact. This year there has been a steady stream of congressmen visiting the island, each receiving the obligatory audience with ''the bearded one.''

American businessmen are becoming receptive to potential opportunities in Cuba. Some say that more Americans visited Cuba in January than in any month since Castro came to power in 1959.

Seeing his economy crash and burn after the end of support from the Communist bloc earlier this decade, Castro desperately needs foreign investments; an end to the American economic embargo of his island would ease the poverty of his people.

An even more Draconian twist to the embargo, in the form of the Helms-Burton bill, is waiting in the wings. Passed by both houses but still awaiting action in conference committee, Helms-Burton would not only tighten existing restrictions, but would punish our allies who trade with Cuba. The House version, for example, could ''restrict'' entry into the United States of corporate officers, even shareholders, of companies doing business in Cuba, a measure which might be in violation of our trade agreements with Canada in particular.

Some congressmen, such as Joseph Moakley, told Castro last month that the United States and Cuba had reached a ''crossroads.'' If Helms-Burton were signed into law it would ''end any possibility for improved relations anytime in the near future.'' He told Castro that there ''must be more movement in Cuba in regard to human rights * * *''

Only last week, however, Castro arrested 100 dissidents and human-rights activists who were seeking a peaceful dialogue with the Cuban regime. This upset the European Union, which is trying to work out an economic-cooperation treaty with Cuba, and made it all the more difficult for those who are working to defeat Helms-Burton in this country.

Last weekend Castro made their task next to impossible. With large Cuban-American communities in swing states such as New Jersey and Florida, seeming soft on Cuba in an election year is not something politicians want.

But the Helms-Burton bill is bad law. It was bad law before Castro's stupid overreaction to the admittedly provocative flights, and it is bad law now. It is to be hoped that cool heads in Congress and the White House will realize that in time.

[From the Chicago Tribune, Mar. 1, 1996]

SURRENDERING U.S. POLICY ON CUBA

After more than 30 years of them, it should be clear that trade sanctions against Cuba will not force Fidel Castro to surrender. What a shame, then, that a great power like the United States has surrendered its foreign policy to a tiny population of hard-line anti-Castro Cubans. What an embarrassment!

By agreeing this week to impose new economic penalties against Cuba, President Clinton and the Republican-controlled Congress have proven that, given a choice between sound foreign policy and pandering to the rabid anti-Castro crowd in a critical electoral state, they'll pander.

In no way do we defend Castro's dictatorship or the outrageous disregard for human life represented by Cuba's downing last weekend of two small civilian aircraft. But in that regard, an old American adage is instructive: Don't go looking for trouble, it cautions, 'cause it'll find you anyway.

Brothers to the Rescue, an exile group, went looking for trouble by violating Cuba's sovereign air space to drop leaflets and by playing hide-and-seek with Cuban jets along its periphery.

By law, private citizens may not make foreign policy. Yet the Cuban exiles invited this ''crisis,'' if they didn't actually manufacture it, and suckered both a Democratic president and a Republican Congress into making policy to suit their purposes.

Ironically, the new sanctions, while aimed at isolating Castro and weakening his power, are certain only to complicate trade relations with key U.S. allies and commercial partners such as Canada, Mexico and France.

Under the sanctions, U.S. visas will be denied to foreign corporate executives—and their stockholders—if these firms are among those that have invested billions of dollars in Cuban property. (The U.S. is the only nation that observes the absurd embargo of Cuba.)

Another provision would allow U.S. citizens to file suit against foreign firms utilizing property that was seized by Castro. But in a cynical provision designed to neuter that very same proposal, the president is granted power to waive the rule every six months to throw out the backlog of anticipated cases.

Like all dictators, Castro shows unwavering patience in allowing his people to suffer. But if America wants to influence Cuba to liberalize, then more ties—not a trade embargo—is the answer.

[From the Washington Post, Feb. 27, 1996]

CUBA'S BRUTALITY

No one concerned for regional stability and air safety can fail to condemn Cuba's brutal downing of two small unarmed civilian planes on Saturday. In this latest mission by Brothers to the Rescue, the two planes and a third that made it back to Miami had in fact ignored Cuban warnings as well as official American cautions not to penetrate Cuban air-space. Nor was it clear whether their purpose was the stated humanitarian one of rescuing fleeing rafters or the alleged political one of overflying Havana. But this is no excuse for the attack. In such circumstances, international law requires warning off the approaching aircraft. Instead, the Castro government, having considered for months how to react to these flights, ignored American urgings to stay on a peaceful and legal path and shot to kill.

The Cuban attack caught President Clinton at a difficult time and place. He does not wish to be outflanked politically in a potential swing state, Florida, with a large Cuban-exile population and a presidential primary coming up two weeks from today. Nor does he want, in expressing the prevailing and justified outrage, to let it overwhelm his previous efforts to open up certain avenues of communication and relief for the Cuban people, or to interfere with agreed procedures of legal emigration. Hence the measures he announced yesterday to notch up pressure on the Communist regime, including suspending Havana-Miami charter flights and working with Congress to selectively tighten an already tight embargo.

Given the tensions Fidel Castro churns on the American scene, the Clinton proposals were bound to be attacked not only by Republicans campaigning for their party's presidential nomination in Florida but also by harder-line factions among the state's million Cuban Americans. From these sources now come calls for a military response—an air patrol to knock down rising Cuban MiGs or a blockade to keep Fidel Castro from either receiving foreign ships or expelling a new flood of refugees to Florida.

These measures would be counterproductive. If put into effect, they would leave the United States largely isolated among other nations. The better course remains to keep international diplomatic and private influence focused—in discussions on ending the embargo, for instance—on opening political space for human rights advocates, independent social and professional organizations, and democrats. As the recent crackdown on Concilo Cubano demonstrates, this isn't easy. But over time it offers hope.

[From the Detroit News, Feb. 29, 1996]

CUBA INCIDENT: CORRECT RESPONSE

The downing late last week of two unarmed civilian planes by Cuban military jets off the coast of Cuba was a brutal and cowardly act. But President Bill Clinton properly resisted the temptation in a political season to overreact. The administration's response was reasonably measured, even as it sought to condemn Cuba in the United Nations.

President Clinton has suspended all air charter transportation to Cuba, vowed to reach an agreement on tightened trade sanctions against Cuba, asked Congress to divert funds from Cuba's $100 million in frozen assets to compensate the families of the downed pilots and restricted travel to Cuba by Americans.

But the president didn't end travel to Cuba; he proposed requiring visitors to go through a third country to reach the island nation. Government officials estimate that about 120,000 to 130,000 people travel from the United States to Cuba each year. If the requirement that they route themselves through a third country slows the flow, Cuba will suffer from a loss of revenue in hard currency.

The proposed sanctions are in line with this country's 30-year-old policy of enforcing a trade embargo on Cuba. Its economy was propped up by the Soviet Union, but the dissolution of the old Soviet empire has thrust the regime of Fidel Castro on hard times.

The shootings necessitated punishment from Washington, but stiffer trade sanctions and restricted travel are not the best long-term solution for inducing change in Cuba. Mr. Clinton last fall moved to ease relations with Fidel Castro's regime. The administration then was right to do so. Commercial and cultural relations with Cuba ultimately will serve to weaken the grip of the aging communist dictator, whose misrule has given his countrymen decades of economic ruin.

The administration's tow-prong policy on the shootings is also well-judged. To complement its own reprisals, it moved to obtain a condemnation of Cuba's action in the United Nations. The UN instead ''deplored'' Cuba's action, which is taken as a sign that it will not adopt its own trade sanctions.

But in all of its actions, the Clinton administration has moved to maintain control of this country's Cuba policy. The flights near the Cuban coast by a Cuban emigre group were clearly meant to provoke the Cuban government. The Cubans in the last several weeks had issued warnings that the flights should cease. Whether or not the civilian pilots actually violated Cuban air space remains in dispute.

Given the ambiguity of the situation, the Clinton administration is right not to let the Cuban emigre group get it into a confrontation. The group responsible for the flights has promised to continue them this week. But the new flights should be at their own risk. Washington, not Miami, should be the locus of U.S.-Cuba policy. And if the group files phony flight plans, the administration should consider grounding its aircraft.

The president's response drew criticism from some of his Republican challengers, but this smacks of the criticism he dealt former President George Bush on Bosnia. It is easy to talk tough when one is out of office.

For now, the Castro regime should feel the pain resulting from American displeasure over the shooting incident. But the long-term policy for breaking up the Castro regime should be more contacts and more commerce.

[From the Philadelphia Inquirer, Feb. 27, 1996]

HOLD THE BLOCKADE

THOSE CRYING FOR MILITARY ACTION AGAINST CUBA OUGHT TO PUT SATURDAY'S ATTACKS INTO CONTEXT.

Let's have a little perspective, please, on the Cuban downing of two civilian planes last Saturday.

To hear GOP candidates (and some Cuban exile groups) tell it, this is the most heinous international crime since Hitler's invasions, and should be fought as fiercely. Send U.S. warplanes, says Pat Buchanan. Amateur hour in the White House, scoffs Bob Dole.

Fortunately, President Clinton has been level-headed enough not to blow this incident out of all proportion. His call for U.N. Security Council condemnation of Cuba, and Cuban payment of compensation to the families of the downed pilots, is about what the sorry episode merits.

Those who want tougher action should examine the facts.

The two downed Cessnas were piloted by Cuban Americans belonging to a group called Brothers to the Rescue, which is supposed to aid Cubans trying to escape by sea to America. But the flow of refugees has mostly stopped since Washington began repatriating in August 1994.

So what were the planes doing? This Cuban American group has frequently overflown Cuban airspace, illegally, and last January dropped anti-Castro leaflets on, Havana. On Saturday's flight, the pilots were warned by Havana air controllers not to enter Cuban airspace. They replied that they would do so anyway, adding, ''we are aware we are in peril.''

U.S. officials say a third plane that escaped did enter Cuban airspace, while the two downed planes were shot by a Cuban MIG–29 in international waters. They also say, rightly, that no country has the legal right to shoot down unarmed planes that don't threaten national security; Cuban air controllers should have issued warnings.

But there is no question that Brothers to the Rescue was trying to provoke a Cuban reaction by repeatedly violating Cuban airspace to pursue their anti-Castro cause. No matter how one admires the pilots' bravery, or despises the Castro regime, that fact is clear.

Cuba is now nothing more than a historic leftover whose communist regime is bound to dissolve soon. To further isolate the population—by cutting phone contacts or family remittances from America—would only slow the foreign contacts that help undermine the regime.

Mounting a full-scale naval blockade would put America at odds with all its allies. Similarly, the Helms Burton bill in Congress—which the President has opposed but now promises to work on—would also make international mischief unless it is rewritten. As it now stands, the bill would legitimize suits by Americans against many third-country firms that trade with Cuba. Do we want

to start trade wars with our allies over their commerce with Cuba?

That, not Mr. Clinton's reasoned response, sounds like amateur hour.

[From the Los Angeles Times, Feb. 27, 1996]

WEIGHING THE RESPONSE TO CUBA'S BRUTAL ATTACKS

CLINTON'S TASK IS TO PUNISH CASTRO, NOT THE CUBAN PEOPLE

The Cuban air force downing of two civilian aircraft last weekend, and the resultant deaths of four Cuban Americans aboard, was a blatantly illegal and needless act of provocation by Fidel Castro's government. President Clinton is right to condemn it in the strongest terms.

But Clinton must not allow Castro's latest act of brutality to push him too far, and he sensibly appears to have a hard but well-measured course in mind. To be provoked into a short-sighted overreaction could damage U.S.-Cuban long-term relations even further. The Administration's strategy may not please some of Castro's most ardent enemies in this country, but it will make it easier for Washington and Havana to resume normal relations in that not-too-distant future when Castro is gone and the long communist dictatorship comes to its inevitable end.

Clinton has announced that he will seek legislation to compensate the families of the four missing and presumed dead fliers from Cuban assets that have been impounded in this country. He also announced there will be new restrictions on the movement and number of Cuban diplomats in the United States and the suspension of charter air travel to Cuba. Lastly, he will expand the reach of Radio Marti, the U.S. government broadcast service into Cuba, a long-time burr under Castro's saddle. These are all reasonable responses.

Less reasonable, and possibly counterproductive, is Clinton's willingness to discuss with Congress possible administration support for the so-called Burton-Helms bill, legislation that would tighten the existing U.S. economic embargo on Cuba. While bills like Burton-Helms reflect an understandable U.S. frustration with the Castro regime, that legislation, like the embargo itself, would cause ancillary problems in Washington's relationship with other nations, including important allies and trading partners like Canada and Spain. Unless the State Department can help Congress rewrite Burton-Helms so that it aims toward the normalcy of key international trade agreements like NAFTA—a prospect that seems highly unlikely—it is best tossed in the congressional trash bin.

It is expected that the United Nations will soon join the United States in condemning the irrational order to set Cuba's MIG warplanes upon the small civilian craft flown by the anti-Castro pilots. Perhaps U.N. debate will bring out more facts about this incident than are now publicly known. For instance, what were the exact whereabouts of the planes at the moment they were attacked? The U.S. and Cuban government versions differ enormously. The Cubans say that the planes were inside their territory, while Washington and Brothers to the Rescue, the Cuban American organization to which the planes belonged, maintain that the aircraft were flying over international waters. It is, in fact, illegal to shoot at any unarmed civilian aircraft, according to international civil air agreements. Havana will have a lot of explaining to do if it hopes to come close to justifying the deaths of these four people.

At least some of the blame for this tragedy may lie with Brothers to the Rescue. Since 1991, the organization of Cuban American pilots has flown 1,700 missions in the skies around Cuba. At least twice, Brothers to the Rescue pilots have flown all the way to Havana to drop anti-Castro leaflets. Were the Brothers trying to provoke an incident with Cuba on the eve of Congress' consideration of the Burton-Helms bill? Possibly, but even if they were, and no matter how provocative those flights might seem, they cannot justify Saturday's brutal response.

Is Castro trying to send a message to Miami and Washington, not to mention the Cuban people, with this bloody incident? Is he trying to prove, yet again, that he will tolerate no political dissent from his aging and increasingly weak regime? Perhaps, but ultimately his attempts to hang onto power are futile. Someday, the sooner the better, the aging dictator will be gone and a new era of relations between Havana and Washington will begin. As Clinton ponders how to react to this lastest outrage, the president must keep in mind those long-term prospects. Exact payment, squeeze Castro, but don't derail the future relationship between the two peoples.

[From the Baltimore Sun, Feb. 27, 1996]

CUBAN JETS VS. UNARMED CESSNAS

CASTRO'S LATEST BLUNDER: CLINTON TIGHTENS EMBARGO, SHUNS MILITARY ACTION

President Clinton's substantive response to Cuba's latest outrage—the shooting down of two unarmed civilian planes whose only ''bombs'' were leaflets calling for freedom—was more restrained than his rhetoric. He ordered no military action, imposed no naval blockade, kept telephone lines open and did not shut off the money sent by exiles to families in Cuba.

Yet some action was imperative. No self-respecting country can permit the blatant murder of four of its citizens to go unpunished. No self-respecting leader can permit himself to be shown without recourse.

Fidel Castro's latest crime, when combined with his recent crackdown on dissenters, erases what had been a favorable trend in U.S.-Cuban relations. It also could short-circuit some of his efforts to replace the loss of Soviet-era economic aid with increasing trade ties with Europe.

It is true enough that those involved in Saturday's incident were provocateurs in the business of pulling Fidel's beard. They were members of Brothers to the Rescue, a Miami-based organization formed to rescue boat people fleeing Cuba. But since Mr. Clinton's policy of forced repatriation stopped much of that exodus, the group has violated Cuban air space several times to drop freedom leaflets despite U.S. pleas to desist. This evidently was the intent when they flew toward Havana during their ill-fated mission.

The Cuban retaliation was far out of proportion to the provocation and in clear violation of international strictures against firing at unarmed aircraft. As a result, Mr. Clinton rightly reversed his order of last October easing travel restrictions between the U.S. and Cuba. He will stop U.S. charter flights. He will compensate the families of those killed by Cuban jet fighters out of frozen Cuban assets in the U.S. He will expand the reach of Radio Marti. And he even will work with Congress to see if some version of the Helms-Burton bill tightening the economic embargo on Cuba can be passed.

One provision in that measure permitting Cuban-Americans and others to flood federal courts with suits seeking compensation from third-country investors who have purchased properties confiscated by the Castro regime should remain veto-bait. It would serve only to increase the impatience of other nations with the U.S. obsession with Cuba. Yet some tightening of the embargo now seems a political necessity, even though the more prudent long-range course would be to create the personal and economic ties needed for the inevitable transition to a post-Castro era.

STATEMENT OF THE EUROPEAN UNION, DELEGATION OF THE EUROPEAN COMMISSION, TO THE DEPARTMENT OF STATE

The Presidency of the Council of the European Union and the European Commission present their compliments to the Department of State and wish to refer to the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996.

The European Union (EU) has consistently expressed its opposition, as a matter of law and policy, to extraterritorial applications of US jurisdiction which would also restrict EU trade in goods and services with Cuba, as already stated in various diplomatic demarches made in Washington last year, including a letter from Sir Leon Brittan to Secretary of State Warren Christopher. Although the EU is fully supportive of a peaceful transition in Cuba, it cannot accept that the US unilaterally determine and restrict EU economic and commercial relations with third countries.

The EU is consequently extremely concerned by the latest developments in the House-Senate Conference in relation to this legislation, including the position now apparently taken by the US Administration. The legislation contains several objectionable elements. In addition, provisions relating to trafficking in confiscated property and those concerning denial of visas to executives or shareholders of companies involved in transactions concerning confiscated properties in Cuba, which had been removed during the adoption procedure by the Senate last 19 October 1995, have now been reintroduced by the House-Senate Conference. These provisions, if enacted and implemented, risk leading to legal chaos.

The EU cannot accept the prohibition for US-owned or controlled firms from financing other firms that might be involved in certain economic transactions with Cuba. The EU has stated on many occasions that such an extraterritorial extension of US jurisdiction is unacceptable as a matter of law and policy. Therefore, the EU takes the position that the United States has no basis in international law to claim the right to regulate in any way transactions taking place outside the United States with Cuba undertaken by subsidiaries of US companies incorporated outside the US.

Nor can the EU we accept the immediate impact of the legislation on the trade interests of the EU by prohibiting the entry of its sugars, syrups and molasses into the US, unless the former certifies that it will not import such products from Cuba. The EU considers such requests, designed to enforce a US policy which is not applied by the EU, as illegitimate. Such measures would appear unjustifiable under GATT 1994 and would appear to violate the general principles of international law and sovereignty on independent states.

In these circumstances, the EU would appreciate it if you would inform Congress that the EU is currently examining the compatibility of this legislation with WTO rules and that the EU will react to protect all its legitimate rights.

The EU is also worried by the provisions that would lead the US to unilaterally reduce payments to international institutions, such as the IMF. This measure would run counter to collectively agreed upon obligations via-a-vis those institutions and would represent an attempt to influence improperly their internal decision-making processes.

The EU also finds most worrying the reduction of US assistance to the Russian Federation as a possible consequence of this legislation. Such a measure would not only weaken Western leverage in favour of reforms, but comes at a critical junction in time.

Finally the EU objects, as a matter of principle, to those provisions that seek to assert extraterritorial jurisdiction of US Federal courts over disputes between the US and foreign companies regarding expropriated property located overseas. This measure would risk complicating not only third country economic relations with Cuba, but also any transitional process in Cuba itself. Furthermore, these provisions offer the possibility to US firms for legal harassment against foreign competitors that choose to do business in Cuba. The threat of denial of a US visa for corporate officers and shareholders accentuates this concern.

The EU considers that the collective effects of these provisions have the potential to cause grave damage to bilateral EU–US relations. For these reasons, the EU urges the US Administration to use its influence to seek appropriate modifications to the proposed legislation, or if this should not be feasible, to prevent it from being enacted.

Should the legislation be adopted, the European Union intends to defend its legitimate interests in the appropriate international fora.

The Presidency of the Council of the European Union and the European Commission avail themselves of this opportunity to renew to the Department of State the assurances of their highest consideration.

STATEMENT BY ALFREDO DURAN, PRESIDENT OF CUBAN COMMITTEE FOR DEMOCRACY

The recent shooting of two civilian planes which ended tragically with the loss of four lives was unquestionably an overreaction—once again—by the Government of Cuba. While President Clinton was correct in criticizing and imposing certain sanctions for the Cuban Government's disregard for international law, he should seriously ponder whether he is not now overreacting with his own endorsement of the Helms-Burton bill.

The Helms-Burton bill, with echoes of the Platt amendment, will, among other consequences, seriously affect the relations between the United States and Cuba for many years to come; violate the spirit, if not also the laws, of free trade and irritate major allies of the United States; deviate the attention of the world from Cuba's own excesses to the United States embargo, a policy which most nations have consistently criticized; and crippled the United States President's ability to act with flexibility to changes in Cuba.

Mr. Chairman, it will also further weaken the United States' leverage with the Government of Cuba in the future; slow down the mutually beneficial contacts between the people of Cuba and the United States; and exacerbate the divisions already existing between Cubans in the island and Cuban Americans.

Those of us who wish for a peaceful transition within Cuba appeal both to the Cuban Government to rethink their disregard for international norms and to the United States Government not to fall into the trap of overreacting to an overreaction.

STATEMENT OF ELOY GUTIERREZ MENOYO, PRESIDENT OF CAMBIO CUBANO/CUBAN CHANGE, TO THE U.S. CONGRESS

At a very early age, I learned about war. My brother Jose Antonio was killed fighting against fascism at age 16 in Spain. I was only five years old. My other brother, Carlos, was killed at the age of 31 in Cuba while trying to overthrow the Batista dictatorship. The tender age of the downed pilots makes me think of my dead brothers. The scars from premature death are painful to bear.

Nothing can excuse Cuba's bravado in downing the two Cessnas in which four young Cubans perished. However, this is a time for restraint and reason on both sides. US foreign policy relations must not be held hostage by extremists who seek to provoke and intensify an already tense atmosphere between both countries.

The time has come to engage Cuba in negotiations. If the US has understood, accepted, and promoted democratization in other countries, it is incomprehensible to now continue to treat Cuba with rigidity and inflexibility.

This is the moment to put into practice more creative and pragmatic policies which are truly conducive to a peaceful solution to the Cuban situation.

After twenty-two years in a Cuban prison, I was exiled abroad. Last year, I returned to Havana and called for civil and political liberties, for my right to return and continue my political work there, including my right to establish an office of Cambio Cubano in my country.

These objectives are possible only through a national reconciliation, rather than through a failed policy of confrontation. The peace for which we yearn is not easy. Most good things are as difficult as they are rare.

I urge the US Congress to defeat the Helms-Burton legislation.

Mr. BURTON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. MOAKLEY. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Speaker, I would just like to ask the gentleman, aside from killing Fidel Castro with some kind of a paper resolution, what would the gentleman do over this latest incident?

Mr. MOAKLEY. Mr. Speaker, reclaiming my time, I would put the strongest sanctions I could. Helms-Burton is not the answer.

Mr. BURTON of Indiana. Mr. Speaker, what sanctions would the gentleman impose?

Mr. MOAKLEY. Anything else, but Helms-Burton is not the answer. Let me tell the gentleman, every Member who votes for Helms-Burton, I bet within a couple of months would say, why did I do it?

Mr. DIAZ-BALART. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana [Mr. LIVINGSTON], the distinguished chairman of the Committee on Appropriations.

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, I thank my friend from Florida for yielding me time.

Mr. Speaker, I rise in strong support of the rule and on the conference report on the Cuban Liberty and Democratic Solidarity Act. I commend Chairman SOLOMON, Chairman GILMAN, and Chairman BURTON for all their hard work on this important bill and welcome President Clinton's newfound support.

I would like to take this opportunity and offer my condolences to the families of the murdered pilots. They should know that their loved one's efforts in helping those seeking freedom was an inspiration to us all. Their dedication and bravery will not be forgotten.

This latest incident, once again, illustrates Castro's disregard for human rights and disrespect for international law. Along with repressing basic freedoms, Castro routinely and unmercifully persecutes anyone who speaks out against his barbaric practices. Now is the time to tighten the sanctions. Only by ending Castro's access to foreign capital will we bring about positive change in Cuba.

Since the cutoff of Soviet assistance in 1991, Castro has launched a desperate campaign to lure foreign investment in Cuba. This allows him to generate hard currency—the means necessary to sustain his repressive apparatus. We must not allow Castro to prop up his failed government with foreign investment in properties—many of which were confiscated from U.S. citizens.

The conference report permits American citizens to recover damages from foreign investors who are profiting from their stolen property in Cuba. This will block the foreign investment lifeline which keeps Castro's regime alive.

The conference report also creates a right for U.S. citizens to sue parties that knowingly and intentionally traffic in confiscated property of U.S. nationals. Moreover, it denies entry into the United States of any such individual. These are logical steps which will compel international companies to make a fundamental choice: ignore U.S. property rights and engage in business as usual with Castro or maintain access to the world's largest market.

While I strongly support increased economic sanctions to force Castro from power, I also support efforts to help any new effort which enhances the self-determination of the Cuban people.

The conference report requires the President to develop a plan to provide economic assistance to both a transitional government and a duly elected Government in Cuba. These provisions send a clear signal to the Cuban people that the United States is prepared to assist in the revival of Cuba's economy and to build a mutually beneficial bilateral relationship.

Cuba is at a crossroads. This report tightens the economic noose around Castro and focuses our country's energies on bringing fundamental change in Cuba.

I urge my colleagues to support this important legislation.

□ 1230

Mr. BEILENSON. Mr. Speaker, I yield 4 minutes to the gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. ABERCROMBIE. Mr. Speaker, I find it rather strange that we are taking up this legislation today in the

manner in which we are. I will attempt to answer the gentleman from Indiana [Mr. BURTON] as well. I think his question is a good one: What would you do in place of this legislation?

Let me say what I think we should do. I think we should get rid of the embargo entirely, open it up. We are dealing with a nation here who shares western values. I think if we dropped the embargo entirely, Mr. BURTON is shaking his head, I wish we had more time. We could have an exchange at some later point, perhaps in special orders or something of that nature. I do not associate the people of Cuba with the government any more than the people around the world do necessarily with the government officials that we have here. I think that the way to end the dictatorship in Cuba is to open up our trade completely. I think the regime would fall very, very quickly under that kind of circumstance.

But, because my time is limited, unfortunately, I am trying in good faith to give an answer to Mr. BURTON on that. If we go with the legislation that is before us and allow the suing to take place, who are going to bring into the suit? Will Meyer Lansky come back then and the Mafia? Is that who we want to put back in charge?

I come from an island people. We understand what colonial domination is all about. I can tell my colleagues how my interest in Cuba first started because the oligarchs in Cuba that controlled sugar and slave labor there, which competed with our free collective bargaining individuals in Hawaii that produced sugar. We understand completely what was involved in the 1950s. I do not want to hear crocodile tears at this stage about dictatorships. I understand exactly what is taking place in Cuba there.

If my colleagues want to bring the Mafia back in and they want to bring the people who supported those kinds of people back into power, that is up to them. They can do that. But do not try and sell us at this particular time that somehow our allies, then, in Mexico and Canada are going to be subject to some kind of sanction. If we want to get rid of NAFTA, it is OK with me. I voted against it. But if that is going to be the case, it seems to me that to bring the kind of pressure that at least one of the individuals speaking in favor of the legislation brought to bear today, then I think that we are going to have to abrogate the NAFTA agreement as well. I mean, this may be the vehicle for doing it. I do not know. I had not thought about it previously.

So when Senator DOLE indicates, as previous discussant related to us, that U.S. policy has consequences around the world, I would say that is true. And I think our relationship with Canada and Mexico is a case in point.

I think that if we are talking about whether or not we are in control of our own foreign policy, I think we have to take into account whether or not these provocations do occur and whether or not we are going to sanction it. If it is the policy of the United States to allow these flights to take place, then we should say so. I think we should say so up front.

We are meeting in the Committee on National Security today, and we have had a discussion already in terms of our authorization as to what our policy should be or not be with respect to Cuba. And if it is our idea to have a provocation of the Cuban Government at this time, then I think we need to say so. And if that is what we want to do, go to war with Cuba, I think we ought to talk about whether or not we are going to go to war with Beijing. Are we going to encourage the same kind of approach from Taiwan toward the mainland of China? I think we have to be very, very careful here with respect to whether we allow the emotion of the moment to rule the legislation which comes before us in the wake of it.

With that, Mr. Speaker, I close my remarks and indicate that at some time in the future, I would be delighted to discuss what we should do. And I do not think, unfortunately, the legislation before us today allows that kind of discussion.

Mr. DIAZ-BALART. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New York [Mr. GILMAN], chairman of the Committee on International Relations.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, the Cuban Liberty and Democratic Solidarity [Libertad] Act of 1996 has three constructive objectives: to bring an early end to the Castro regime by cutting off capital that keeps it afloat; to start planning now for United States support to a democratic transition in Cuba; and, to protect property confiscated from United States citizens that is being exploited today by foreign companies that are profiting at the expense of the Cuban people.

This legislation charts a course for responsible normalization of United States-Cuba relations under specific conditions. And, in the meantime, it helps protect the property of U.S. citizens until they can reclaim it under a democratic government.

Mr. Speaker, ''libertad'' means ''freedom'' for the Cuban people, literally and figuratively.

By approving this Libertad Act with wide bipartisan support, Congress will demonstrate our solidarity with the Cuban people who are struggling to be free.

We are sending an unambiguous response to Castro in the wake of his murderous attack on February 24 that cost the lives of four innocent Americans. And we express our condolences to their families.

Mr. BURTON and I have worked with a strong bipartisan coalition that has reached out to the administration in crafting this conference report.

We are pleased that the administration has publicly agreed to back the Burton-Helms bill. And, I ask that President Clinton's March 5 letter to Speaker GINGRICH endorsing this measure be made part of the RECORD today.

With the tireless work of Representative ROS-LEHTINEN, Representative DIAZ-BALART, Representative MENENDEZ, and Representative TORRICELLI, we have fashioned a sound piece of legislation that advances one of our most critical foreign policy objectives in this hemisphere.

Accordingly, I urge my colleagues to support the rule and this worthy bill.

Mr. BEILENSON. Mr. Speaker, I yield 5 minutes to the gentleman from Coloroado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Speaker, this legislation comes to the floor today propelled by our collective outrage over the recent murderous attack by the Castro regime on two defenseless and clearly marked civilian aircraft. Civilized people everywhere are rightly outraged by this brutal act and by the disregard that the Castro regime has shown for human life and human rights.

It is long past time for Castro and his paranoid regime to follow Brezhnev, Honeker, Ceausescu, and all the other failed Marxist dictators into the dustbin of history. There can be no disagreement about that.

But does it follow that there should be no disagreement about this bill? Emphatically, it does not. In fact, this legislation is a product of outdated dogma about how to fight Communist dictators, just as much as Castro is an outdated Communist dictator.

A vote for this bill is a vote to ratchet up the already tight Cuban embargo. That may be popular as a way to register our moral outrage at Castro's latest actions. Some may even believe it will help push his regime over the edge.

To the contrary, passing this bill is exactly the wrong thing to do right now.

What is our self-interest here? What should be our objective? It should be the peaceful transition to a Cuba with an open economic system and a democratic political system.

What is the best way to get there? I think our recent experience is instructive, our experience with the Soviet Union, with Eastern Europe, with China and Vietnam.

That experience is one of modest success achieved through a policy of tough-minded engagement: Engagement economically with trade and investment, showing the virtues of our economic system on the ground, in person, in their face. Engagement ideologically, promoting the free exchange of information and people with unimpeded travel. And, engagement culturally, through cultural exchange and humanitarian involvement. That's the policy that ultimately contributed to the undoing of the repressive regimes of the old Soviet empire and to economic reforms—admittedly incomplete—underway in China and Vietnam.

In contrast, this bill is just another iteration of an outmoded ideology: mindless isolation, the same failed approach that has been applied to Cuba for more than 30 by years.

What are we afraid of here? A small island nation with no stragegic allies and a failed economic and political system?

This Congress chose a policy of engagement with China even though China poses much a greater risk to us than Cuba. We did this precisely because we know that political, economic, and cultural engagement holds out the best hope of avoiding those very risks, whether economic or military.

This bill takes United States policy in Cuba in the wrong direction. It is absolutely contrary to the long-term interests of the United States. It will increase the prospect of a violent convulsion in Cuba that would be a real security and immigration crisis for the United States.

I do not agree with the President that this isolationist bill is an acceptable measure, even in response to such an offensive provocation by the Cuban Government as occurred last week. Tightening the embargo will only play into Castro's hands, helping him to keep his people in a state of repression and deprivation.

As in the case of our other former, and hold-over adversaries from the cold war era, the best policy for the United States to follow for its own self-interest, and to encourage reform of China's political and economic system, is a policy of tough-minded engagement.

Let us learn from recent history, Mr. Speaker. Let us have the courage to say ''no'' to narrow ideology, to say ''no'' to special-interest group domination of United States policy toward Cuba, and ''no'' to this bill.

Mr. DIAZ-BALART. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. GOSS], my distinguished colleague on the Committee on Rules.

(Mr. GOSS asked and was given permission to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, I thank my distinguished colleague from Florida for yielding time to me, and I rise today in strong support of this rule and the conference report on the Helms-Burton Libertad bill.

Today, at long last, we discuss this bipartisan legislation knowing that the President has agreed to sign it when it reaches his desk—unlike too many other important measures that have run into his veto pen. Today's vote culminates a long effort to educate the administration about the true nature of the Castro dictatorship. I must point out with some wonderment that it took the brutal tragic death of innocent American citizens to finally convince the Clinton administration that Fidel Castro really does not operate by rules of civilized conduct and he is never to be trusted. The Clinton administration, it seems, had to find this out the hard way—having toyed with a misguided policy of appeasement right up until those humanitarian relief planes were shot out of the sky. It is my hope that those who oppose this bill will soon come to the same realization that President Clinton has: That our only policy option is to clamp down on Fidel Castro once and for all. He is the problem.

Mr. Speaker, this legislation will put U.S. policy with Castro back on track—back to being tough with concrete action designed to restore democracy and encourage Castro's departure from power. We know from what happened in Haiti under the Clinton administration's policy of misery that properly run and fully supported embargoes can have serious impact. In Haiti, the Clinton administration's policy did damage that Haiti will be trying to recover from—and United States taxpayers will probably be paying for—for decades. But the Haiti experience should have taught us that, once and embargo is made the policy of choice, it has to be enforced with a clear focus on the enemy target and a firm commitment to seeing it through to its desired end. We ask our allies help. This legislation is designed to achieve that goal. I urge my colleagues to support the Libertad conference report and I look forward to the day when the United States can once again embrace a free and democratic Cuba.

□ 1245

Mr. BEILENSON. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from New York [Mr. RANGEL].

(Mr. RANGEL asked and was given permission to revise and extend his remarks.)

Mr. RANGEL. Mr. Speaker, I appreciate this opportunity to address the House, and I guess, since this is an emotional issue votes will not be changed, but I am in opposition to this rule, and most of what I am saying I hope I am saying for the RECORD as opposed to being against the deep feelings of my friends and colleagues that are in support of the rule as well as the bill.

A couple of weeks ago the President of the United States reviewed this bill, and he had indicated that he had serious reservations about this bill interfering with our foreign policy, our trade policy, about it abusing our court system, in that he said in its present form he would veto it. A couple of weeks ago the Helms-Burton bill was, I think politically speaking, put on the back burner in this body. A couple of weeks ago all the Republican candidates were dealing with the issues that they thought were important, but democracy in Cuba never got on anybody's agenda. What happened between that time and this political legislative rush to do this as fast as we can for democracy? What happened?

Four dedicated Americans, loving democracy enough to risk their lives, continued on a mission that went beyond just searching for those who may be lost in the ocean trying to reach the United States, few as they may be in recent days. They were determined to make certain that the issue of the overthrow of Castro and the restoration of democracy in Cuba would not be forgotten. I do not care what my colleagues' beliefs are; if they believe that was sincere and they did these things, we have to pray for their souls and their families and not ignore the courage that they had in doing these things, not once, but many times, in order to focus attention on the injustices, that were being committed in Cuba.

Did they believe that they would be shot down as civilian planes with no weapons? I would hope that no one would believe that in this world that we have people who would say, ''Because you have provoked us, because you have made us angry, that we are prepared to blow up your planes and to murder you,'' and so the United States leads the world in terms of outrage in saying whether those planes were over Cuba, within 12 miles, outside of 12 miles, we just do not do this to people.

If one wakes up in the middle of the night and they think there is a burglar that intruded in their house, and they pick up a gun, and they go, and then they see it is a child that is fleeing without an arm, they may have the legal right, they may have the emotional feeling, but they do not shoot down a defenseless child no matter how much that child provoked them. No matter how we measure the patriotism, the dedication, of these pilots, nobody can make the accusation that they were a threat to the security of the people in Cuba.

So we all have to do the best we can to show not just Castro but anyone that thinks this way it is an outrageous thing to do, but how do we respond as a civilized nation? Do we run there, and grab Castro, and shake him, and say never again? No, our response is that we are going to enact this bill. We are going to show him how tough we are.

And what do we do in this bill? We say that we are going to not only tighten the trade embargo against Cuba, but we are going to take it out of the hands of the President. Who can trust the President? We have got to make it statutory. We have got to say when it comes to embargoes in foreign countries we know best, not Presidents know what is best. And what else are we going to do? We are going to say that our embargo was so effective that once we tightened the screws on our so-called friends, they will capitulate to this United States pressure and join in with us, as they did in South Africa and Haiti, and say this is the moral and the right thing to do and then collapse goes Castro.

Give me a break. This bill has nothing to do with Castro. It has everything to do with our friends and our voters in Florida.

Do my colleagues think for 1 minute that the Organization of American States is going to say I was outraged, too; please let me break every agreement that I have with Cuba? Do my colleagues think that the World Trade Organization is going to say since we have a murderer as a dictator, all the investments we have in Cuba, we got to tell them to forget it. Do my colleagues think the United Nations is going to do anything except condemn the United States in trying to perpetuate our domestic and, indeed, to stretch the word, our foreign policy, to include them? No. The truth of the matter is that we do not care what they believe. We are doing this because we feel good about doing it, and do my colleagues know why we are doing it? Because we got the votes to do it. And do my colleagues know why the President is doing it? Because he wants the votes to continue to be President.

I tell my colleagues this: The people who want democracy in Cuba, do not change those ways, do what feels good, but let some of us who want democracy and freedom at least try some different way to do it. I just do not believe that they are doing anything except saying to the poor people in Cuba who are hopeless, who are jobless, who are suffering, who are in misery, who need food, who need medicine; do my colleagues think for 1 minute that they are marching up and down the streets of Havana saying, ''My God, Castro, you made it worse for us, now the whole world is condemning us''? No, Castro is saying their misery and their pain is due to Americans who singularly have an embargo against them. Is he blaming himself for the failures that he has had in the socialistic communistic government? No.

So who is supposed to be responsible for everything that is going bad? The embargo. And what do we say? Forget what you see, what you hear, it is working, man; it is working, man. And it is working so well, all we have to do is tighten this, and then all of the Cubans will be in such misery and pain and hunger.

Do my colleagues know what they are going to do? No. What will they do? They are going to organize and revolt. Oh, my God. Meaning they are going to overthrow the government? Oh, yes, hungry and sick and tired, without rifles, they are going to this fat, overtrained, overfed army and say, ''Oh, thank God, the Americans have made life miserable for me, we are getting rid of you.''

I tell my colleagues one thing: If we do reach these people, we will get rid of them, and they will be on the rafts, and they will be on the boats, and they will be in Miami, but they will not be fighting that Communist Cuban Army in Havana. My colleagues can believe that.

But I say this: As we bleed for the families of those heroic pilots, I see something new happening here, too. We are, indeed, encouraging other people that, if they do not like our foreign policy, they just get themselves an airplane, buddy. Just put in for a flight plan. Just go where they want to go. And when they say the jets are coming, then say, hey, forget it, I am dedicated.

Let us see what is happening in Ireland. As my colleagues know, let us put out some pamphlets there. Let us go to the Middle East and see whether or not they are really prepared to really move the peace process. Let us check out Korea, North and South, and Vietnam, and let us legislate it, do not let the President with his flip-flop self determine 1 day what is good and what is bad. The Congress knows, and who knows better than the Republican majority here about everything?

So this is not a contract for America. This is a contract for the world. If you are for democracy, squeeze the people that are hungry, stop the food and medicine from going, tell American businessmen not in Cuba will you invest, and at the same time support trade in NAFTA, support it in GATT, support it all over the world, but do not support it in Cuba.

I suggest to my colleagues I have the same outrage for murderers that they do, but I hope this country does not embark on having this concrete and firmed up as what we do as a nation and as a Congress when we are outraged.

Mr. DIAZ-BALART. Mr. Speaker, I yield 5 minutes to the gentlewoman from Florida [Ms. ROS-LEHTINEN], my distinguished friend and colleague.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the gentleman for yielding time to me, as well as for his strong leadership role in the passing of this legislation.

Mr. Speaker, I rise in support of the rule for H.R. 927. This legislation is designed to hasten the demise of the Castro dictatorship, the last undemocratic regime in our hemisphere, which for over three decades has subjected the Cuban people to untold repression and misery.

Over the past month, we have observed the voices of those calling for a softer policy with Castro fall strangely silent as the dictatorship increases its repression against the people of the island. Not only has the regime increased its harassment and intimidation against the growing independent movements in journalism and in other dissident sectors inside Cuba, but the regime's brutal shoot down last week of two civilian unarmed aircraft with U.S. citizens aboard showed us that after three decades the Castro tyranny remains as bloody and ruthless as it ever has been.

The Helms-Burton bill will penalize those who have become Castro's new patron saviors-foreign investors who callously traffick in American confiscated properties in Cuba to profit from the misery of the Cuban worker. These investors care little that they are dealing with a tyrant who promotes terrorism, drug trafficking, and denies the most basic of human liberties to the people of Cuba.

This legislation takes a strong stance against those immoral investors by denying them participation in our United States markets, if they decide to invest in Cuba and prop up the dictator in this way.

Mr. Speaker, I urge my colleagues to join us today in supporting this legislation, thus helping Cubans in their struggle for freedom. This bill will hurt Castro, it will help the Cuban people, and it will send a strong message to those immoral foreign investors. Stop helping the dictator by trafficking in confiscated United States property.

The Helms-Burton bill goes to the heart of the means by which the Cuban tyrant is now financing his repression of the Cuban people; namely, immoral foreign investment. After the millions of dollars in Soviet subsidies to Castro ended, the Cuban dictator and his Communist thugs have tried to obtain the hard currency necessary to keep themselves in power. Foreigners are allowed to invest in Cuba, and many do, in properties which are illegally stolen from American citizens.

In this new slave-like economy, designed by the Castro regime, the Cuban people are not able to participate. Instead they are pawns of the regime and of the foreign investors who are attracted to invest in Cuba because of the low wages and the repression against the Cuban worker. The foreign investors pay Castro in dollars. Castro pays the Cuban worker in devalued Cuban pesos at a small percentage of what was given to the communist dictator.

Mr. Speaker, it is for those four murdered pilots, Armando Alejandre, Mario de la Pena, Pablo Morales, and Carlos Costa, as well as for the thousands and thousands of unknown Cubans who have given their lives to bring liberty to their island that we will pass this legislation today.

□ 1300

Mr. Speaker, it is not only the correct policy to follow, but a moral imperative to assure that the ultimate sacrifice paid by these thousands of freedom fighters will not be in vain.

At times it seems unreal and implausible that only 90 miles from the shores of this great democracy lies an enslaved nation ruled by a ruthless Communist dictatorship, a nation whose citizens are denied the most basic human, civil, and political rights. In my native homeland of Cuba, no one but the dictator has any rights at all, an island which once had the highest standard of living in Latin America but where its citizens today struggle day to day for the bare necessities needed to survive.

Mr. Speaker, it might seem unreal that such a state could exist a few miles from our shores, but of course, unfortunately, it does. The thousands of Cuban rafters who have risked their lives in the Florida Straits to escape

the Castro dictatorship are a vivid reminder of this sad reality. The thousands of dissidents who have been harassed, imprisoned, and indeed killed are testament to the lack of respect for human rights by the Castro regime.

Most recently, the premeditated cold-blooded murder over international waters of four pilots in a humanitarian mission, three of them American citizens, one a Vietnam veteran who served two tours of duty, has awakened the world that in Cuba, the rule of death and fear prevailed over the rule of democratic law and order.

Mr. Speaker, the legislation we are now considering will go a long way toward helping the Cuban people reestablish the rule of democracy and law for which they have battled for 37 years to achieve. I thank the gentleman once again for his strong leadership role in making this legislation possible as well as many of our colleagues on the Democratic side of the aisle.

Mr. DIAZ-BALART. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. CHABOT], a distinguished new Member of the House.

(Mr. CHABOT asked and was given permission to revise and extend his remarks.)

Mr. CHABOT. Mr. Speaker, I rise in strong support of the conference report and the rule, and I commend the leadership shown by the chairman of the committee, the gentleman from New York [Mr. GILMAN], the chairman of the subcommittee, the gentleman from Indiana [Mr. BURTON], the gentleman from Florida [Mr. DIAZ-BALART], the gentlewoman from Florida [Ms. ROS-LEHTINEN], and the gentleman from New Jersey [Mr. MENENDEZ].

I also want to applaud President Clinton for finally having voiced support for the Cuban Liberty and Domestic Solidarity Act. It is unfortunate that it took the cold-blooded murder of unarmed American citizens to awaken the President to the harsh reality of the morally reprehensible Castro regime.

Fidel Castro is a thug, an international outlaw. His 37-year reign has been noteworthy for its brutality and its unrelenting resistance to individual liberty and freedom. The misery that has been suffered by the Cuban people at the hands of Fidel Castro is one of the world's great tragedies. This legislation will tighten the existing United States embargo against Cuba, and it protects the rights of United States citizens and businesses whose property has been confiscated unlawfully by the Castro regime. It is a good bill and it is long overdue. I urge passage.

Mr. DIAZ-BALART. Mr. Speaker, I yield 5 minutes to my good friend, the gentleman from New Jersey [Mr. MENENDEZ].

Mr. MENENDEZ. Mr. Speaker, I thank the distinguished gentleman from Florida for yielding time to me.

Mr. Speaker, I am happy that I got some time from the Republican side, since I have been told today we cannot get any time from the Democratic side to speak in favor of the bill, despite the fact that a third of the Democratic Caucus voted for this bill last fall.

Mr. Speaker, I rise not to apologize for Fidel Castro, not to coddle him, not to rationalize or justify whatever he has done. The fact of the matter is that I am really offended when I hear my colleagues refer to this issue as ''This is about voters in Florida.'' To say that is to say that seeking peace in Ireland or giving a visa to Gerry Adams is about Irish voters, or that our collective outrage against the barbaric acts that have taken place in Israel is about Jewish voters, or, for that matter, to say that our movements to end apartheid in South Africa, to bring democracy to Haiti, and our efforts to give relief in Somalia were about African-American voters. It is an insult to this community.

This is about democracy. It is about promoting human rights. It is not about votes of some group in some State or States. That is why we had a strong bipartisan vote. That is why yesterday in the Senate, 74 Senators joined in favor of creating democracy in Cuba. That is why 294 Members of this House last fall voted for it, with a third of the Democratic Caucus joining an overwhelming number of the Republican Party because they understand the realities.

Mr. Speaker, let me say that in fact when we hear about creating peaceful change, we are all for peaceful change. That is our goal. But what has Castro's response been to peaceful efforts within Cuba, like those of the Concilio Cubano, a group of 120 organizations who promote peaceful democratic change in Cuba? Our Members go there and visit Cuba. They have a cigar with Fidel. They enjoy some time there. And as soon as they leave, these people get arrested.

What happened in the week preceding the killing of the four American citizens? What happened? These people who seek peaceful democratic change by Cubans in Cuba, not about some bygone era that people like to allude to, the response to their request which they made to the regime for a national meeting, what we enjoy here in the United States, to simply sit down and say, ''How do we move towards democratic change within Cuba,'' what was the response? One hundred of them were arrested and imprisoned. Dozens of others are under house arrest. Women were strip-searched so they would be intimidated from participating in the organization. That is the answer to peaceful democratic change in Cuba.

For those who believe in some romanticism, that when the people go and say, Please, we want to move towards democracy, Fidel is going to act the right way, they have seen it. For those who keep saying that this is after the cold war, I agree, it is after the cold war, but nobody told Mr. Castro.

The fact of the matter is he has shown us what he is willing to do with the third largest military in the entire Western Hemisphere. He represses his people who ask for peaceful democratic change, and we are silent for the most part. Those who say they are for democracy in Cuba, peaceful democratic change, why are they not speaking out on behalf of the Concilio Cubano?

What is the response to four U.S. citizens flying in international airspace, unquestioned by our Government through all of their intelligence that they were in international airspace? This is the response, Mr. Speaker. Let me read the transcript that Madeleine Albright presented to the United Nations: ''Cuban fighters, a small white and blue Cessna that they were tracking, and their excitement was clearly palpable * * * 'The target is in sight, the target is in sight,' the small aircraft, the MiG pilot radioed back to his ground controller. 'It is flying at a low altitude. Give me instructions,' said the pilot. The answer was 'Fire. Authorized to destroy;' '' not to warn, not to try to seek under international law to move them, but, even though they were not in Cuban airspace, no, to destroy.

Thirty-three seconds later, the response from the MiG 29 pilot was ''We took out his * * *'' and I will not add the expletive. ''That one won't mess around with us anymore.'' Two and one-half minutes later another pilot sighting the second Cessna said, ''Give me the authority.'' He was responded, ''You are authorized to destroy it,'' and it was destroyed. ''Fatherland or death, the other is down also.'' These are the transcripts that our U.S. Ambassador to the United Nations presented to the world.

Mr. Speaker, the fact of the matter is this bill is bipartisan. It has the support of the President. President Clinton sent a letter to the Speaker of this House saying that he supports the bill, and urges all Members to vote on behalf of it.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

Just in the last century, Mr. Speaker, after the Cuban people were fighting almost 100 years for their freedom from Spanish colonialism, it was the United States that stood by their side and helped them achieve freedom and independence. History has a way of repeating itself. Now it is the American people through their Government, and today speaking through their Congress and the President, standing with the Cuban people against the worst oppressor in the history of this hemisphere.

So we think of the hundreds of political prisoners now imprisoned, the thousands who have been killed, including the American citizens just a few days ago. We dedicate this legislation to them. It is going to be a great sign of solidarity with the Cuban people. I would ask my colleagues to support the rule and support the conference report.

The SPEAKER pro tempore. Without objection, the previous question is ordered, on the resolution.

There was no objection.

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. DIAZ-BALART. 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 Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 347, nays 67, not voting 17, as follows:

[Roll No. 46]

YEAS—347

Ackerman
Allard
Andrews
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Beilenson
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Borski
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Chrysler
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Coyne
Cramer
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Flanagan
Foley
Forbes
Ford
Fowler
Fox
Franks (CT)
Franks (NJ)
Frisa
Frost
Funderburk
Gallegly
Ganske
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Luther
Manton
Manzullo
Martinez
Martini
Mascara
Matsui
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mica
Miller (FL)
Minge
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quinn
Radanovich
Rahall
Ramstad
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spratt
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torricelli
Traficant
Upton
Volkmer
Vucanovich
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Wynn
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—67

Abercrombie
Becerra
Berman
Bonior
Boucher
Clay
Collins (IL)
Conyers
DeFazio
DeLauro
Dellums
Evans
Fattah
Flake
Foglietta
Frank (MA)
Furse
Gejdenson
Gibbons
Gonzalez
Hall (OH)
Harman
Hilliard
Hinchey
Jackson (IL)
Johnston
Lewis (GA)
Lincoln
Lofgren
Lowey
Maloney
Markey
McDermott
McHale
McKinney
Miller (CA)
Mink
Moran
Nadler
Oberstar
Obey
Olver
Owens
Payne (NJ)
Pelosi
Rangel
Roybal-Allard
Rush
Sabo
Sanders
Schroeder
Schumer
Scott
Serrano
Skaggs
Stark
Studds
Torres
Towns
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Woolsey
Yates

NOT VOTING—17

Archer
Bryant (TX)
Chapman
Christensen
Collins (MI)
Crane
Durbin
Frelinghuysen
Hayes
Hunter
LaFalce
McCarthy
Quillen
Sisisky
Spence
Stokes
Waldholtz

□ 1334

The Clerk announced the following pair:

On this vote:

Ms. McCarthy for, with Mrs. Collins of Illinois against.

Mr. FLAKE, Mr. SCHUMER, and Mrs. MALONEY changed their vote from ''yea'' to ''nay.''

Mrs. CLAYTON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CLYBURN, and Mr. FIELDS of Louisiana changed their 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.

Mr. GILMAN. Mr. Speaker, pursuant to House Resolution 370, I call up the conference report on the bill (H.r. 927) to seek international sanctions against the Castro government in Cuba, to plan for support of a transition government leading to a democratically elected government in Cuba, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. EWING). Pursuant to House Resolution 370, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Monday, March 4, 1996, page H1645.)

The SPEAKER pro tempore. The gentleman from New York [Mr. GILMAN] will be recognized for 30 minutes, and the gentleman from Indiana, [Mr. HAMILTON] will be recognized for 30 minutes.

The Chair recognizes the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

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

Mr. GILMAN. I yield to the gentleman from Missouri.

(Mr. SKELTON asked and was given permission to revise and extend his remarks.)

Mr. SKELTON. Mr. Speaker, I wish to associate myself with the position of the gentleman from New York in relation to this measure.

Mr. Speaker, I strongly support this measure, and I compliment the committee and the sponsors on bringing it to this Chamber for a vote.

We all know what Castro has brought to the land of Cuba. This measure send a firm message that we, in this body, stand for freedom and democracy in Cuba. There are so many violations of human rights and rules of decency inflicted on the Cuban people by Castro. Further, we abhor the tragedy he caused regarding the American airplanes just a few days ago.

Let us Americans stand together, let us vote for this bill and send an unequivocal message that we stand for democracy and freedom for the Cuban people.

Mr. GILMAN. Mr. Speaker, I urge my colleagues to join me in supporting the conference report Cuban Liberty and Democratic Solidarity [LIBERTAD] Act of 1996.

This legislation advocates a responsible course to encourage and support genuine, fundamental reforms in Cuba.

And, in the interim, it helps protect the property of U.S. citizens until they can reclaim it under a democratic government.

Mr. BURTON has worked with a strong bipartisan coalition. With the help of Ms. ROS-LEHTINEN, Mr. DIAZ-BALART, Mr. MENENDEZ, and Mr. TORRICELLI, he has fashioned a sound piece of legislation.

Recently, President Clinton expressed his full support for this bill, which he has described as ''a strong, bipartisan response that tightens the economic embargo against the Cuban regime and permits us to continue to promote democratic change in Cuba.''

Mr. Speaker, allow me to address several of the concerns raised by the few remaining critics of this legislation.

First, the only companies that will run afoul of this new law are those that are knowingly and intentionally trafficking in the stolen property of U.S. citizens.

International law and comity were not conceived to protect the corporate scavengers who are profiting at the expense of the Cuban people, pilfering the purloined assets of American citizens, and propping up a bandit regime.

To the extent that this act holds us all to higher standards and defends universally recognized property rights, international law and the rules of the corporate game are improved for the better.

Second, this act does much more than stiffen sanctions. It outlines a reasonable course for normalizing relations with a democratic Cuba. And, it offers the Cuban people an early helping hand in making a peaceful transition.

When inevitable change comes to, I am convinced that no country in the world will do more than ours to help the Cuban people—and they will know that we never sold them out.

Third, this legislation authorizes immediate United States support for Cuban prodemocracy groups and for the immediate deployment of international human rights observers and election-monitors in Cuba.

We simply ask our neighbors in this hemisphere to hold Fidel Castro to the same standards that they hold themselves.

My friends, the day unfettered human rights monitors are allowed to inspect Castro's prisons will be one of Castro's last.

Let us not pass up this historic opportunity to bring about a peaceful change in Cuba. I urge my colleagues to support this conference report on H.R. 927.

Mr. Speaker, I am including at this point in the RECORD the March 5, 1996, letter from President Clinton and the March 5, 1996, letter from the distinguished chairman of the Committee on Ways and Means, the gentleman from Texas [Mr. ARCHER], regarding this conference report.

THE WHITE HOUSE,
Washington, DC, March 5, 1996.

Hon. NEWT GINGRICH,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: The Cuban regime's decision on February 24 to shoot down two U.S. civilian planes, causing the deaths of three American citizens and one U.S. resident, demanded a firm, immediate response.

Beginning on Sunday, February 25, I ordered a series of steps. As a result of U.S. efforts, the United Nations Security Council unanimously adopted a Presidential Statement strongly deploring Cuba's actions. We will seek further condemnation by the international community in the days and weeks ahead. In addition, the United States is taking a number of unilateral measures to obtain justice from the Cuban government, as well as its agreement to abide by international law in the future.

As part of these measures, I asked my Administration to work vigorously with the Congress to set aside our remaining differences and reach rapid agreement on the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act. Last week, we achieved that objective. The conference report is a strong, bipartisan response that tightens the economic embargo against the Cuban regime and permits us to continue to promote democratic change in Cuba.

I urge the Congress to pass the LIBERTAD bill in order to send Cuba a powerful message that the United States will not tolerate further loss of American life.

Sincerely,

BILL CLINTON.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, March 5, 1996.

Hon. NEWT GINGRICH,
The Speaker, The Capitol, Washington, DC.

DEAR MR. SPEAKER: I am writing to you regarding Section 102 of the Conference Report on H.R. 927, the Cuban Liberty and Democratic Solidarity Act of 1996, in which the Committee on Ways and Means has a jurisdictional interest.

Specifically, Section 102 codifies existing Executive Orders and regulations on the Cuban embargo. This provision falls within this Committee's jurisdiction over trade laws affecting imports and revenues. This provision was not included in the version of H.R. 927 that was passed by the House on September 21, 1995, but rather was added in conference.

In order to expedite the consideration of the conference report, I will not object to the inclusion of Section 102. However, this is being done with the understanding that the Committee will be treated without prejudice as to its jurisdictional prerogatives on such or similar provisions in the future, and it should not be considered as precedent for consideration of matters of jurisdictional interest to the Committee on Ways and Means in the future.

Thank you for your consideration of this matter. With warm personal regards,

Sincerely,

BILL ARCHER,
Chairman.

Mr. GILMAN. Mr. Speaker, I ask unanimous consent to yield the balance of my time to the gentleman from Indiana [Mr. BURTON], our able chairman of the Subcommittee on the Western Hemisphere, and the principal House sponsor of this measure, and that he be permitted to manage the balance of the debate on this side.

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

There was no objection.

Mr. GILMAN. Mr. Speaker, I reserve the balance of my time.

Mr. HAMILTON. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from California [Mr. CAMPBELL].

(Mr. CAMPBELL asked and was given permission to revise and extend his remarks.)

Mr. CAMPBELL. Mr. Speaker, we must have an effective policy to respond to what Fidel Castro did to four American citizens—killing them in international airspace—in contravention of international law. That is the first and most important point I have to share with my colleagues today.

In order to have an effective policy, we must have the support of our allies, and my objection to this bill is because I am convinced it will alienate, instead of bring together, our allies. It will divide, instead of uniting them, and the reason it will do that is because this bill—in a manner unprecedented in American law—extends the extraterritorial reach of the United States's jurisdiction.

As we go around the world, and I trust that all of my colleagues would agree with this, there are very few countries where people say, ''You know we admire the American civil justice system. We would like to have class actions, plaintiffs' attorneys' fees, we would like to have all of that system in place for our country.'' And the reason is that we have a rather extensive and what most foreign countries consider onerous rules in our civil justice system.

What this bill does is to extend for the first time the right for a private citizen, not the Government of the United States, but a private citizen to bring the full crushing weight of the American civil justice system, with discovery, with delays, with attorneys' fees to bear upon a private party of another country.

Now, normally, other country's citizens and corporations follow the rule of international law, which is very important for international commerce. And if you know the law of your own country and you know the law of the country where the investment is located, you are all right. You will abide by your own country's law. You will abide by the law of the country where your investment is.

But in this bill today, a person who in good faith accepted title to property under the laws of the nation where that property was located will have to check not only the laws of that country, his or her own laws, but the laws of the United States as well. And I note particularly to my colleagues on the majority that we do today what we generally abhor: We create a statutory right for a new legal action, and we give attorneys' fees only to the prevailing plaintiff. We do not give attorneys' fees to the other side. And many of us, I am sure, have spoken about the burden of one-sided fee shifting, the ability to haul somebody into court, put them to a huge expense, and then say, ''If I am wrong, I am sorry. You are still stuck with your legal fees.'' That is in this bill, one-sided plaintiff-only litigation, attorneys' fees.

□ 1345

Now, the problem is that this comes at a time when we need Canada, we

need Australia, we need Western Europe. The only time sanctions have worked, economic effective sanctions have worked, is when we are joined by our allies. For over 30 years we have attempted to isolate Cuba, and our efforts at economic sanctions have failed because they have been only ours and not engaged our allies. In title III of this bill, what we do is guarantee we will not have the support of our allies in any action that we intend to bring pressure upon the Castro regime.

What is most critical here is to unite and to present to the Cuban Government, the Castro regime, a Europe, North America, a Latin America, and an Asia that say that we will no longer trade in your goods. Instead, what we have is a direct affront to rules of international law on jurisdiction.

I repeat, there is no precedent for extending American law to investments made in another country pursuant to laws of that country. Indeed, in 1964, the Supreme Court of the United States ruled in Banco Nacional de Cuba versus Sabbatino that American courts could not inquire into the legality of the expropriation acts of the Cuban Government when done in Cuba.

Lastly, what we embark upon today has the most serious ramifications for our hope to infuse investment in Eastern Europe. Think about it for a moment. If today's law becomes law, if title III stays in this law, then anyone who invests in Poland, the Czech Republic, or Slovakia, regimes that were formerly Communist, will have to worry that at some point the United States will call into question those investments, because under the exact same pattern as this law, we extend extraterritorially a right of action against someone who traffics or profits in property located in another regime, even if it was legal at the time.

I conclude with a plea: We must unite in opposition all countries that respect civilized behavior. What happened over the Strait of Florida was not civilized behavior. This bill divides. It does not unite. I urge a no on this bill.

Mr. BURTON of Indiana. Mr. Speaker, I yield 2 minutes to the gentleman from Florida, Mr. LINCOLN DIAZ-BALART, my distinguished colleague and great helper and supporter of this bill.

Mr. DIAZ-BALART. Mr. Speaker, it is really a shame my erudite and learned legal scholar colleague, the gentleman from California [Mr. CAMPBELL], is so incorrect in his interpretation of this legislation. First of all, and I heard him before the Committee on Rules yesterday where he pointed out that there was unfair treatment of some of the parties, I want to point out that on page 35 in title III, the provisions of title 28 of the United States Code and the Rules of Courts, they apply under this section to the same extent as those provisions with regard to any other action.

The point I am trying to make is this is not an extraterritorial law, and when we say we will protect the property of American citizens that was stolen by a dictatorship, we are protecting the rights of American citizens' property, and not the rights of other citizens from other countries. So this is not an extraterritorial piece of legislation.

Now, the essence of what we are trying to do is to shatter the arguments of the opponents of this legislation, that despite the fact that they supported embargoes against South Africa and Haiti, they now say that we should have a policy of helping the regime through trade and through investment in Cuba. It is a double standard that has been rejected by this Congress before and that is going to be rejected again. It has been rejected by the administration as well.

The statement that is going to go out today, a bipartisan statement, is that with regard to Cuba, just as in the 19th century, the American people are standing with the Cuban people against oppression, and are not going to stand with the oppressors of the Cuban people. Those people will be free. They will remember who their friends were, and they will remember who stood ignoring them and using double standards in this Congress, like our opponents time and time again, despite even murders of American citizens in international waters continue.

I think it is shameful that people, even after the murder of American citizens, still find excuses for Castro, still find pretenses for Castro, and get up here and find excuse after excuse after excuse.

There is no more excuse for murder, that is no more excuse for that tyranny. It is time that the American people show their unity, as they are going to today in this Congress.

Mr. MORAN. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, from a political standpoint, this makes compelling sense, but from a substantive foreign policy standpoint, it is nonsense.

Mr. Speaker, this is not the way we won the cold war. This is not the way we tore down the Iron Curtain. We are going to be punishing the Cuban people, when what we really want to do is punish an antiquated despot.

But there are worse things about this that need to be brought to light. In the Baltimore Sun last May, it was reported that this bill was largely written by Nick Gutierrez, who represents the sugar mill owners and the tobacco industry, and Mr. Ignacio Sanchez, who represents the Barcardi Rum Co. Their competitors operate in Cuba, specifically the British American Tobacco Co. [BAT] and Perrot Ricard rum distillery.

What is going to happen here is we are not going to shut down these industries. What is going to happen is these Cuban-American lawyers are going to make settlements out of court so they can get equity participation in these competitor firms.

Now, in the first place, the bill limits legal recourse in American courts to people who had property in Cuba during the Batista dictatorship that was valued over $50,000 in 1960. There were not many Cubans who had property worth more than $50,000 back in 1960 before the revolution. You had to be a member of the Batista regime and in good standing to do so. But what this does is to enable people who owned large property to be able to settle out of court to get a large share, or at least a significant share, of the profits of these rum companies and tobacco firms currently operating in Cuba. They know they are not going to shut down these plants. They don't necessarily want to shut them down. They want to own them. They know it is cheaper for these Cuban operations to make an out-of-court settlement to comply with this new bill. In fact this bill specifically states that ''a lawsuit may be brought and settled without the necessity of obtaining any license or permission from any agency of the United States.''

That is what this is all about. What we are going to be doing is propping up many of the people who created the environment which caused Castro to be able to bring forth the revolution and has enabled him to sustain that revolution.

That is not what we want. We want to enact legislation that will help the real people of Cuba, the butchers and the bakers and the candlestick makers and all the laborers and farmers. The people who were brutally exploited by the Batista regime. Those are the people we ought to help, and those people are excluded from this legislation.

This legislation prevents the United States President from effectively helping in a transition to democracy and shuts out America's values and its people from exposure to the Cuban people and their thirst for the same principles and values.

This is not good foreign policy. It ought to be defeated on its merits.

Mr. BURTON of Indiana. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, just to respond to my colleague, I would say that the opponents of this bill asked for the $50,000 threshold. We granted it to you and to the administration so we could keep a flood of litigation from going into the courts. So we did what you asked. Then you go to the well and say we are doing the wrong thing. We just tried to accommodate you.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida [Ms. ROS-LEHTINEN].

Ms. ROS–LEHTINEN. Mr. Speaker, I thank the gentleman for yielding me time and I thank him for all the help he has given to this cause for freedom for the Cuban people.

Mr. Speaker, as the previous speakers have pointed out, those same allies who stood with us against undemocratic regimes in Haiti and South Africa and Iraq and many other places have

decided to turn their backs on Cuba, preferring to gain a quick and easy dollar from the repression against the people on the island.

Thankfully, America, a land which has given a second chance to many people like myself who escaped Communist tyranny, will once again live up to its reputation as the defender of freedom and human rights in the world.

Mr. Speaker, this legislation reasserts our commitment to the Cuban people that this Nation will not engage the Castro dictatorship economically or politically. It recognizes that such an unlawful regime deserves our rejection, and it further emphasizes our support for the Cuban people by outlining a framework to assist a free and democratic transitional government in my native homeland.

Mr. Speaker, the Committee on International Relations recently had the opportunity to listen to some of the relatives of the four murdered pilots, innocent civilians who were brutally attacked and murdered by the Castro regime. They strongly support even tougher sanctions against the tyrant. This legislation will help reduce the immoral investments by sending a clear message to these foreign investors: If you traffic in confiscated American property in Cuba, you will not be able to do business as usual in the United States.

Simply stated, those investors who wish to invest in Cuba have to make a choice between becoming accomplices to Castro's dictatorship or participating in the United States market. It is unfortunate that many of our allies have opposed this legislation, but to them I ask: How many more have to be harrassed, arrested or killed before you stop helping the Cuban tyrant? Again, to our allies: How many more have to give their lives to free their homeland before you desist in engaging in commerce and financing Castro's communist dictatorship? To our allies, join with us in helping to establish freedom and democracy to the enslaved and oppressed people of Cuba.

Mr. MORAN. Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. SERRANO].

(Mr. SERRANO asked and was given permission to revise and extend his remarks.)

Mr. SERRANO. Mr. Speaker, it is very troubling when you come to the well and speak and have the full realization that nothing you say will finally sway the vote. This bill will pass and the President will sign it, because the President has been advised that Miami has votes that he can pick up. I will support him in New York, and he has a lot of votes in New York. But he has no votes in Miami, and that is the travesty of this situation.

What we have here is more of the same. It is more of a policy that has not worked. It has not worked for those of us who feel that the Cubans should be left alone to determine their own destiny, and it has not worked for those who wanted to get the Cuban Government to throw out Fidel Castro and hang him by his toenails.

Except that this time, Mr. Speaker, as has been stated on this floor, it goes further. It goes deeper. Now we are telling our allies that we have no respect for their own sovereignty. Not only do we not have any respect for the Cuban sovereignty, but now we are going to tell Canada, Mexico, and everyone else that they must behave the way we behave.

When the embargo was the simple embargo, as some people would like to think it is, no one in the world supported us. Now that it will try to include even our allies, we think that Canada and everyone will jump up and say this is a great bill, and HELMS and BURTON were correct; they can save the world for democracy.

Well, our arrogance is such that we do not care what some of our allies say, especially those that used to be our enemies a few years ago. But it is interesting to note that the Yeltsin government this morning, or last night, said you cannot do this, and we will continue to deal with Cuba regardless of what you say, because this is wrong.

The part that no one wants to mention here, because it is very delicate, is the fact that we are not reacting here to the issue in general. We are reacting to the downing of two airplanes. And I have stood on this floor on various occasions and said that that was an act that we should all condemn. But our Government knew those planes were flying over on 25 different occasions, and we did nothing. And our Government knew that the person who was heading that group flew without a license on a couple of occasions, including this last one, where they had to turn back.

We had removed that person's license because we confirmed that that group flew over Cuba last July, buzzed the Capitol building, and dropped half a million leaflets. That is why we are here today. We are not here today and the President is not on board because our desire to bring down the Castro government has changed. We are here today because the Florida primaries are coming soon, and because people have to play up to that whole situation.

That is sad, Mr. Speaker. For these kinds of comments people like me take a lot of heat. But it has to be said, because the truth shall set everybody free, and maybe we need to be free as much as other people in the Caribbean need to be free.

Tonight we will stand up and say we are tough. We will continue to deal with China, but we are tough on Cuba. We will deal with Vietnam, but we will be tough on Cuba. We are going to meet with North Korea, but we are tough on Cuba.

If you really wanted to make a change in the Cuban Government from afar, which I think it is none of our business, all you have done is taken the leader of that country and wrapped him up in the Cuban flag once again as a nationalist hero. Why? Because you are pounding on that little island once again.

So where is the victory? There is no victory. I stand here today more than ever saying we are wrong. Instead of doing this, what we should do is tomorrow begin to find a way to speak to the Cuban Government. And if not on all issues, then why not be fair?

□ 1400

When there was an immigration problem we spoke about immigration. Let us talk about air space now. Let us find out who is telling the truth. It might save us from future tragedies.

Mr. BURTON of Indiana. Mr. Speaker, I yield 1 minute to my distinguished colleague, the gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Speaker, this debate would be interesting, and the gentleman who just spoke his remarks would have resonance if we were not dealing with a first degree murderer. In 1974, at a seminar in Virginia, a former ambassador, now long gone to heaven, told me that Castro personally executed in the parking lot of a movie theater with gunshots, himself pulling the trigger, the young man who had beaten him for student union president in the late forties. I could not believe my ears. I checked it out with the State Department, Library of Congress. It appears to be a fact. Again, he has killed people in cold blooded murder.

I am just back from Bosnia. I do not care what the Europeans do. They traded with Haiphong while we were dying for freedom in all of Southeast Asia. I do not care what anybody does. Our country has to do what is right, and Castro is a first degree murderer. If we want to hand him a baseball bat like Dan Rather of CBS and an elite party in Manhattan, then you are an accessory in encouraging this first degree murderer. He has ordered people beaten to death with baseball bats.

What an absurd debate.

Mr. MORAN. Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. RANGEL].

(Mr. RANGEL asked and was given permission to revise and extend his remarks.)

Mr. RANGEL. Mr. Speaker, I hate to say this is a political piece of legislation for fear of offending my friends, so please look into the Federal Election Commission, and ignore all of these campaign contributions that are pouring in here to Members that have taken the position that now is the time to get the murderer through locking up the people in Cuba. For those people that are offended because someone suggests that it might be political, let me make it clear. The fact that the only Democratic opponent I had in a primary in the last 25 years, that 85 percent of his campaign funds came out of Miami, hey, that is not political, and I

challenge people who would even think that.

But let us get down to the merits. We are outraged at murder. The Speaker is gone; he was here. What do we do about it? Hold the people of Cuba American hostage and tell them that they have to fly over Cuba and put pamphlets down there in order to get Americans' attention? Cut off food, cut off trade, cut off relationships with the people in Cuba because we do not like the bum that is running it? Are we in love with whoever runs China? As my colleagues know, what are we going to do there; put an embargo on China, on North Vietnam or North Korea? No. There are no votes in the United States for those people. My colleagues know it and I know it.

They sure got my President's attention; let us see what we can do now with these Republican candidates. Let us get it on their agenda, and let me congratulate the authors of this historic piece of legislation. I thought it was born dead. But the courage of four Americans out of Miami has not only given it new life, it has shattered reason and common sense as relates to trade and foreign policy.

Let me say this. This is a done deal. We cannot do anything about it. But do me a favor. Tell our brave Cuban Americans in Miami do not risk any more lives, mission accomplished, they were brave enough to take the gamble, they won, they won, the bill is here, no one challenges it, the President. Everything that was bad about this bill, four murderers now have corrected it. Wow, is that a legislative history.

But if people are breaking our laws, breaking international law, flying over a country, and we would know it, and we condone it, and we do not stop them from saving their own lives, that is morally wrong. Are we saying that if these pilots want to go off in a storm against their best interests that we cannot stop them? Let us hope that these courageous acts of these people who were shot out of the sky are not mimicked by other people who believe we have to take it one step further.

Oh, I know there are some of my colleagues waiting for the invasion, and if we send that signal that we are ready to go in like Haiti and we are ready to do whatever we can do, we may have 4 more pilots saying let us do it at least between now and the general election. We made mistakes; we will make others.

I am not nearly as concerned as I appear to be because this law is written so poorly we cannot even enforce it.

They are not going to be angry with us, my colleague, the gentleman from California [Mr. CAMPBELL], not our allies. They are going to feel sorry for us. No great Nation like ours can have the arrogance to tell some other country what they can do with their foreign trade. And the whole idea that this is going to be something to bring down Castro is one that I do not think the authors believe.

After the Democratic victories in November, come, can we not talk together?

Mr. BURTON of Indiana. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. TORRICELLI], my colleague who has done so much work in this area.

Mr. TORRICELLI. Mr. Speaker, I want to thank my colleague, the gentleman from Indiana, Chairman BURTON, for yielding me time on what should be the proudest day of his congressional career. The gentleman has done great service to the United States and to the people of Cuba by bringing this legislation forward, and he has my congratulations.

I never thought, however, Mr. Speaker, that I would hear a day when Members of Congress would come to the floor while the bodies of four Americans are still lost in the Straits of Florida, having been murdered by Fidel Castro, talking about consideration for Canadian investors, worrying about European corporations while there are still hundreds of American corporations whose property was stolen from them and is being resold; consideration for the Canadian investors, worrying about the Spanish companies, extraterritoriality.

People are going to American courts under this bill, I would say to the gentleman from California [Mr. Campbell], because the Cuban courts are unavailable. If they could get their grievances redressed in Cuban courts for the last 30 years, they would have gone there. They would have gone there. They cannot. So we are opening ours up.

Consideration for our European allies? If this were an island in the Mediterranean, 35 years later, hundreds of people in jail, planes being shot down off our coast, do my colleagues think we would be silent? As allies, we would have been there demanding elections and freedom and taking a stand. Now we are asked to have consideration for our European allies.

If America stands alone for freedom in Cuba, for the rights of our own citizens against the jails and the torture, then America has never been in better company.

This legislation is the final in a series of acts in uniting this Congress on a bipartisan basis and making clear to the people of Cuba there is no reconciliation with Fidel Castro, there is no compromise, it is time to bring the dictatorship to a close, and we do this as we did against South Africa with apartheid, as we do today against Libya and Iraq, by using our economic leverage.

Mr. Speaker, I am proud to be a cosponsor of this bill. I congratulate by bipartisan colleagues and the President of the United States for offering his signature, and to the gentleman from Indiana [Mr. BURTON], on this good day.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida [Mr. GIBBONS].

(Mr. GIBBONS asked and was given permission to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, I reluctantly get up here and oppose most of my Florida colleagues and people who I think mean to be right but, unfortunately, their solution is wrong. Let me put it in some perspective.

If my colleagues had come here 34 years ago, as I was privileged to do, and listened on this floor and in this well, my colleagues would have heard the same speeches made then as we do now. Every day more than half of the 1-minute speeches were devoted to trashing Castro and the Cuban Government, and in that same session of Congress we passed every looney law that one can think of, and most of them are still on the books. In fact, they are all still on the books.

I tried to isolate Cuba and tried to bring down Castro through American law. I made those speeches, I voted for those laws, I have come to the conclusion that they were a mistake.

What has happened is that we have empowered Castro to make a villain out of the United States, and by villainizing us he has been able to acquire the political clout that he needs to keep the kind of control he has had in Cuba. We would have been far wiser and much more successful had we not isolated Cuba and the Cuban people, and we continued to work with them, to listen to them, to trade with them, and to have commerce with then. The tourism that we enjoyed with each other, the fruits and vegetables that came from the island, all of those things; we would have been better off, and the Cubans would have been better off, and Castro would have long been gone from power had we done that.

This law, as well-intended as it is, is not going to work. There is a good chance that it will boomerang on us. The mistakes we made, mistakes that we made here in law, are copied over and over again, and this could hurt us more than it will ever hurt Castro. Please vote no.

Mr. BURTON of Indiana. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina [Mr. SANFORD].

Mr. SANFORD. Mr. Speaker, during this discussion we have heard a lot of debate, and the problem with that debate is that it has been filled with Washington voices. If there is anything that we have learned, it is that Washington does not know best. So I think the missing ingredient in this discussion is, what is it the Cuban people living in Cuba think? And in testimony after testimony with the gentleman from Indiana, Chairman BURTON, what we have heard is that the people at home in Cuba think that the way that we solve this problem is not by sending tourist dollars to prop up Fidel Castro, not by allowing investment dollars to go in and prop up Fidel Castro, but rather by tightening the embargo.

In this case I think we should listen to those voices.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, the Cuban Government committed a reprehensible and tragic act when it decided to shoot down two civilian airplanes flown by the Cuban-American organization Brothers to the Rescue last month. And I send my condolences to the families of the victims.

The shootdown was a tragedy in so many ways. It could and should have been avoided.

The Cubans could have taken alternate steps. But they specifically had warned the United States and Brothers that this would happen. The group and the administration did not heed those warnings. The United States failed to prevent the group from continuing its flights of fancy and I believe the group deliberately ventured into hostile territory to provoke a U.S. reaction.

The shootdown was a tragedy as well because but for that tragic action this legislation would not have won the last support that it needed. And the legislation is wrong. Instead, we should continue to open United States policy toward Cuba—for the benefit of Cuban-Americans, for American businesses, and for regional peace, and, yes, democracy.

But now Congress is poised to leap backward today as it considers the so-called Cuban Liberty Act.

We should not do that.

Mr. Speaker, this legislation was wrong before the shootdown happened and it remains wrong today.

The shootdown has not provided a single justification for a policy that even the administration that now embraces it had just recently denounced.

It is extremely likely that America will be cited for trade violations over this act.

And Fidel Castro, after having outlived over 35 years of U.S. embargo, surely will not back down in his remaining years because of additional embargoes. United States hostility to Cuba in fact has been his political savior.

Do not listen to those who say that a vote against this bill is a vote for Fidel Castro. That is McCarthyism.

Denounce Cuba in the United Nations, yes. But summon the courage to vote against this bill.

Vote against this bill because it is bad policy. Vote against this bill because it violates international trade law and will be an international embarrassment for the United States. Vote against this bill, my colleagues, because it is contrary to our best interests.

□ 1415

Mr. BURTON of Indiana. Mr. Speaker, I am happy to yield 1 minute to my colleague, the gentleman from New Jersey [Mr. ZIMMER].

Mr. ZIMMER. Mr. Speaker, I thank my colleague for yielding time to me.

Mr. Speaker, some who are opposed to this legislation argue, against all evidence, that conciliation and appeasement will liberalize the Castro regime, when 35 years of history has proved exactly the opposite. The downing of those airplanes shows that Fidel Castro cares only about his power and only about the maintenance of his corrupt regime. It was the pretext he was looking for to crack down on Concilio Cubano and other democratic organizations that were beginning to flower within Cuba. It was not the fault of the U.S. Government. It was not the fault of the Americans who flew those planes. It was the fault of Fidel Castro, who insisted on perpetuating his dictatorship.

Mr. Speaker, I am pleased that the President has agreed to sign this legislation, but I am disappointed that he has asked for the power to waive its key provisions. I urge the President, do not waive these provisions. The time has come to be tough with Fidel Castro. We know appeasement does not work. We know only firmness will.

Mr. HAMILTON. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, I would like to know where the outrage of some of my colleagues was when the United States supported the Khmer Rouge and when the Khmer Rouge killed 1.2 million Cambodians. I guess the Cambodians do not vote in large numbers in this country.

Mr. Speaker, I rise in opposition today to this bill. I oppose this bill, even though I know that it has support in this Congress. I oppose this bill even though I strongly condemn the Castro government's brutal murder of civilian Americans in the Florida Straits. I oppose this bill even though I strongly support freedom and democracy for the Cuban people.

I oppose this bill because it is an unworkable solution to an intractable problem. The legislation would clog our Nation's courts with unenforceable new claims against foreign governments, companies, and individuals. It creates a quagmire of inflexibility which we will come to regret when needed change comes to Cuba. It would harm America's important relationships with our sister democracies abroad. It sets a dangerous precedent of rash action instead of reasoned and deliberate progress.

Let us not do serious damage to our own national interest in response to atrocities which we universally abhor and condemn. Vote against this conference report.

Mr. BURTON of Indiana. Mr. Speaker, I am happy to yield 2 minutes to my colleague, the gentleman from Florida [Mr. DEUTSCH].

Mr. DEUTSCH. Mr. Speaker, I rise in support of this bipartisan effort to change the direction of the dictatorship in Cuba. My district represents the Florida Keys, and when I stand in Key West, FL, I am closer to Havana than I am to Miami. I live about 40 miles north of Miami.

This is not an esoteric philosophical issue in south Florida. This truly is a local issue, because we have a better sense, I think, than most of this country, unfortunately, of what is going on in an evil empire 90 miles from our shore, an empire that really is in the world's Hall of Fame of atrocities today, not yesterday, not just killing four Americans and planes, but torturing and killing the civilians that live in their own country. That is the empire that is 90 miles from our shore.

What does this bill do? This bill specifically gives a legal right of action to Americans whose property was taken illegally. That is the substance of this bill. The thrust behind it is to prevent other people, other nationals in other countries, from investing in Cuba, to try to end the empire that exists today. The investments of Canadians, of Spaniards, have not changed the empire, the evil empire in Cuba. It goes on today with their investments.

What we need to do is we need to strangle those investments. We need to end those investments, and let the people of Cuba know that there is hope, that the dictatorship, that the Castro dictatorship which is holding on by its fingernails is going to end, and that this Congress, the center of hope and democracy and freedom in the world, is part of that effort.

Mr. Speaker, I am sure that my colleagues in a short time will join me, both Democrats and Republicans throughout the country, in acknowledging that we want freedom in Cuba, we want a free society, a free economy, a freedom of thought, a freedom of action that this bill will be part of creating.

I can think of nothing that I am prouder of as part of my legislative career than to have been part of the adoption, the drafting, and hopefully now, very shortly, the passage of this bill.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from New York [Ms. VELÁZQUEZ].

Ms. VELAZQUEZ. Mr. Speaker, I rise today to express my strong opposition to the conference report, not just because this is the wrong bill, but it is the wrong bill at the wrong time. No one will deny that last week's tragedy is truly regrettable, but I will urge my colleagues to respond in a level-headed manner, not with a reflex policy for the moment.

Tightening a 35-year embargo will only cause more pain to these innocent people. Under the current embargo the human cost has already been too high. Cubans cannot even get basic necessities like food and medicine. How much more pain do we have to inflict on these people before it is enough? After more than 3 decades, we should be ready to admit that this embargo has failed miserably. The Castro government has survived the storm. The

average Cuban looks at Fidel as a hero, and the United States Government as the enemy. Nobody wants a repeat of last week, but today's action will further isolate and deprive the Cuban people, increasing tensions and setting the stage for another violent crisis.

As world leaders, we should extend a peaceful hand and keep dialog between our two countries open. It is time we live by our humanitarian ideals and stop playing the bully. If we are serious about democracy, then more dialog, not an embargo, is the answer.

Mr. Speaker, we must not allow heated passion to blind us. This bill leads us down the same wrong path we have followed for 3 decades. I urge my colleagues to vote ''no'' on this conference report. We must learn to look before we legislate.

Mr. BURTON of Indiana. Mr. Speaker, I am very happy to yield 1 minute to our colleague, the gentleman from Rhode Island [Mr. KENNEDY], who has been a big help on this bill.

Mr. KENNEDY of Rhode Island. Mr. Speaker, I would like to take a little exception with talk that has been heard around here a lot about ''let us not act in heated passion.'' Why should we not react in heated passion when human rights abuses are being seen in Cuba, 90 miles off our shore? Why should we not react in passion when Fidel Castro knowingly gives the military orders for two civilian aircraft with American citizens on board to be shot down over international waters?

I am passionate about that, and I am passionate about human rights abuse in Cuba. A lot of people have said that the embargo that was first instituted by President Kennedy has not worked. There is a good explanation for that. The Soviet Union used to subsidize Castro's regime for the last 30-odd years. That is no longer the case. That is why Fidel Castro is looking for foreign investment to help prop up his dictatorial regime and further oppress the people. Make no mistake about it, the reason why this bill is so important right now is because he needs foreign investment now more than he did before.

Mr. Speaker, I ask my colleagues to support this bill. It is bipartisan. The President supported it. I am in strong support of this bill.

Mr. HAMILTON. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Washington [Mr. MCDERMOTT].

(Mr. MCDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Speaker, on Sunday, February 25, most of us picked up our morning paper to read that two planes, piloted by Cuban-Americans, had been shot down near Cuba. This unfortunate incident was appropriately denounced by both President Clinton and the U.N. Security Council.

In addition to this initial response, the President quickly imposed several restrictions on Cuba and ensured that the families of those killed would be compensated.

The downing of the planes was an inexcusable action by the Cuban authorities, and I believe that President Clinton was right to initiate an immediate and direct response.

This is a very emotional situation and the immediate reaction is to strike back, but that is the wrong reaction. It is wrong to define our long-term relationship on the basis of this tragic incident. Passage of the Helms-Burton bill is a shortsighted, irrational response to this international incident.

This legislation will not topple Castro, this legislation will only tie the hands of President Clinton and increase the pain and suffering of the Cuban people.

In my opinion, this legislation not only violates international law, it punishes our international allies by attempting to force them to comply with our 34-year-old embargo. An embargo that has not worked. This legislation will allow Cuban-Americans to use United States courts to sue foreign companies who invest in properties that were confiscated by the Castro government. While emotionally justifiable, it infringes upon our allies' sovereignty, and possibly violates our trade agreements.

Helms-Burton would limit the authority of the President to alter or lift parts of the embargo—even for strict humanitarian purposes—by Executive decree. The Executive orders which make up our policy on Cuba become frozen into law. If the President sought to ease restrictions on Cuba in response to democratic changes, he would only be able to do so with congressional approval.

We all know that the Cuban economy is suffering. Cuba is forced to pay a premium for importing staple foods for its people. Medicines are in short supply, causing health care delivery to crumble. Is this what we really want for the Cuban people? Is this how our democracy should operate?

Engaging Cuba, increasing dialog, and pressuring for increased human rights and democratic reform is the best way to genuinely democratize Cuba and improve relations with one of our closest neighbors.

Passage of Helms-Burton will only deepen the rift between our two countries and cause further suffering of the very people we are trying to help.

Mr. BURTON of Indiana. Mr. Speaker, I yield 3 minutes to my colleague, the gentleman from New Jersey [Mr. MENENDEZ], who has been a tremendous help on this bill.

(Mr. MENENDEZ asked and was given permission to revise and extend his remarks.)

Mr. MENENDEZ. Mr. Speaker, I thank the distinguished chairman of the subcommittee, and congratulate him on his bill, which I have helped coauthor.

Mr. Speaker, let me thank my 347 fellow Members of this House, including 121 Democrats who have joined with us and the President in striking a blow for democracy and striking a blow against the Castro regime. I want to answer some of the issues. This question of extraterritoriality, under the Cuban Democracy Act everybody acknowledges that, and many people voted for it in this House who oppose this today. The fact of the matter is that under that act we heard all these issues from Canada and Mexico and everybody else, that in fact this was extraterritorial. What is the relationship today? We entered into the most significant trade agreement with Canada and Mexico, and they are trading with us, and so much, I think, for the comment.

This is not about trade. Someone said this is about trade. No, this is about trafficking intentionally in illegally confiscated properties of U.S. citizens and U.S. companies. Canadians are arguing for their citizens and their interests and their rights. I am coming here to argue for American citizens and American businesses and their rights. I am not going to get up here and start arguing for other countries.

The fact of the matter is that if you know that that property was not legally yours, and you are willing to buy it even though you know it was stolen from somebody else, you are in receipt of stolen property. If you want to do that, fine, then take the risk. And we do this prospectively, so you know that you are going to have to continue to traffic in the property or purchase properties in the future.

Title III has a suspension authority for the President of all the hobgoblins we have heard about come to reality. The President, in his letter to all of us, said, he asked the administration to work vigorously with the Congress to set aside our remaining differences and reach rapid agreement on the Libertad Act. Last week we achieved that objective. The conference report is ''* * * a strong bipartisan response that tightens the economic embargo against the Cuban regime and permits us to continue to promote democratic change in Cuba.''

Last, let me just say that if Members are proud of China's record of prison camps, slave labor, dissident jailings, 20 years later after our relationships and our investments, if they are proud of the Canadian and Mexican and Spanish investments in Cuba over the last several years that have produced no democracy, that have produced greater repression, and that have kept the regime afloat, then they should vote against the bill.

But if in fact what Members want to do is what I believe the overwhelming Members of this House already by the rule vote and in past votes want to do, to strike a blow for democracy and strike, in fact, a blow on behalf of the Cuban people and against the Castro regime, they will be voting with us on this bill.

Mr. HAMILTON. Mr. Speaker, I yield 1 minute to gentleman from California [Mr. BECERRA].

Mr. BECERRA. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, first let us all agree that what happened a week ago that took the lives of several Americans was regrettable and should not have happened, but it is always bad policy when you try to achieve political ends through economic means, especially when they are indirect economic means.

The actual three and one-half-decade-old embargo against Cuba is a perfect example of why we cannot achieve that through an economic embargo. The Castro government remains, and the only people who have been hurt are the people of Cuba, the women and children of Cuba. What we are doing through this bill is using our economic might to bully our international allies and friends to do what we think is best, even though the entire international community has spoken against this type of embargo.

□ 1430

Indeed, even Canada, our northern neighbor, our great friend, has said it will take us to international court to say that this is a means, a barrier against free trade throughout the world. This is not the way to do things.

Let us address what happened last week in the taking of several American lives, but let us not try to mix the things up that we have here today and say that because some people died, regrettably, that now we should institute a policy that will ultimately take the lives of many people in a country called Cuba though politically we may disagree with what is going on with the government. This is not the way to do it. We should focus where we should. Let us not create bad policy because a bad situation occurred.

Mr. BURTON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the reason I waited until near the end of the debate to take my time is because, as is always the case, there is a lot of misinformation that takes place in this debate and I wanted to make sure I clarified these arguments.

First of all, a lot of my colleagues have said we are going to hurt the people of Cuba. When Castro has a foreign investor invest in Cuba, the money that is paid by the employees of that firm goes to Castro. Let us say that they get $400 a month. Castro gets the $400 a month and then he pays them in the local currency, $400 of that local currency. But the exchange rate is 700 to 1, which means the average Cuban is making less than $5 a month.

We cannot hurt those poor people much worse than Castro has hurt them. The embargo is not going to hurt the Cuban people. Castro has murdered the Cuban people economically, and literally in many cases.

And I would like to say to my colleagues who opposed the embargo, when we talked about these same issues when we had the embargo against South Africa, they took a different position. There is no consistency in their arguments.

When Castro took power, Cuba had the highest standard of living in Latin America. Today it is the lowest, not because of the United States embargo, because for the past 35 years they have been propped up by the Soviet Union, but because of Castro's Communist government control policies that do not work. He is the one that has been hurting the Cuban people, not the United States and not the embargo, because the embargo had no teeth in it until 3 years ago.

Somebody said that the OAS was not with us on this. The fact of the matter is Castro has been excommunicated from the Organization of American States because of his actions, because of his exporting of revolution.

My colleagues have said, you know, we are going to penalize people who invest in Cuba and have invested in Cuba. This is a prospective bill. People who have already bought confiscated U.S. property will not be penalized unless they buy more American property. So if they have already got property down there, they are not going to fall under this bill.

But people who buy confiscated American property in the future are going to be penalized because there will be a cause of action in U.S. courts unless suspended by the President. And, No. 2, anybody that traffics in confiscated U.S. property will not be able to get a visa to come to the United States.

They know full well, the Canadians, the Spanish and everybody else, they know that this bill takes effect on the date of enactment, and if they buy property that is taken away from Americans, stolen from Americans by Fidel Castro, they know what they are getting into. So I have no sympathy for those people who want to buy confiscated, stolen American property to give Castro the hard currency that he needs to stay in power.

Now, a lot of my colleagues say, you know, we ought to do business with this guy, especially since Boris Yeltsin says we should. Well, Russia and the Soviet Union have been supporting Castro all along, so that does not surprise me, but the facts of the matter are these: Castro has exported communist revolution in Africa, in Central America, in South Africa where Che Guevara was killed. He has exported communism wherever he could. He is a committed revolutionary and he still believes.

That Castro has killed innocent human beings. He has put thousands and thousands of people in his Communist gulags. If you want to know how they are treated, read Armando Valderas' book ''Against All Hope'' and it will tell you very clearly how he treats people who disagree with him.

My colleague, the gentleman from California [Mr. DORNAN], talked about a fellow who defeated him in a college race for student body president, and Castro shot him to death. That is the kind of guy we are talking about. He is a horrible human being, one that should not be in power, especially not for 35 years.

Two years ago, on the high seas, he had his Cuban Navy pull up alongside a tugboat with people on it who were fleeing to freedom. Women were holding their babies above their heads, and he ordered his Navy to wash them off the decks with power hoses. The women took the babies, the children, into the hold of the tugboat, and Castro brought his navy ship alongside. They directed the hoses into the hold and they sunk that ship, that tugboat, and killed those women and children like rats.

This is the kind of government you guys want to do business with, and my colleagues' answer is, well, the way to work with Castro is to open up trade and do business with him, that will solve the problem. Really? Do you really believe that? We have opened up trade with Communist China. It has not changed the Communist regime over there. We have opened up trade with Communist Vietnam. That has not changed anything.

And here we are, 90 miles from our border they are shooting down planes with innocent Americans in them, in international air space, and we are supposed to say we are going to solve this problem by doing business with him. Baloney. The way you deal with Fidel Castro, since he is on his last legs, is do not let him have the hard dollars that he needs to stay in power, and that is what this bill does.

This bill will force him from power, I really believe that, in the next 2 or 3 years, and then the people of Cuba will have freedom, democracy, and human rights because there is going to be about $3 or $4 billion invested very quickly, and they will have the freedom that they wanted all these years.

Get out of here, Castro. We want you gone. We want freedom, democracy, and human rights throughout this hemisphere, and you are the last holdout.

Mr. Speaker, I reserve the balance of my time.

Mr. HAMILTON. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California [Mr. CAMPBELL].

Mr. CAMPBELL. Mr. Speaker, whenever an economic sanction has worked in our history, whether it be South Africa, Haiti, Iraq, or even worked in part, it is because our allies have agreed with it. What we do today alienates our allies at a time when we need them most.

It is not out of any concern for investors in Canada or investors in Spain that I rise in opposition to title III of this bill. It is precisely because I want to put pressure on Fidel Castro's Cuba. But I know that the only way to put effective pressure, whether it be a sugar

embargo, a tobacco embargo, limited sanctions or a total quarantine, is when we have our trading partners and our allies with us.

Today, for the first time in the history of American jurisprudence, we are applying a law not to goods that come into our country, not to acts that happen within our country, but to goods and acts that are outside of our country. However great our outrage, that is not American jurisprudence. That is extraterritoriality. It drives our allies away at a time we need them most.

Mr. HAMILTON. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I rise in opposition to the conference report. I think there should be no doubt that after the reprehensible actions by Mr. Castro and the regime, there is no disagreement among us here. We condemn that.

The difference here is the best way to respond and how best to bring an end to his regime. We knew that Fidel Castro was a reprehensible thug 3 weeks ago. We knew that he was 30 years ago. There is no change in that. He remains so today, but his recent actions should not change how we define or pursue the U.S. national interest.

I think this bill that is before us is a huge mistake, and I believe that for several reasons. First of all, as a matter of policy, it picks isolation over engagement. By increasing Cuba's isolation and by squeezing the Cuban people, the conference report risks a violent upheaval in Cuba and increases the risk of a massive flow of refugees.

I understand that now is not the time to lift the embargo. Bad deeds should not be rewarded. But ultimately the engagement of the Cuban people in trade and contacts with Cuba will open the door to a free Cuba. I say to my friend on the other side of the aisle that the most distinguished foreign policy spokesman of the Republican Party in the last generation was President Richard Nixon, and he believed that the isolation policy of the Cuban people was the wrong policy.

I also believe that this conference report is going to tie the hands of the President in knots. I understand that he accepts this bill but I think that is a mistake. The conference report restricts the ability of the United States to respond to changing conditions in Cuba. The transition from a Communist government to a free government is not going to be easy. We have learned that time and time again. What this bill does is, it freezes us out of the action at the very time that we want to be engaged, when we want to influence events in Cuba.

With regard to title III, the gentleman from California [Mr. CAMPBELL] has explained that very well, but let me just make this observation. My friends who are proponents of this bill have said over and over again, title III is the heart of the bill. But you know what they did? They gave it away. They gave away title III with the waiver to the President. If in fact title III is so important, if it is the heart of the bill, then why just give it away with a waiver to the President of the United States?

Incidentally, that title III defends only the interests of the rich, only the fellow who has a very large claim. The poor small claim holder is not going to get any remedy from this bill. This bill is going to shore up Castro, not bring him down. It enables him to do what he has done so effectively for 30 years, and that is to fan the flames of nationalism, to put all of the blame for the mess he has made of Cuba onto the United States, so it plays into his hands.

We ought to be targeting our policy not at Castro and what is bad for Castro. The policy of the United States should be aimed at what is good for the Cuban people. This bill, this conference report, puts us at odds with all of our friends and allies, and it deeply offends them. The conference report departs from the proven and sound U.S. policies that we have used in other areas of the world.

Mr. Speaker, let me conclude, the conference report is going to increase the isolation of Cuba and its people. It is going to skew U.S. policy from the present course of promoting peaceful change. It is going to put the United States on the sidelines when this transition is underway in Cuba. It creates an unprecedented right for those who had property confiscated in Cuba to sue in United States courts. It hands Castro a deck of nationalist cards that he will play with consummate skill, and it contravenes U.S. international commitments and antagonizes our closest allies and trading partners.

This conference report is a mistake. It is a huge mistake for this country to make because it locks in the President of the United States in the conduct of American policy towards Cuba. I urge a vote against it.

Mr. BROWN of Indiana. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, Castro is in trouble. He just rounded up the human rights activists and the people who oppose him. He put hundreds of them in prison just recently.

My colleague said that there is no guts in this bill except for title III. Title IV prohibits people who traffic in confiscated American property from getting visas to come to the United States of America, so they are going to have to choose: Do they want to do business with Castro or the United States? I believe they are going to want to do business with the United States. That is going to dry up hard currency for Castro.

You folk on that side of the aisle, the people who oppose this bill, wanted that $50,000 limit to make sure that we would not have the courts flooded with litigation. The fact of the matter is, you asked for it, you got it, now you are complaining about it.

And, finally, when there is a transition, when democracy starts to come to Cuba and Castro is gone, there are provisions in the bill for the United States to help aid in the transition to democracy. So we are not going to be on the sidelines, Mr. Hamilton. We are going to be in there helping the Cuban people.

Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. TORRES].

(Mr. TORRES asked and was given permission to revise and extend his remarks.)

Mr. TORRES. Mr. Speaker, I rise to oppose the conference report on H.R. 927.

I am grateful to my colleague, the gentleman from Indiana [Mr. BURTON] for this opportunity to explain why the passage of H.R. 927 would be, in my opinion, not only a grave policy mistake by this body, but, would set in motion actions which would deliberately inflict upon the Cuban people suffering and deprivation. Yes, we all deplore the incident of the downing of Americans flying provocative flights over Cuban airspace but, they were warned countless times to desist. This legislation will not correct that situation.

At worst, this legislation is a cruel attempt by Members in both bodies—who are still fighting the cold war—to provoke civil disorder in Cuba. Today we need to send a wake-up call to those cold warriors in our midst—the cold war has ended. We won—remember.

What threat does the Government of Cuba present to the territory or people of the United States which would justify unleashing further pain and suffering and, I would warn, possible bloodshed, among the people of Cuba.

The United States is the only world superpower. Our military might dwarfs that of the combined armies and navies of Europe and certainly of the Americas. We maintain an armed, military presence, on the Island of Cuba—how many of you appreciate this reality.

This country maintains an armed, military base on Cuba's southern coast. The United States controls 45 square miles of southern Cuba, including a harbor, naval docking and ship repair facilities ordinance, supplies and administrative facilities—we even have two water distillation plants.

This U.S. military base includes both a naval and an air station. Over all—the United States military has a base right inside of Cuba which is three-quarter the total land area of the District of Columbia. One of the stated military missions for our base in Cuba is to serve as beachhead in case the United States decides to invade the Island.

It costs the American taxpayer over $45 million a year to maintain this military base. Now, it looks to me like the military threat is reversed—it appears to me that this Island presents no military or strategic threat to the territory of the United States.

Why then are we considering legislation which appears to some to be designed to make economic and social conditions in Cuba so difficult for the average citizens, that these difficulties would create civic disorder, which would then provoke the Castro government to take measures against its population, which will result in increased violence and disorder on the Island, which will be used as a pretext for US military intervention.

At best, this legislation will have no effect upon the Cuban Government's hold on power,

but will reveal to the international community the mindset of United States elected officials—who are so trapped, by old ways of thinking and by false pride, that they would act against a foreign government which poses no threat or danger to the national security of the United States of America.

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Mr. BURTON of Indiana. Mr. Speaker, I yield 30 seconds to my colleague, the gentlewoman from Florida [Mrs. MEEK].

(Mrs. MEEK of Florida asked and was given permission to revise and extend her remarks.)

Mrs. MEEK of Florida. Mr. Speaker, I am one of the cosponsors of the Helms-Burton bill, and I have every strong rationale to do so. I know what the Cuban people have experienced. I have seen them from 1960 to 1961.

Mr. Speaker, I rise in strong support of the conference agreement on the Libertad bill—the Cuban Liberty and Democratic Solidarity Act—which will tighten the embargo against Castro and his barbaric regime.

I am an original cosponsor of this bill, and I am pleased that President Clinton will sign it into law when it reaches his desk.

From time to time, we are called upon to take strong action against evil in the world.

We took strong action against apartheid in South Africa. We took strong action against a murderous dictatorship in Haiti. Today, Mr. Speaker, we have the opportunity to take strong and decisive action against the evil of Fidel Castro.

By now, every American knows of the murderous attack by Cuban Mig fighters only 11 days ago. Two U.S. civilian aircraft were destroyed, and four U.S. citizens were killed in this unjustified and unwarranted terrorist attack against unarmed civilians.

Brothers to the Rescue is a peaceful, humanitarian group responsible for saving over 6,000 lives. It is perfectly in character that Castro chose to viciously attack the members of this caring, dedicated group.

But in Miami, FL, which I represent in Congress, this senseless, brutal attack is the latest in a long list of murders, firing squads, imprisonments, harassments, human rights abuses, and political oppression perpetrated by Castro against the Cuban people.

Many of my constituents know Castro's ruthlessness first hand. Many fled from Castro's prisons. Many of my constituents still have relatives—mothers and fathers, brothers and sisters, nephews and cousins—who must endure the daily hardship and oppression of this cruel regime.

Is there any wonder why so many people were willing to leave everything they ever worked for and everything they ever owned to come to this country—just for the chance to live in freedom and raise their children without fear.

The Cuban Liberty and Democratic Solidarity Act will put new international pressure on the Castro regime. Under its provisions:

The embargo against Cuba will be enacted into law. Up until now, the embargo has been enforced via an Executive order and subject to change by every new administration;

The owners of illegally confiscated properties in Cuba will be allowed to pursue legal action in United States District Court against those corporations and individuals who currently occupy and profit from those properties;

Corporate executives who purchase confiscated U.S. properties will have their visas to the United States revoked. Foreign business executives who invest in Cuba after the passage of this legislation will be subject to the same punitive action; and

To encourage democratic change, humanitarian and military transition assistance will be provide to a future Cuban Government that is committed to democracy.

Mr. Speaker, just as we helped the people of South Africa, and the people of Haiti, we must help the people of Cuba in the time of their greatest need.

Castro is desperately clinging to power. He must be cut off, not thrown a lifetime. I believe that the Cuban Liberty and Democratic Solidarity Act will greatly hasten the fall of Fidel Castro's dictatorship.

And Mr. Speaker, I look forward to the time—in the near future—when I can greet—here in this Capitol—the democratically elected President of a free Cuba, as I have the democratically elected Presidents of a free South Africa and a free Haiti.

I strongly urge my colleagues to support this bill.

Mr. BURTON of Indiana. Mr. Speaker, I yield the balance of my time to the distinguished Speaker, the gentleman from Georgia [Mr. GINGRICH].

Mr. GINGRICH. Mr. Speaker, I thank my friend, the gentleman from Indiana, for yielding to me.

I am delighted to have a chance to share with the House some thoughts on the conference report on H.R. 927, which I really see as a freedom contract with the Cuban people.

I found it interesting that the very distinguished ranking member of the committee, the gentleman from Indiana [Mr. HAMILTON], did not seem to think this bill would be effective. I would just want to start by quoting from a letter from President Clinton, who said,

> The conference report is a strong bipartisan response that tightens the economic embargo against the Cuban regime and permits us to continue to promote democratic change in Cuba. I urge the Congress to pass the Libertad bill in order to send Cuba a powerful message that the United States will not tolerate further loss of American life.

I am delighted that the President is now supporting this. But I must say even more decisive than the tragedy of the last few weeks has been a commitment which the gentleman from Indiana [Mr. BURTON] led as chairman of the subcommittee, a commitment which the gentlewoman from Florida [Ms. ROS-LEHTINEN] led, a commitment which the gentleman from Florida [Mr. DIAZ-BALART] led and others in both the House and Senate, that said for a long time, we are committed to freedom for Cuba.

Let me remind my colleagues of the game that has been played. No dictator on the planet has been better than Fidel Castro at managing to create a sense that somehow he will always survive no matter what. No one has been better than Fidel at playing off various parts of the world and somehow magically appearing, bearded, in uniform, and prepared to talk about baseball, just a wonderfully pleasant, interesting person standing in the church pulpit, and, oh, by the way, forget the prisons, forget the secret police, forget the torture, forget the murders, forget the dictatorship, forget the poverty, forget the willingness to take on anyone and drive them out of Cuba, because after all he is such an interesting, charismatic figure. And so, for the last couple years, life has gotten harder because with the fall of the Berlin Wall, with the collapse of the Soviet Empire, the subsidies are gone. The money is not there. The military protection is not there.

Suddenly, the Castro dictatorship was beginning to weaken. And now Fidel had a new line. He said to the younger Cuban bureaucracy, ''Stick with me. I will manipulate the Americans. I will manage the transition. I will manipulate the European Union. I will find the money. And in the end I am still going to be here.'' And sadly, from the Clinton administration and from others, there were signals that maybe Fidel could pull it off. There were signals that maybe America was going to cave.

Business leaders went down to Cuba and began to praise the great opportunities the dictatorship offered. Oh, you might have to build that hotel near a prison camp, but what the heck, there will be profits. We began do have Members of Congress go down, because after all, the dictatorship was getting a more human face.

Those who studied knew it was not true. Chairman BURTON knew it was not true. The gentlewoman from Florida [Ms. ROS-LEHTINEN] knew it was not true. The gentleman from Florida [Mr. DIAZ-BALART] knew it was not true. People across America who studied Cuba said, ''Wait a second, this is the same dictatorship, these are the same lies, these are the same false promises.'' And for a long time the Clinton administration opposed this bill.

And then a tragedy occurred, a tragedy that was unnecessary, a tragedy that should have been avoided, a tragedy which I believe strong representation from our State Department might well have avoided by saying to the Castro dictatorship, ''We will not tolerate your shooting down innocent civilian aircraft. It violates every international rule.''

The United Nations had what I thought was a pathetically weak response. They did not condemn. They did not censure. They deeply deplored. Kill a few people, we deeply deplore it.

Well, the U.S. Congress is doing something vastly beyond deplore. This bill says no one in Cuba and no one in the rest of the world should expect this embargo to be lifted until there is democracy in Cuba. There is no future for the Castro dictatorship. There are no

deals. There is no special business investment. There is no loophole. There is no sweetheart agreement.

This also says the Congress will be involved unless the President certifies that the transition to a democratic regime is under way in a measurable, real way. It says one other; maybe it is shocking to some of our friends; it says if Castro has confiscated the property of Americans, we are going to defend the property right of Americans, and, yes, if you come from Canada or you come from France or you come from some other country and you have purchased the confiscated property of Americans, we are going to take steps to protect American citizens against those who would exploit what a dictatorship has done to hurt Americans.

Maybe some of our friends think it is too much for the American Government to protect Americans. Maybe some people think the Cuban market is so huge and so profitable that you ought to cut yourself off from the American market to make sure you can trade in Havana. Well, I am perfectly happy to have companies make that decision. If a European company or a Canadian company wants to say, we will prove our commitment to Fidel, we are going to ship our goods to Havana, and that means we are not going to be in the United States market, I somehow think somewhere on the planet there will be a competitor willing to come to America or there will be an American company willing to provide the goods and service, and we will survive.

It is perfectly fair for us to say to the world we are going to defend Americans, we are going to defend American property rights, we are going to oppose the Castro dictatorship.

And it is even more important, and I want to close this because I think it is vital to understand, we have a history that goes back 98 years from this year, a history that said just about this point a century ago, as the Spanish continued to oppress Cuba and the Cuban people were in a long and bloody and terrible insurrection, just about literally 100 years ago, people began to stand in this well and talk about our obligation to help the Cuban people liberate themselves from Spain.

Fidel Castro has been a tragic detour on what was a long period of the natural friendship between the American people, who have sympathized and supported the Cuban people, and we are prepared to say in this House, with our vote this afternoon, just as you wanted Cuba to be free of the dictatorship of Spain, we want the Cuban people to be free of the dictatorship of Fidel, and we are by this act and by this law committing ourselves to a freedom contract with the people of Cuba and we are saying to every young Cuban leader in Cuba and every younger Cuban bureaucrat, your future is not with Fidel and decay. Your future is with freedom and prosperity. If you will simply help us, we will work with you for the transition, and together we will establish the right to be free once again in our neighbor to the south.

I urge every Member, the President urges a ''yes'' vote, we urge a ''yes'' vote, the Cuban people want a ''yes'' vote, and I think the future of freedom demands a ''yes'' vote.

Mr. FARR of California. Mr. Speaker, I rise today to speak in strong opposition to H.R. 927, the Cuban Liberty Act. This legislation would, in the name of ending the rule of Castro, cause even greater harm to the Cuban people and jeopardize our relations with many of our important allies.

As were all Americans, I was outraged by the February 24 shootdown of two American Cessnas near Cuba. Simply put, there is no excuse for sending two MiG fighters against unarmed passenger planes.

H.R. 927, however, is the wrong way to respond. The bill would not have prevented the tragic events of 2 weeks ago, nor would it significantly improve upon the additional sanctions already taken by the President as a result of the attack.

We should not forget that we already impose a comprehensive travel and trade embargo against Cuba. Virtually no exports are permitted to Cuba, and travel is strictly limited. And American businesses are prohibited from conducting virtually any economic activity in Cuba.

Economic indicators have shown that the embargo has had a dramatic effect on the Cuban economy. Sadly, however, virtually all of the suffering has been felt by the Cuban people. They have faced serious food shortages, as well as a lack of needed medicine and medical supplies, threatening their health and welfare.

Presumably because this embargo has not let to a change in Cuba's leadership—even though it has hurt the people of Cuba—Congress has decided to take the embargo even further: to try to prevent any country from trading with Cuba. Specifically, provisions in this bill would permit Cuban-Americans to sue foreign companies if they use, or profit from, confiscated property from Cuba.

This provision has been strongly opposed by many of our important trading allies, including Canada, Great Britain, France, and Mexico. They rightly see this as a violation of international law, and a violation of their sovereignty—an attempt by one country to force their foreign policy on another.

Mr. Speaker, is it worth risking our relationship with our allies to try to strangle Cuba even further? I don't think so.

If these provisions actually succeed in cutting off additional investment in Cuba, it seems unlikely that the results will benefit the Cuban people. Our embargo has already hurt Cuba's economy severely, yet has only caused more pain for the Cuban people with no change in Cuba's leadership. Given the results of this policy to date, expanding the embargo even more would seem unwise and ineffective, if not downright cruel.

Interestingly, some have suggested that the provision will have no effect on foreign investment in Cuba. Why? Because the bill allows individuals to settle their cases against foreign companies out of court. Thus, foreign companies could still invest in Cuba. However, those few Cuban-Americans who held large amounts of property in Cuba could realize large financial gains from these settlements. The possibility that a few could be enriched by this bill, even as the people of Cuba suffer from the current embargo, concerns me even more.

In any event, I cannot support legislation which, at the very least, threatens the future of our trading relationships, hurts our own economic security, and does nothing to alleviate the suffering of the Cuban people. Let us pursue a policy of more openness and greater engagement with Cuba, not less, if we truly wish to bring about greater change and help the people of Cuba.

Mr. DEUTSCH. Mr. Speaker, I am proud to be standing in front of this body as we get ready to vote on the Helms-Burton bill. This piece of legislation will send a clear message to Castro and other petty dictators around the world that America will not stand for political persecution. We will not put our heads in the sand while this tyrant, only 90 miles from our shores, oppresses his own innocent citizens.

It is a tragedy that it took the recent shooting down of two unarmed, civilian humanitarian planes by Cuban fighters to help bring the Helms-Burton bill to the floor. Fidel Castro has been committing atrocities against the Cuban people for decades and these recent repugnant acts only serve to confirm a conclusion that we already know. Castro will never change. He still has political prisoners, including women and children, languishing in his jails. He still murders his own people as they attempt to flee political persecution. He still is planning to construct a nuclear power plant that can only be considered a humanitarian disaster. There can be no compromise. Castro is an absolute dictator that needs to be taken down absolutely.

The Helms-Burton bill will force Castro from power and put an end to these acts of oppression. It will strangle Castro by cutting off a large segment of foreign investment that is currently propping up his regime. Some of my colleagues feel that lessening our grip on Cuba would be the best way to help the Cuban people. I passionately disagree. Castro's acts over the last several weeks only proves the urgent necessity for this bill and the need to strengthen our resolve against this rogue dictator, rather than weaken it. Mr. Castro, we will not compromise on this issue. The U.S. Congress will not lower our support to ending the Castro regime. We will fight to the end to free the noose that currently surrounds the Cuban people, I urge my colleagues to join with me in voting in support of Helms-Burton, in support of freedom and democracy.

Mr. BERMAN. I rise to oppose this bill. I do this reluctantly. There is much in this legislation that I support and have supported in the past.

I am not, for example, opposed to codifying the embargo on Cuba. There is no doubt that Castro is a dictator and murderer whose rule should be vigorously resisted.

Nor am I opposed to the extraterritorial nature of this legislation although I wish such unilateral American action was not necessary. I would greatly welcome international cooperation in dealing with the world's dictators as well as with other threats to international stability.

However, I must vote against this bill. When this bill was marked up in the International Relations Committee, I introduced an amendment which carved out an exception for some penalties for certain activities. My amendment was

accepted by all sides—including proponents of this legislation, but then, unfortunately, it was dropped in conference.

I do not understand why my amendment was dropped. It was not contrary to the intent of the sponsors of this legislation.

My amendment retained due process protection already contained in the Trading With the Enemy Act [TWEA] and kept exceptions for news gathering, research, and clearly defined educational, religious, and human rights activities.

In 1992, when we passed similar legislation, we added substantial civil penalties to Treasury's enforcement arsenal to prevent a surge of business or tourist travel to Cuba.

We all agreed and continue to agree that trips to acquire a winter suntan or make a quick buck should be discouraged.

However, we wanted to make sure of a couple of things before we broadened Treasury's authority to punish such travelers. First, we ensured that due process protection was given to individuals or firms, including an agency hearing and we also ensured that there would be a couple of categories of travel that would be off limits to civil fines.

We agreed that visits by journalists, researchers, human rights, and religious organizations—visits in other words whose legal tender was information, not hard currency—were in our national interest, since they undermined rather than buttressed the Castro regime.

Now this bill omits all exceptions to civil penalties in the Trading With the Enemy Act and removes the administrative due process provision we wrote into the TWEA, undermining the fairness and credibility of civil sanctions.

I believe the Government should err on the side of liberally interpreting American's right to travel abroad, particularly when it serves our national interests. This legislation does not serve those interests and therefore I cannot support this bill.

Mr. SERRANO. Mr. Speaker, today we will be taking a final vote on the conference report for the so-called Cuban Liberty and Democratic Solidarity Act. Unfortunately, our consideration of this legislation is occurring after the tragic shooting down of the two Brothers to the Rescue aircraft. Although the content of this legislation and this recent tragedy should not be linked, we are today creating a false linkage between the two. This prevents us from carefully weighing the negative impact that passage of this legislation will have on our foreign policy and on the Cuban people—who will only suffer more with the tightening of the economic embargo. Passage of this legislation today is not the correct response to this tragedy.

The United States should not permit the reckless acts of private citizens to dictate our foreign policy. Earlier concerns expressed by this administration should not be ignored simply because this tragedy occurred. The Helms-Burton legislation is an extreme bill that continues and strengthens diplomatic policies that have never been successful. The existing Cuban embargo has failed to cause any change in Cuba's government. Passage of even stricter sanctions against Cuba will not move Cuba any further toward a change in government.

This conference report retains the troubling provisions that make liable for damages in U.S. courts individuals or companies, including those from third countries, who knowingly traffic in property that was owned by a U.S. national and was confiscated by the Cuban Government. Although a provision was included permitting the President to delay implementation of this provision for unlimited 6-month periods, in its September 1995 statement of administration policy, the administration stated that this title should be deleted. ''Applying U.S. law extra-territorially in this fashion would create friction with our allies, be difficult to defend under international law, and would create a precedent that would increase litigation risks for U.S. companies abroad.'' This provision which the administration considered seriously objectionable is still a part of this conference report.

In fact, an article in the Washington Post on March 3, 1996, suggests that this provision, which would allow Cuban-Americans to sue foreign companies in U.S. Federal courts, creates a massive loophole that would permit the wealthiest Cuban-Americans to profit from settling lawsuits brought under this section. The article explains how these settlements may occur without the need to obtain any license or permission from the U.S. Government.

I would also like to reiterate once again, as I have so often in the past, that we have no moral grounds that would allow us to single out Cuba for this trade embargo. We continue to have trade relations with North Vietnam, China, and North Korea, countries with political systems different than ours.

The current United States policy toward Cuba does not have the support of the world community. The majority of our allies do not believe the trade embargo is an effective or wise vehicle for dealing with Cuba, and tightening the embargo will only further damage our relationships with our allies. Specifically, permitting suits against foreign companies that invest in Cuba will infringe on the sovereignty of other countries, and interfere with their trade decisions.

Finally, and most importantly, any tightening of the embargo will increase the suffering of the Cuban people. We all recognize that a terrible tragedy in the shooting of the Brothers to the Rescue aircraft has occurred, but we need to move forward in developing a constructive relationship with Cuba. Passage of this conference report will move our country's foreign policy even further in the wrong direction. We should instead vote against this bill and begin the process of building a peaceful and productive relationship with Cuba.

Mr. MANTON. Mr. Speaker, I rise in strong support for the conference report on H.R. 927, the Cuban Liberty and Democratic Solidarity Act.

Mr. Speaker, on February 24 Castro ordered the downing of unarmed aircraft flying over international waters, murdering all those aboard, including three United States citizens who were committed to promoting peace and freedom in Cuba. This blatant violation of international law and wanton disregard for human life only reaffirms that Castro will stop at nothing to cling to power and suppress freedom in Cuba.

All across Eastern Europe, we have witnessed the dramatic collapse of communism. The seeds of democracy are taking hold, and a people long oppressed by totalitarian rule are awakening to the promise of freedom and self-determination. Yet just 90 miles from the shores of the greatest and oldest democracy in the world, Castro continues to rule with an iron fist.

The conference report on H.R. 927 is designed to force Castro from power by tightening economic sanctions on the Cuban Government. I commend President Clinton for expressing his strong support for this tough legislation.

It is time to stop negotiating with Castro. It is time to force him from power. There can be no just totalitarian state. The only cure for communism and totalitarianism is freedom and democracy. The Cuban people deserve no less.

Specifically, the measure would codify the existing United States trade embargo against Cuba while increasing the protection for the rights of United States nationals whose property has been illegally confiscated in Cuba. Furthermore, the bill directs the President to encourage foreign countries to restrict trade with Cuba and to work for an international embargo against the Cuban Government.

Castro's reign of terror and suppression in Cuba is nearing an end. His ruthless Communist regime is on life support. Let us pull the plug by passing this legislation.

Mr. MARTINI. Mr. Speaker, I rise today to support the conference report to H.R. 927, the Cuban Liberty and Democratic Solidarity Act of 1995. We must stand tough on Castro.

His recent reprehensible act is a testament to his madness. On February 25, 1996, he gave orders to shoot down two Cessna planes operated by the American humanitarian group, Brothers to the Rescue. His orders were successfully carried out and four Americans were killed. These men could not have defended themselves against a hostile aggressor even if they had wanted to. Castro's ignoble action was as pathetic as it was wrong. This senseless act of violence must be condemned in the strongest possible terms. The Cuban Liberty and Solidarity Act is in fact a condemnation of the Castro regime.

We must call on the President to organize an international embargo on Cuba and we must tighten our current embargo. This bill also protects the rights of U.S. citizens and businesses by allowing them to sue parties who knowingly and intentionally traffic in confiscated U.S. property. We cannot allow Castro to infringe on the rights of U.S. citizens, or on the rights of his own people.

The most heartwrenching example of his control is the state of affairs of the people of Cuba. Their aspirations and cries for freedom and democracy remain unacknowledged and as follows, unanswered.

Cuba's liberalization is an impossibility with Castro controlling the reins. He is a despot with little to do but punish men and women who have tenaciously championed the cause for freedom through vigilant, assertive, nonviolent actions. Not only has he killed four American citizens but in the process he has also ignored the will of his people. The people of Cuba do not possess the means to hold Castro responsible for his actions, so we must do what they cannot. We must hold Castro accountable for his actions.

Mr. ACKERMAN. Mr. Speaker, I rise in strong support of the conference report to accompany H.R. 927, the Cuban Liberty and Democratic Solidarity Act.

The shooting down of unarmed U.S. civilian aircraft over the Florida Straits is the heinous and unforgivable act of a rouge regime that ignores international law. Such wanton disregard for human life cannot go unanswered.

Today, Congress is responding in the form of the Cuban Liberty and Democratic Solidarity Act. The bill sends a clear signal to Cuba by strengthening the United States embargo of Cuba, authorizing assistance for democratic elements within Cuba, directing the President to prepare to support a transition to democratic government in Cuba, and increasing protection for the rights of United States nationals whose property has been illegally confiscated in Cuba.

Mr. Speaker, some have raised objections that this bill will impinge on our allies' ability to trade with Cuba and that it will only strengthen Fidel Castro's ability to retain power. I do not believe that we should reward the murderer of four American citizens by relaxing the current embargo. We should, and we will, strengthen the embargo and strangle the Castro regime.

Mr. Speaker, I urge my colleagues to support H.R. 927 and strike a blow for the freedom of Cuba.

Mr. FUNDERBURK. Mr. Speaker, there can be no compromise in dealing with Fidel Castro. We must make sure that the Helms-Burton Cuban liberty bill passes as soon as possible so we can tighten the embargo on Cuba. We can have no sympathy for those who would be inconvenienced because they choose to make a profit over conscience. We must penalize those who would traffic in stolen American property. If the Helms-Burton Cuban liberty bill is a violation of NAFTA as claimed by the Canadian Foreign Minister, maybe it is time for the United States to withdraw from that and any other organization that prevents the United States from pursuing its national interests.

Mr. Speaker, we must demand the Castro's Cuba abide by international law that stipulates that a national air space be set at 12 miles. We must not allow Castro's armed thugs to grossly expand their national air space to the 24th parallel. We must make the Castro regime realize that any attack on civilian aircraft outside Cuba's 12 mile borders would be met with military force. To make this point clear, we should start by flying combat air patrols well south of the 24th parallel. Maybe we can teach Castro's armed thugs the same lesson that we taught Kadafi a few years back.

Mr. RICHARDSON. Mr. Speaker, after much consideration, I find that I must vote against this bill. My decision is based primarily on my belief that this is an intrusion on the President's prerogative to conduct foreign policy. This bill restricts Presidential authority and flexibility by codifying the embargo into law. The Helms-Burton conference report contains a provision requiring the President to seek approval of both the House and Senate before changing any aspect of the current embargo. This is an unacceptable infringement on Presidential authority.

Further, this bill will interfere with the principles of free trade, exemplified by the North American Free Trade Agreement, an issue dear to my heart. Canada, Mexico, and Caribbean nations have already expressed their concerns for this infringement of their sovereignty.

I must convey however, that I did strongly consider voting for this bill as a sign of protest against the downing of the two Hermanos al Rescate planes. That was an indefensible act, and I feel sadness for the people who were killed and their families. In addition, this is an emotional, and enormously important issue for my Cuban-American friends, and I have deep respect for their views, particularly BOB MENENDEZ, LINCOLN DIAZ-BALART, AND ILEANA ROS-LEHTINEN.

Accordingly, my decision to vote ''no'' is a difficult one given the support to have always given President Clinton and the Cuban-American community.

Mr. KIM. Mr. Speaker, I rise today in strong support of the conference report to H.R. 927, the Cuban Liberty and Democratic Solidarity [Libertad] Act of 1995. The recent shoot down of two unarmed civilian planes by Cuban Air Force MiG's clearly underscores the continued hostile focus of the Castro dictatorship and the need for stronger pressure to bring it down. Castro's irresponsible and unnecessary violations of international law must be dealt with in the strongest terms possible. H.R. 927 does just that.

As a strong supporter of former-President Reagan's foreign policy creed—''peace through strength''—I am constantly surprised by the lack of vision this administration has in the foreign policy arena and how frequently American military and civilian lives are put in harm's way. The concessions given to North Korea in the agreed framework and the ill-advised involvement of United States forces in Haiti and Bosnia are just a few of the examples of foreign policy decisions with which I have serious concerns. This is not peace through strength—it's danger through appeasement. The administration's recent kowtowing to Cuba and the resulting aggression by Castro's military further underscores my concern about this administration's lack of direction.

Ironically, since the beginning of his term in office, President Clinton has attempted to weaken the U.S. embargo on Fidel Castro's Communist government. This dramatic shift in policy has turned on its head the longstanding efforts of six previous, bipartisan administration policies of standing firm against the 36-year old dictatorship in Cuba. H.R. 927 responsibly reverses President Clinton's ill-advised appeasement policy by codifying the existing embargo against Cuba. It also strengthens efforts to achieve international sanctions, provides assistance to democratic opposition and human rights groups and protects U.S. interests in illegally confiscated property. By passing H.R. 927, Congress ensures that the United States continues the longstanding ''peace through strength'' approach in dealing with the Castro dictatorship. This policy has proved the most reliable when facing such rogue regimes. It is for these reasons that I strongly support H.R. 927 and commend President Clinton for finally recognizing the importance of this legislation. I am only sorry that it took the lives of four innocent civilians to do so.

Mr. DEFAZIO. Mr. Speaker, I certainly deplore the Cuban Government's decision to shoot down unarmed civilian aircraft. It was unconscionable and outrageous. However, our Government bears some blame for failing to fulfill its obligation to keep U.S. civilian aircraft from conducting harassing raids into foreign airspace from U.S. soil. But that's not the issue here. The issue is what kind of policy will bring Cuba into the fold of democratic nations.

In this case, United States foreign policy has been hijacked by a small population of right-wing Cuban exiles in Miami. The bill before us represents a complete surrender to these extremists by the President and congressional leaders. I urge my colleagues to reject it, though I know they will not.

This bill will do nothing to encourage Cuba's transition to democracy. In fact, the opposite will be the case. By continuing and tightening the fruitless embargo against Cuba, we are strengthening the Castro regime's only remaining claim to legitimacy. The losers are the Cuban people. The winners are Castro and his henchmen—who will remain in power not only in spite of but because of the embargo—and United States politicians eager to pander to the Cuban exile vote in Florida.

The contrast between United States policy toward Cuba and our Government's stance toward the brutal and geriatric communist leaders of China is stark. Despite China's well-documented human rights abuses, its unfair trade practices and its policy of exporting dangerous arms to terrorist regimes around the world, this Congress and the President insist on giving China favored nation trade status. Chinese belligerence and intransigence is not only tolerated by our Government, but rewarded. Yet the impoverished nation of Cuba is deemed to be such a threat to our shores that the most punitive sanctions are justified.

This bill is hypocrisy and pandering at its worst. It should be rejected.

Mr. COYNE. Mr. Speaker, I rise today in opposition to the Cuban Liberty and Democratic Solidarity Act.

I strongly condemn Cuba and Castro's reprehensible and inexcusable actions in shooting down two unarmed American civilian aircraft recently. This was an unacceptable act that no civilized nation can condone. It was a clear and blatant violation of international law. Our hearts go out to the families and friends of the victims of this tragedy.

Nevertheless, while I abhor Cuba's action, I oppose this bill because I believe that enactment of the Cuban Liberty and Democratic Solidarity Act is not in the United States's national interest, and that our national interest and our efforts to promote democracy and human rights in Cuba must take precedence over our anger and revulsion at this cowardly act.

The Cuban Liberty and Democratic Solidarity Act of 1995 is intended to increase the economic pressure on Cuba in the belief that additional hardships imposed on the Cuban people will produce additional dissatisfaction with the Castro regime and accelerate its downfall. The problem with this reasoning is that in many ways it plays into Castro's hands by allowing him to blame the Cuban people's suffering on foreign enemies—namely, the United States. Sanctions like these provide Castro with a convenient scapegoat for the failings of his unsustainable regime.

The best way to replace Castro's dictatorship with a democratic form of self-government and a market economy is though engagement, not isolation. The United States should be engaging the Cuban people. This legislation will alienate them. It will shore up Castro by allowing him to fan the flames of Cuban nationalism against the United States. I believe that the most effective tool for fostering democracy and human rights and economic development in Cuba is exposure of the citizens of Cuba to free democratic societies. I urge my colleagues to reconsider this action and vote no on the conference report.

The SPEAKER pro tempore (Mr. EWING). Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 336, nays 86, answered ''present'' 1, not voting 9, as follows:

[Roll No. 47]

YEAS—336

Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Borski
Brewster
Browder
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Chrysler
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Doggett
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Everett
Ewing
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Flanagan
Foley
Forbes
Ford
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Ganske
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Gingrich
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Hoke
Holden
Horn
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (SD)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Luther
Maloney
Manton
Manzullo
Martinez
Martini
Mascara
Matsui
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Mollohan
Montgomery
Moorhead
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Paxon
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Regula
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Schumer
Scott
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torricelli
Traficant
Upton
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—86

Abercrombie
Barrett (WI)
Becerra
Beilenson
Berman
Bonior
Boucher
Brown (CA)
Campbell
Clay
Conyers
Coyne
DeFazio
DeLauro
Dellums
Dixon
Dooley
Eshoo
Evans
Farr
Fattah
Flake
Foglietta
Frank (MA)
Furse
Gejdenson
Gibbons
Hall (OH)
Hamilton
Harman
Hinchey
Hostettler
Houghton
Jackson (IL)
Johnson (CT)
Johnson, E. B.
Johnston
Kennedy (MA)
Kleczka
LaFalce
Lewis (GA)
Lincoln
Lofgren
Lowey
Markey
McDermott
McHale
McKinney
Miller (CA)
Minge
Mink
Moakley
Moran
Morella
Nadler
Oberstar
Obey
Olver
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Rangel
Reed
Richardson
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Serrano
Skaggs
Stark
Studds
Torres
Towns
Velazquez
Vento
Waters
Watt (NC)
Waxman
Williams
Woolsey
Wynn
Yates

ANSWERED ''PRESENT''—1

Owens

NOT VOTING—9

Bryant (TX)
Chapman
Christensen
Clayton
Collins (IL)
Collins (MI)
McCarthy
Slaughter
Stokes

□ 1513

Mr. WYNN and Ms. FURSE changed their vote from ''yea'' to ''nay.''

Ms. RIVERS changed her vote from ''nay'' to ''yea.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. CLAYTON. Mr. Speaker, during rollcall vote No. 47 on H.R. 927 I was unavoidably detained. Had I been present, I would have voted ''no.''

PERSONAL EXPLANATION

Mrs. COLLINS of Illinois. Mr. Speaker, this afternoon, March 6, 1996, I was unavoidably absent for rollcall vote 47, on final passage of H.R. 927, the Cuban Liberty Act conference report, because I had to go to my ophthalmologist for an emergency procedure.

Had I been present, I would have voted ''no.''

□ 1515

GENERAL LEAVE

Mr. HAYWORTH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the conference report just adopted.

The SPEAKER pro tempore (Mr. EWING). Is there objection to the request of the gentleman from Arizona?

There was no objection.

REPORT ON RESOLUTION PROVIDING SPECIAL AUTHORITIES TO COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT TO OBTAIN TESTIMONY ON THE WHITE HOUSE TRAVEL OFFICE MATTER

Mrs. WALDHOLTZ, from the Committee on Rules, submitted a privileged report (Rept. No. 104–472) on the resolution (H. Res. 369) to provide to the Committee on Government Reform and Oversight special authorities to obtain testimony for purposes of investigation and study of the White House Travel Office matter, which was referred to the House Calendar and ordered to be printed.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. EVERETT). Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. BILIRAKIS] is recognized for 5 minutes.

[Mr. BILIRAKIS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 5 minutes.

[Mr. BURTON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Dakota [Mr. POMEROY] is recognized for 5 minutes.

[Mr. POMEROY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. WELDON] is recognized for 5 minutes.

[Mr. WELDON of Pennsylvania addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. TOWNS] is recognized for 5 minutes.

[Mr. TOWNS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Hawaii [Mrs. MINK] is recognized for 5 minutes.

[Mrs. MINK of Hawaii addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee [Mr. DUNCAN] is recognized for 5 minutes.

[Mr. DUNCAN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

WE ARE NOT ADDRESSING THE ISSUES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized for 5 minutes.

Mrs. SCHROEDER. Mr. Speaker, I just came to the floor because my calendar says it is March 6.

My whole problem is I cannot figure out when we are going to get our work done.

It seems to me, if it is March 6, that means we are almost halfway through this fiscal year, we still have four bills that have not been signed, we still have the debt ceiling issue, we still have the fact that we can shut Government down at any moment, and what we are hearing from the primaries out there, where the people are really being able to speak, is they think we have missed the whole boat, that this issue is really about the average American family and how they keep the middle-class American working standard.

So, Mr. Speaker, let us talk about that, what that is and how we have not done anything for that.

Mr. Speaker, the American people feel we have really missed the boat, we have missed the core challenge, and that is helping America's working families, the ones who work, the ones who get up every morning, the ones who are struggling like mad, the ones who feel like one of those hamsters in a wheel where they run faster and faster every year, their tongues are hanging out, and yet they feel they do not get out of the bottom of that wheel.

Now one of the things that we have not done that would help, we are going to see a lot of photo ops with these people, but these people really do not care about photo ops. They really care about some policy that would help them. Let us start with the minimum wage.

The minimum wage is the lowest it has been in 40 years. When I went to college, I was able to work my way through college. College tuition has gone way, way up, and the minimum wage has stayed way down here. It is almost impossible for a young person today to work their way through college and finish before they are 80 years old. So the minimum wage is terribly important to try and help people to be able to support themselves better.

Let us look at medical care. Medical care is very critical. We have got the Kennedy-Kassebaum bill moving in the Senate, but we do not see it moving over here. I am the proud cosponsor. I hope many more people become cosponsors. But that, too, helps working families to try and hold that pillar of medical care underneath them and their families as they feel it crumbling.

There is another whole area; that is student loans. People would like to see that pillar be held up because everyone knows their young folks are only going to go as far as their education takes them, and getting an education is terribly costly, especially in this day and age. So doing anything to the student loans is very unfair, and it makes it topple.

When you look at Medicare and Medicaid, those are two other areas that really harm the average working family because especially if the average working family has a child that is handicapped or whatever, they need to be depending on Medicaid to make up the difference. They may have elderly parents who desperately need Medicare, and without Medicare and Medicaid then the families got to dig deeper in their pockets to make this all work.

You know, part of the stress on these young families and part of their frustrations with this body is rather than having pictures they would like a minimum wage increase, they would like an insurance bill, they would like the guarantee that their pensions are not going to be played with. Several times this year we have seen bills saying that corporations could do with their pensions what Orange County, CA, did with their funds. That does not make you sleep very well at night. They want to be sure education is guaranteed in the future, and they want to know there is a future.

I think we really need to roll up our shirtsleeves and get to work here. I mean here we are. Yesterday we were out early; here we are today, we are out early. I do not know what we are doing. We have not gotten the budget done, we have not gotten our work done, and we are not addressing the issues that voters all over America, in State after State as these primaries roll through, say are front and center. They are saying please listen to us. We are the ones that support the Government; why does the Government not support the policies we want?

You know we are going to lose their support of the Government. That is one of the things that feeds the cynicism so much. We will lose their support of the Government if we are not listening to them and providing those policies.

So I just want to say I am sure where everybody lives there will soon be a photo op near them with politicians running around trying to have pictures taken with little kids, with working people, in front of a hospital deploring hospital costs, whatever. But when you see that photo op, think about how does it translate into policy, how does that person vote, what do they cosponsor? That is the reality. The picture is not the reality, the record is the reality, and I think working men and women are going to be looking for those records, Mr. Speaker.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas [Mr. TIAHRT] is recognized for 5 minutes.

[Mr. TIAHRT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

□ 1530

THE GOVERNMENTS OF SAUDI ARABIA, KUWAIT, JAPAN, AND EUROPE OWE THE UNITED STATES A RESPONSE

The SPEAKER pro tempore (Mr. EVERETT). Under a previous order of the House, the gentleman from Connecticut [Mr. GEJDENSON] is recognized for 5 minutes.

Mr. GEJDENSON. Mr. Speaker, the tragedies in Israel over the last several weeks are something that all of us have to pay close attention to. I am proud that the American Government and President Clinton have led the effort to try to build a real and lasting peace in the Middle East. But many of our friends in countries who have benefited from America's generosity and America's courage have not only not helped us in this struggle for peace, but have actually supported the opponents of peace in the Middle East.

Mr. Speaker, today I will be sending letters to the Governments of Saudi Arabia and Kuwait to ask them what they are doing to try to stop the attacks on innocent Israeli civilians by Hamas. I will be sending the same letter, virtually, to the Governments of France, England, Germany, and Japan. Their continuing trade with Iran, dealing with Iran as if it was one of the civilized nations of the world, continues

to provide for them the wherewithal to continue their support for the terrorists in Hamas.

In Jordan and Egypt we see different kinds of governments. They, along with the Israelis and the leaders of the PLO, Mr. Arafat and others, have struggled to build a peace in a region of the world that has seldom seen peace. We should also remember and applaud their efforts: The courage of King Hussein, the leadership and the courage of President Mubarak and his predecessor, Anwar Sadat.

In Israel, the Israelis have lost so much in their leadership, in their citizenry, in the wars and terrorism. Their courage in continuing in this peace process is truly remarkable. But the question has to be asked, the Saudis and Kuwaitis are regulars in this capital asking for assistance and protection, but what have they done to assist the peace process? What have the Saudis and Kuwaitis done to try to stop Hamas and its violence on innocent civilians?

These governments, these feudalistic governments, cannot buy their security by financing the fundamentalists who will attack women and children with bombs in schools and marketplaces and bus stops. The governments of the Western World, France, England, Germany, and Japan, they cannot hold their head high in the international community while they continue to do business with Iran, the country that is singly most responsible for the terrorism in the Middle East.

Syria wants to be included in the family of nations. It needs to end its support for Hamas, and the operation of Hamas within its borders. We as Americans are happy to lead. We are happy to take on more than our share of responsibility. But again, I cannot emphasize enough, Saudi Arabia and Kuwait are there today solely because of American courage, solely because of American action, and solely because of American guarantees for their freedom.

The Saudis and the Kuwaitis do nothing to stop the financing of this terrorist organization. Their governments need to respond with actions that show they can be trusted as friends and allies, not just as those who need our assistance. France, England, Germany, and Japan want to be leaders of the world. They want to be the kind of partners that America looks for in running this world, in leading the world toward a better place for all the people of the world. They continue to provide the financial support for Iran that enables Iran to support and subsidize terrorism globally.

We in America must demand from these countries some action. We must demand more than just rhetoric and rhetorical responses to this kind of savagery. The Government of Saudi Arabia and the Government of Kuwait owe the Americans a response. They owe the world a response, the world that turned to their rescue to end the terrorism of Hamas in the Middle East.

France, England, Germany, and Japan are wealthy enough nations that they could join with us in isolating the Government of Iran until they are ready to act like a civilized and responsible nation. Nations do not kill children. Nations do not finance an organization that places bombs in civilian areas. We need to lead and we need these countries to join us. I will await their responses.

RUBY RIDGE: JUSTICE UNSERVED

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Idaho [Mrs. CHENOWETH] is recognized for 5 minutes.

Mrs. CHENOWETH. Mr. Speaker, as we all know, the issue of values seems to be paramount in everybody's mind, values with regard to those held dear by our country, by individuals, and by families. But values really come from where we place the value on human life and how we appropriate the protection of life, liberty, and the pursuit of happiness from government. Today those values seem to be misappropriated, so I am going to speak to you today, Mr. Speaker, with regard to an incident that occurred in my district, and the serving up by the Government of an award for that incident.

Mr. Speaker, I come to the floor today to publicly address a growing concern that I am hearing more and more of from my constituents, and from people all around the country—the continuing misappropriation of values by our Federal Government. I am not talking necessarily about the values, as typically described by the media, but the most basic value of how we as a government regard the individual's ability to safely live his life in an atmosphere of freedom and liberty, with mutual respect as each individual peaceably pursues happiness.

My most recent concern arises out of what appears to another poor decision made by a Federal law enforcement agency in the wake of what has come to be known the tragedy at Ruby Ridge, ID. I am talking about the recent issuing of the highest awards of valor to Federal marshals involved in a shootout on August 21, 1992 that ended up with the deaths of 14-year-old Sammy Weaver, and deputy marshal Bill Degan.

Mr. Speaker, I find it incomprehensible that after years of investigations by both Congress and the Justice Department about significant questions regarding the conduct of Federal agents involved in the Ruby Ridge disaster, the U.S. Marshals Service has chosen instead to hand out awards rather than sort out their mistakes and punish wrongdoing to ensure that such deadly mishaps don't happen again.

Mr. Speaker, I attended much of the hearing in the Senate Subcommittee on Terrorism, Technology, and Government Information that was chaired by Senator SPECTER. I listened very attentively to the testimony of Randy Weaver, and the U.S. marshals on their take of the events leading up to that fateful day of August 21, 1992. The committee listened to Randy's description of how agents from the U.S. Federal Marshals Service for a 16-month period executed an extensive surveillance of his home that included hundreds of hours of filming the everyday proceedings of his family with satellite powered cameras, setting up command centers in the homes of neighbors, and sending many undercover agents posing as supporters to the Weaver home.

In addition, the U.S. Marshal's Service initiated military reconnaissance like missions to determine what would be the best way to invade the Weaver home. U.S. marshals on one of these missions excited the family dog by throwing rocks at it.

The committee listened to Randy's agonizing unscripted depiction of how he made the most regrettable decision of his life when he sent his 14-year-old son Sammy down the road with a rifle to see what the dog was barking at—and how those agents shot a young boy's dog at his feet, and how a Federal marshal, dressed in a terrifying paramilitary uniform, jumped out of the bushes and yelled ''Halt''—and how these events led to a gun battle that ended with the tragic death of Federal Marshal Degan, and of the young boy Sammy—shot in the arm and in the back—as he ran frantically up the road yelling ''I'm coming home Dad!'' Randy and his wife Vicki, no longer caring if they were fired at, went down the hill to retrieve the small body of their son.

While a Justice Department investigation did find evidence that U.S. marshal Larry Cooper fired the shot that killed 14-year-old Sammy Weaver, the report failed to determine who actually fired the first shot. Kevin Harris, a friend of the Weavers, who was involved in the gunfight, testified before the committee that U.S. marshal Arthur Roderick fired the first shot, which killed Weaver's dog. The marshals claimed that Harris fired the first shot, which mortally wounded U.S. deputy marshal Bill Degan.

Mr. Speaker, the Senate committee determined in their report that Harris' testimony was more plausible because Dean had fired seven rounds before he died. For the marshals' testimony to be true, Degan would have had to fire all seven shots after he was mortally wounded. The Senate committee also found it hard to understand why, if Kevin Harris had actually fired the first shot, the other marshals had not shot him dead in his tracks for killing Degan.

Mr. Speaker, what was even more disconcerting was hearing U.S. marshals Roderick and Cooper propose during the Senate hearing that Randy Weaver was responsible for shooting his own son. This suggestion contradicts all of the facts and evidence which point to Cooper as being the only one who could have shot Sammy. Even the Government's position during

the July 1993 trial was that Cooper had shot Sammy Weaver. The committee has actually retained several experts to study the matter further.

Mr. Speaker, at the same time there is an ongoing investigation into their sworn testimonies regarding their role at Ruby Ridge, Roderick and Cooper were among the five marshals honored last week.

Mr. Speaker, in addition, several places in the Justice Department report deal with the possibility of a Government cover-up. After the gunfight, the surviving marshals were taken away to recuperate. The authors of the report stated that:

> We question the wisdom of keeping the marshals together for several hours while awaiting interviews with the FBI. Isolating them in that manner created the appearance and generated allegations that they were fabricating stories and colluding to cover-up the true circumstances of the shootings.

Those are the Justice Department's words, not mine.

But the Marshals Service does not appear concerned with answering the Justice Department's concerns or learning from this tragedy. Marshals Service Director Eduardo Gonzalez said when asked why the service waited so long after the siege to announce the awards that he ''didn't think it was appropriate'' to hold such a ceremony while the Senate was holding formal hearings into the incident. This tells me that the director blatantly overlooked the fact the Senate, like the Justice Department, found fault with the actions of at least two of the marshals he honored.

The bottom line is, Randy Weaver faced his accusers, stood trial, and answered for the only crime he was convicted of: failure to appear in court. While the Justice Department and Congress determined through extensive investigations that all the agencies involved were guilty of some level of wrong-doing at Ruby Ridge, precious little has been done to ensure such massive errors in judgment do not occur again.

Mr. Speaker, how our Government has acted with regard to the tragedy at Ruby Ridge, and in other similar instances has had, and will continually have significant ramifications on how our people view our Government, and how Federal law enforcement will respond to the constitutional rights of citizens in the future.

Mr. Speaker, the issue of how our Government is maltreating its citizens while ignoring the effects of its own unjust actions is very much on the minds of millions of Americans. They are asking how can it be possible that people such as John Poszgai, a Hungarian freedom fighter who escaped with his life and settled in Pennsylvania, can end up being sentenced to serve 6 years in a Federal penitentiary because his cleaning up of an old dump was considered a crime because it filled in a wetland. They are wondering just where our Government is placing its values when it gives the highest commendation possible to an individual for shooting a child in the back as he is running to the comforting arms of his father.

CUTS IN EDUCATION PROGRAMS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina [Mrs. CLAYTON] is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, we talk much about education, but we do not do very much. Consider these facts. In 1949, for every $10 the Federal Government spent, $1 was spent for education. For every $10 in 1949 that we spent for education, $1 was spent for education. Now, today, for every $10 that the Federal Government spends, a little more than 1 dime—from 1949, from $1 we have moved to 1 dime—is spent for education.

Where are our priorities in education? In 1949 America led the world in educational achievement. Today America trails nations like Europe and Asia. We are behind those nations now, perhaps because we failed to heed the words of T.S. Eliot then. Eliot said in 1935, ''Time present and time past are both perhaps present in time future, and time future is contained in time past.'' Let me repeat those profound words of Eliot's. ''Time present and time past are both perhaps present in time future, and time future is contained in time past.''

What did Eliot mean by that statement? Let us examine the statement in the context of education. It is inconsistent to talk about building the future while tearing down the present. Yet, Members in this House seem ready to abandon education by making the largest cut in American history, cuts amounting to one-third of education spending, cuts that are three times as much as other cuts in their discretionary budget, cuts with overall funding for the Department of Education likely to be reduced by 25 percent.

In essence, for time present, in this blind march, blind march to a balanced budget, we want us to ignore time past. But they are ignoring, as Eliot points out, both times, present time and past, and also they are ignoring our future. More importantly, they are ignoring Eliot's conclusion that time future is certainly contained in time past.

If we truly want to preserve the future, we must, we must, first, not forget the past; and second, take care of the present. That is what Eliot meant. But we forget the past when we disregard how much of our budget we spent to make us a world power in education: 10 percent in 1949, and now only 1.4 percent today. And we do not take care in the present when we are preparing to further slice education so deeply. We will also interfere with the future of this Nation's prosperity.

Instead of cutting the education budget with regard to the impact of those cuts, I would urge my colleagues to go out from the comfort of these halls and visit American schools. Go see how those schools are. Many of them are in disrepair. I have students visiting me who have just left out of the gallery who are in private schools, and many of them have found that our public schools do not give them the opportunity. We are not investing in our education. Visit any of those schools in your district and see if you do not see a need that we are failing to assist our communities in meeting.

What will be the impact of these massive education cuts on the future of education for our young people? More importantly, what will be the future of this country if we continue to not invest in education? What will these working families do if their children are not educated?

We say we believe in families, yet we do not give them the very tools they need. How will these students learn when even more teachers are terminated under the pressures of these severe cuts? Already schools are receiving pink slips because they do not know what their budgets will be. How can they plan under the circumstances of this continued resolution?

We talk about restoring family values. We talk about helping young people. Yet, our actions are inconsistent with what our words are. Recent national polls show that Americans overwhelmingly support education and believe it should be the top priority of this country.

The American people agree with Eliot. Instead of a big tax cut for the wealthy, we should put more money in education for our children and for this Nation's prosperity. We must heed the words of Eliot, as true today as they were in 1935, and understand that the present and past shape the future. There can be no bright future without a brilliant past and a clear present.

Mr. Speaker, we must stop these education cuts and make sure that we secure America's future and our children's prosperity.

□ 1545

INTRODUCTION OF BILLS IMPLEMENTING IMPARTIALITY IN REVIEW OF COMPLAINTS AGAINST JUDGES AND REASONABLE ATTORNEY'S FEES IN CAPITAL CASES

The SPEAKER pro tempore (Mr. LATOURETTE). Under a previous order of the House, the gentleman from Tennessee [Mr. BRYANT] is recognized for 5 minutes.

Mr. BRYANT of Tennessee. Mr. Speaker, I rise today in order to explain two bills I introduced today and ask my colleagues for their support of this legislation.

Both bills relate to judicial procedure and are intended to help restore the public's confidence in that branch of our Federal Government. Today, when citizens distrust their government to the degree that we are seeing, it is imperative that we take reasonable steps to promote public confidence in our form of Government that is set forth in the Constitution.

We must always remember that we do not legislate in a vacuum. The laws we pass have consequences. Our Government processes have consequences.

At this very time, the country needs legislation that has positive consequences with respect to the long-term health of our Republic.

In that regard, I would like to explain my bills. The first bill deals with the handling of ethical complaints filed against Federal judges. The complaint process currently works like this: The ethical complaint is made in writing to the circuit court clerk, and this complaint is accompanied by a brief statement of the facts behind the complaint. Alternatively, the chief justice of the circuit may also initiate a complaint if he is aware of a set of facts that warrant review.

The clerk gives the complaint to the chief judge of the circuit, and this chief judge reviews the complaint and enters a dismissal or refers it to a special committee of judges from within that same circuit. In other words, the complaint is completely adjudicated within the circuit of the judge subject to that particular complaint.

While most of the complaints filed against Federal judges are frivolous, the process itself, the procedure, should not give the appearance of a lack of impartiality or lack of fairness, or an appearance of possible bias, or at worst, a possible biased review. That is, these complaints against a judge are now reviewed by his close colleagues. They all serve together in the same circuit, some in the same district. They work together professionally, they meet at conferences, and interact on a personal and social basis.

Human nature leads to the likelihood of a less than dispassionate review in this type of situation. The situation at a minimum presents an appearance of partiality. Couple that appearance with the loss of public confidence in our Government institutions that we are seeing, and we have a crisis in the making.

The bill I am introducing will remedy this situation whereby judges within the same circuit review ethical complaints filed against one of their fellow judges. My intent is to introduce a greater degree of impartiality and fairness to this process. My legislation will have the clerk of the circuit in which a complaint originates automatically forward that complaint to another circuit for adjudication.

This legislation builds on the current complaint review process. It calls for the creation of a method by which complaints received against judges and magistrates within one circuit are sent to another circuit for review.

The second bill pertains to the amount paid to lawyers and lawyers' fees and expenses that a Federal judge may award in a capital case, a Federal death case, if you will. Currently title 18, United States Code allows compensation at a rate of $60 per hour for court time and $40 for out-of-court time to be paid to lawyers that are appointed to handle Federal criminal cases. These are standard fees. I note that title 18 provides a means for raising compensation levels to a higher limit than what I have just described. This process has not been used yet.

In capital cases, again death penalty cases, judges may go outside this range of $40 to $60 per hour and set even higher rates, at their complete discretion. Under our code, if it involves a death penalty case, the Federal judges can set this compensation to be whatever they deem is reasonably necessary. In other words, again complete discretion on the part of that judge.

Now I understand the need to pay people for their time rendered, for their services given, but these payments that are made in these situations are being made at taxpayer expense. In certain habeas cases, certain death penalty cases in my home State of Tennessee, I am aware of a Federal judge awarding the lawyer fees of up to $250 an hour. Not many Tennessee lawyers command $250 an hour, much less a court-appointed lawyer in a criminal case.

My bill would set lawyers' compensation rates under title 21 in the recommended range of $75 to $125 across the Nation, and thereby stop the judges from awarding huge amounts, far in excess of the going rate in that particular marketplace. Furthermore, my legislation would require that these amounts paid in attorneys' fees and expenses would be publicly disclosed for all of us to see.

I hope that my colleagues can support these two bills. I think it is time we move toward restoring the public's confidence in the judiciary. We can move in that direction by implementing impartially in the review of complaints filed against Federal judges, and by having reasonable attorneys' fees that are responsible to the taxpayer, who ultimately gets the bill.

MICA EXPRESSES OUTRAGE AT OUT-OF-CONTROL EPA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. MICA] is recognized for 5 minutes.

Mr. MICA. Mr. Speaker, I come before the House this afternoon really in a sense of outrage about our out-of-control Environmental Protection Agency. We have heard EPA talking about how the new majority and Members of Congress on both sides of the aisle were going to gut their budget and hurt the environment and do away with any regulations. That, Mr. Speaker, is all bunk.

We have seen EPA use public resources in the past to continue their mission of misinformation of untruths and distortions. Today I received a copy of EPA Watch dated January 31, 1996. This, Mr. Speaker, really takes the cake. It says, ''EPA Enlists PTA To Battle Congress Over Budget Cuts.''

This story tells how the EPA's Office of Enforcement and Compliance has a memo dated January 19 that states that their staff, from no fewer than 11 offices, are working in this mission of lies and distortion and now trying to drag the children, parents and teachers of this Nation into this campaign against much-needed reform.

First of all, let me tell the parents and teachers and my colleagues that EPA was a Republican idea. It started in 1972. It was an idea to do a better job in cleaning up the environment. It was a Republican proposal to set some national standards and we have done that. We have begun to clean up. We have had 20 some years of experience and we have seen where mistakes have been made and we need to draw on that.

When President Clinton came into office in 1993, in January, and I quote from the New York Times, it said, ''in January, mayors from 114 cities and 49 States opened a campaign by sending the President a letter urging the White House to focus on how environmental policymaking had, in their view, gone awry.''

That is what started the debate. The cities, the counties, the special districts, the Governors, the State associations came to us and said, ''Some of what you're doing, some of what you're imposing makes no sense, it's a great cost on us, and we pass it on to the taxpayer in higher, unwarranted costs in many cases.'' So they gave us the responsibility of trying to make some sense out of this.

Mr. Speaker, I served on the committee that conducted oversight of EPA from 1992–94. What I saw was a horror story and the children and the parents and teachers should know, not just the misinformation that they are being fed by this compliance office to lobby Congress for more money but they should know what is really going on.

Let me cite, for example, a memo dated March 31, 1993, from the inspector general for audit of that agency. He is talking about the Environmental Research Laboratory, one of the operations of EPA. He said for over a period of up to 7 years the audit concluded that ERLA management had avoided or circumvented laws, regulations, and agency procedures in the award and funding of certain contracts and had misused or abused the use of contracts, and it goes on and on and on about the misuse.

Mr. Speaker, this is how taxpayer dollars are being expanded. When I served on the committee, we looked at Superfund, a multibillion-dollar project that was to clean up the hazardous waste sites. What we found in this report from GAO in 1994 said although one of EPA's key policy objectives is to address the worst sites first, relative risk plays little role in the agency's determination of priorities.

This study by GAO finds in fact that they choose cleanup sites on the basis of political pressure, not the risk to children and safety. That is something our American children, our teachers, and the Congress should know.

What about polluters? Do polluters pay? Not with EPA. They let them off

the hook. Look at this headline, ''EPA Lets Polluters Off the Hook,'' $4.8 billion in noncollected funds.

Mr. Speaker, I have just about had it with EPA. I am calling on the Speaker, and I am calling on Chairman MCINTOSH of the oversight committee to conduct an investigation of what they are doing. Rather than going out and enforcing environmental laws, they are using taxpayer funds to start a campaign against Congress, and this action must stop.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. FUNDERBURK] is recognized for 5 minutes.

[Mr. FUNDERBURK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. HUNTER] is recognized for 5 minutes.

[Mr. HUNTER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. FOX] is recognized for 5 minutes.

[Mr. FOX of Pennsylvania addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

ECONOMIC SECURITY IS A BIPARTISAN ISSUE

THE SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, many of us have had an opportunity to visit more extensively over the last 2 or 3 weeks with our constituents at home. It is interesting, I rose just earlier this week to indicate really what has captured the minds and the emotions of many Americans as we have watched the Republican primary proceed before our very eyes. It is not that the debate is unique, it is that maybe it is being raised when all of us happen to be focused in that direction, for the questions dealing with economic security, the well-being of this country, have been troubling many of our constituents for a number of years.

And it is not a partisan issue. It is in fact a bipartisan issue, and it calls to question the quality of life that we expect as Americans. What it does is, it should pit us toward each other and not against each other. It involves the assessment of affirmative action as a valuable tool in which we can extend, to those who have not had an opportunity, an even playing field.

It calls into question the attack on the earned income tax credit which rewards working people, working people who in essence are poor, to continue to work and not to seek welfare and dependence for them and their children. The earned income tax credit that is under assault by this Congress and by this budget process in fact enhances opportunities and does not take away from opportunities in both urban and rural America.

It helps the more than blue collar worker, the hourly worker who has not had an opportunity to salt away dollars. By them working, they then get a credit back from the Federal Government which gives them a continuing incentive to continue to work. Why should we undermine that incentive for the working poor?

Then there has been a big debate on those who would want to raise the minimum wage and those who would not, merely over a dollar at this point that is being proposed, all of the rancor, that this would destroy small businesses or that this would eliminate jobs. Do we really understand who is working in some of these places where we used to think teenagers worked? Fast food places? They are individuals who are attempting to support their family, some of them with four and five children.

□ 1600

I was told by a Member that he had a family in his district, many families, in fact, four members of the family, four children, excuse me, making a living on $15,000. Now, you wonder how those people make it. I applaud them. I applaud them for working, for keeping their family together, for striking out on their own.

But if we are to uphold the quality of life for all America, then we must fight for the economic security of our citizens. We must go to corporate America and address the question that everything is not profit and dividend, although I respect those who have had the privileges of life and have invested. I want you to be successful. But we must also reinvest in the creation of jobs.

We have been told that the telecommunications bill that has just been passed will create 6 million jobs. Some of those jobs, most of them, will be very technical positions. We must ensure that the least Americans who have tried their best with the education that they have will, in fact, seek the appropriate opportunities for work. Corporate America must reinvest back into work. It is not that jobs are leaving this country. It is that we must take a stand to create jobs and create viable work that has us making items again as we built ships, as we built items in World War II. We must be manufacturers again, and we must create opportunities for those individuals who want to hold their families together.

As I stand before you, as well as I think of economic security and opportunity, I am challenged because this month, March, is the month that we celebrate women, the historic contributions of women, when Susan B. Anthony began to talk about taking advantage of the political process and voting and standing up for what you believe in.

Well, this has not been a very good year for women, for we have found that women have become unequal both in the workplace but as well as far as constitutional and privilege and rights of privacy. For example, whatever your position is, how can you be equal with Medicare for women as opposed to men? So that women in the military would not be allowed to have abortions of their choice if paid for, so that the House banned coverage of most abortions by Federal employees health coverage, again intruding on the privacy right of women.

The House and Senate voted to prohibit the use of Federal funds to pay for abortions for Peace Corps volunteers, and so we go on and on with the onslaught and the attack on women in this Congress.

We also saw fit to provide bonus grants to States that reduce the number of abortions, not among children, and we are not talking about that question, but we are talking about adults, adult women who have the opportunity to make a choice.

One of the most egregious pieces of legislation is when a tragedy comes upon a family who desires a child and they are required to abort because of the threat of that mother. Partial abortion now has become illegal both on the physician and as well would challenge the mother to get proper medical care.

Mr. Speaker, I would say to you we need economic security for all Americans, and in respecting women, in saluting women, we need fairness for women in this legislative agenda.

OUT OF SIGHT BUT NOT FORGOTTEN

The SPEAKER pro tempore (Mr. LATOURETTE.) Under a previous order of the House, the gentleman from Indiana [Mr. MCINTOSH] is recognized for 5 minutes.

Mr. MCINTOSH. Mr. Speaker, out of sight, out of mind.

There is a human tendency to forget those things or people that are not immediate to us. The media feeds this tendency—where stories of heroism or tragedy receive 30 seconds of air time on the evening news—and then they are forgotten.

Mr. Speaker, I rise to give my report from Indiana.

Today I commend the brave men and women serving the cause of peace in Bosnia—they may be out of sight, but they are not forgotten.

They are in Ruthie's and my prayers and in the daily prayers of the good people of Indiana's Second District, especially the school children.

Last December, right before Christmas Ruthie and I were fortunate

enough to visit with some of the soldiers of the 21st TAACOM Army Reserve unit which was being deployed as part of Operation Determined Effort to help our troops in Bosnia.

During the course of my visit, Ruthie and I presented some of the soldiers with cards and letters of encouragement from school children at both Rushville Elementary School and Muncie Northside Middle School.

Two weeks ago, I visited Rushville Elementary School thanks to Scott Bowers of my district staff and his sister Stephanie Bowers, who teaches at the elementary school.

I was able to meet those school children who wrote the letter and have not forgotten our men and women serving in Bosnia. Their words speak volumes as to what America is all about.

The first letter that I want to share with you is from Heather Paugh, a fifth grader at Rushville Elementary, who said:

DEAR SERVICEMEN: Good luck on your mission to Bosnia. I hope that every one of you come back. I'm behind you all of the way.

Next is a letter from Jeremy Allison. Jeremy writes,

DEAR TROOPS: I wish you did not have to go to Bosnia. I hope you get all of the medicine safely to the moms and dads and the kids that are sick and need it.

My name is Jeremy Allison. My uncle is in the Air Force. I'm 10 years old and in the 4th grade. I go to Rushville Elementary School.

I hope you get back safe. If you do you will be a hero.

Remember God is with you.

Your friend, Jeremy.

The last letter I want to share with you conveys the uncertainty one of the children has toward the whole mission. He writes:

I am very surprised that you would risk your life to save another. I don't think it's fair that you have to go. I wish that Bosnia would have peace and nobody would have to do what you're doing.

I have been studying in school about all of the people who have lost their families. I am very sorry that happens almost everyday. I hope you do not have to shoot anybody. I'm a 10 year old boy in Rushville.

Graig Weily.

We are all proud to know that America has dedicated service men and women ready to give up their lives to protect freedom. And most importantly, children back home that believe in them.

Grownups may disagree over the policy and the deployment of troops to Bosnia, but I think most grownups, including myself, agree with Jeremy Allison: ''I hope you get back safe and if you do you will be a hero. Remember God is with you.''

To the brave men and women serving in Bosnia—you may be out of sight, but you are not out of mind, you are in our prayers daily.

And that is my report from Indiana this week.

JOBS IN AMERICA AND THE TRADE DEFICIT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I rise tonight on the topic of jobs in America and the trade deficit, an issue which, after 10 years of very hard work, has finally made it into the headlines during this Presidential primary season, and it could not have come too soon.

Last week, in our local newspaper, the Toledo Blade, one of the headlines read, ''Trade Deficit Highest in 7 Years.'' In fact, last year, 1995, the amount of imports coming into this country versus exports going out ballooned to over $111 billion, the worst performance of this economy since 1987, and, in fact, last year's goods deficit, that means the part of the trade deficit that deals with hard merchandise, grew to $175 billion, an increase of over 5 percent from the prior year. That means we are digging ourselves deeper in the hole.

Trade deficits like these have turned our country from being the largest creditor in the world, that means that people borrowed from us, rather we have become the largest debtor nation in the world, importing much more than we export and having to monetize, pay for those imports with our hard-earned dollars. Is it any surprise that the kind of lingering trade deficit has served to act as a downward push on wages in this country, contributing as well to the loss of millions of jobs across our country as we see not just low-skilled jobs but high-skilled jobs moving abroad and a general decline in our own living standards?

And if you think about that for a second, with interest rates even at the level that they are today, is it not harder for you to afford a car than it was for your parents? That is because goods cost more here now.

I just want to show you a chart, I will put it up here, which in the red, which is the part I want to reference here, shows what has been happening for the last 20 years in our country. We have not had a year where we have had more exports going out of our country than imports coming in here. In fact it has been getting worse and worse. Last year, 1995, will be worse than the year of 1994. In fact, if you look at our entire balance of payments, the measure of all of the inflows and outflows of capital, goods and services to and from our country, our position has been deteriorating, as this chart indicates, since the 1970's, largely as a result of a lack of domestic savings and investment here at home, but more important, the rising penetration of foreign imports into this country and the literal displacement of jobs in our country.

I cannot tell you how many Members have come up to me on this floor since NAFTA's passage, which we fought so hard against. They said, ''Marcy, we lost 3,000 jobs in northern Alabama. We have lost 2,000 jobs in east Tennessee. We have lost 14,000 jobs in Florida,'' and the automotive parts companies of my State of Ohio, 1,000 jobs gone already just as a result of that one trade agreement and as well as the lack of access we have into other closed markets in the world.

Much attention has been put on the impact of a long-term budget deficit in our country, and that is important. However, very little has been said about this structural trade deficit, the other pillar of the twin deficits on which our economic house and our futures stand. And I am very happy this has become a Presidential issue. It is being talked about in the Republican Party. It is being talked about in the Democratic Party.

I guess it just goes to show that when you run for President, probably the most important power you have is to focus attention on something important.

The trends are not encouraging. Since 1990, even though we cut our budget deficit by 23 percent and further cuts are expected in the coming years, our trade deficit has grown by 54 percent. At this rate, the trade deficit will overtake the budget deficit within the next 2 years, and, in fact, it already has.

The same logic that is used to support cutting the budget deficit could be equally applied to the argument for cutting this trade deficit. Any borrower or buyer of a foreign good knows that debt has a price. The U.S. trade deficit technically represents a liability on our national balance sheet, a loan from a foreign seller or creditor that must be financed.

As noted economist Wynne Godley has stated, the main causes for concern are the financial constraints that occur when countries become heavily indebted and the loss of national income that results from rising interest payments.

In the past, even though you may go and buy a car and it may come from another country, you purchase it with your credit card, when you make those interest payments, those go to the foreign manufacturer. This is what I talk about when I say monetizing that debt.

In the past, increased flows of foreign investments into our country as well as their purchases of our securities, our Treasury bills, were necessary to pay for our trade deficit. Now the willingness and capability of these foreign creditors, especially Japan, to continue these investments and purchases is on the wane. As foreign direct investment and purchases of our securities decrease, the United States will still need to attract foreign capital to pay for this deficit.

If the trade deficit remains at the same level, by the year 2010 we will be paying the equivalent of 2.5 percent of the entire amount of goods and services produced in this country and interest payments and capital outflows to foreign countries.

Now, the 2.5 might not sound like a lot, but it represents the amount by which this economy is growing. It is

not enough to catapult us into the high standard of living we would hope for our people.

Only with the goal of cutting our exploding trade deficit and making sure it remains a part of the Presidential race this year will we be able to cure the other part of the twin deficit that is causing the downward pressure on wages and living standards in this country.

INCREASING THE PUBLIC DEBT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. SMITH] is recognized for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, I would like to talk about the fact that tomorrow this Chamber is going to increase the borrowing authority to the U.S. Department of Treasury, or we presume the votes will be there to increase the debt.

The public debt of this country is now $4.9 trillion. I brought a chart with me to explain the roughly $1.6 trillion budget that this Federal Government spends every year. If we look at the growth of the U.S. budget, back in the 1970's, the U.S. budget used up a much smaller portion of our total gross domestic product.

□ 1615

In fact, in 1948 it represented 12 percent of GDP. Now it is up to 21 percent of GDP. This Government, this overbloated bureaucracy, is growing bigger and bigger, and how are we going to stop the overspending? How are we going to stop more and more borrowing, that means that we are taking the money that our kids and grandkids have not even earned yet to pay for what we consider today's problems?

Everybody in the generation under 40 years old had better sit up and take note about what Government is doing to their future. This pie chart represents how Government spends its money. The bottom blue part represents half of the Federal budget, and it is spent for welfare and so-called entitlement spending.

The little white part represents interest. Interest is now becoming the largest single item in the Federal budget. This year, this represents net interest. Gross interest, if we include the interest that is paid on the money that we borrow from Social Security and the other trust funds, was over $300 billion this part year, larger than any single expense item in the budget.

The red section represents 12 appropriation bills. Those 12 appropriation bills are controlled by Congress. Article I of the Constitution says Congress is responsible for the purse strings. This is about all we have left, is that little red piece of pie that represents 18 percent of the budget that represents the 12 appropriation bills. Why I say Congress has control of that appropriation spending is because if the President vetoes that particular bill, then there is no money there.

The green part is defense spending, and I have separated that out as the 13th appropriation bill, because the hawks and doves, the conservatives and liberals, almost never have disagreed more than a plus or minus 10-percent deviation. Everybody agrees that there should be a certain amount of our budget spent for national defense, so that is pretty much on automatic pilot.

The blue is on automatic pilot on the welfare programs, because those welfare and entitlement programs, we cannot reduce the spending for those programs unless the President signs the bill to do it.

What we have done is we have given away congressional authority over the years and said that the money is automatically going to be there if individuals meet this certain criteria of entitlement. There is a certain level of poverty, so therefore they are eligible for food stamps, or they are poor and have kids and are eligible for AFDC, or reach a certain age so you can have Medicare, or a certain level of poverty so you can have Medicaid. This cannot be changed. This is the part of the budget that is causing us to increase the national debt more than any other part of the budget.

What a lot of us think is that it is reasonable, Mr. Speaker, to say to the President, look, if we are going to increase this debt over the $4.9 trillion that we now have, then we want to tie to it some reforms in the welfare programs, the entitlement programs, that are causing the greatest need for increasing that debt.

Let us be fair to our kids, let us be encouraging to the economy, let us balance the budget. The only way you can balance the budget is to change the entitlement programs. That means the President has to sign that bill.

We tried it once. We got a balanced budget through the House and the Senate. The President vetoed it. We are going to try again, Mr. Speaker.

HEALTH CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from New Jersey [Mr. PALLONE] is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, the reason I am here today is because Democrats as a party in the House of Representatives, basically over 170 democratic Members of the House of Representatives, are uniting behind a proposal that would make modest but important improvements in America's health insurance. Basically it would provide access to more Americans so that they can have health insurance, and guaranteeing also that if they lose their job or change jobs, that they can carry their insurance with them.

The bill that we are all uniting behind and cosponsoring is sponsored in the House of Representatives by the gentlewoman from New Jersey, Mrs. MARGE ROUKEMA, a Republican and a colleague of mine, and her bill is basically the same as the one that is sponsored in the Senate by Senators KASSEBAUM and TED KENNEDY. So this is a bipartisan effort.

Basically, it is a bipartisan effort to try to bring very modest health insurance reform to the American people. I should also point out that in his State of the Union Address, President Clinton said that he would sign this bill if it was passed by the Senate and the House and brought to his desk.

The problem that we face right now is that there are strong indications that the House Republican leadership, Speaker NEWT GINGRICH and the Republican leadership in the House, are not willing to bring the bill to the floor in its existing form, and, in fact, are talking about loading up the legislation with many other provisions which we think we make it more difficult for this bill to pass.

I want to introduce to talk a little bit about the bill, the gentlewoman from California [Ms. ESHOO]. Before I do that though, I just wanted to say very briefly, that, as I said, there are 170 Democrat Members of the House that have signed on as cosponsors to this bill, and there are numerous organizations, most notably the American Medical Association and a list of probably about 100 different health care specialty groups, as well as some insurers, who are not saying that they also support the bill.

in addition to that, there has been a commitment by the Republican leadership in the Senate to bring the bill to the floor the second or third week in April. So, again, the only thing that is holding up action on this legislation at this point is the House Republican leadership, which so far has been unwilling to bring it to the floor.

Mr. Speaker, I would like to introduce my colleague, the gentlewoman from California [Ms. ESHOO], who has been a strong leader on this issue.

Ms. ESHOO. I thank the gentleman from New Jersey [Mr. PALLONE].

Mr. Speaker, I would like to return the compliment with a multiplier, because the gentleman has been at the forefront in support of the changes that need to be made for the American people on health care. He has been an eloquent voice in the committee that we both serve on, the Committee on Commerce, when it has come to Medicare and the protection of the elderly in our Nation. He has spoken not only eloquently but very sensibly. Sometimes I think the most uncommon of the senses is common sense. He does not lack that.

I am delighted to join with my colleague today during this special order to talk about this bill on health insurance. I ran for Congress in 1992, and one of the issues that motivated me the most, because it was something that I concentrated on and gave 10 years of

legislative time and sweat and sometimes some tears, but it was all worth it, when I served in local government, was on the issue of health care.

I recognized back in 1982 that, if there was an issue that was driving our economy that needed to be reshaped and reformed, it was health care. I guess I was not only right then, I was dead right. That was back in 1982, and we went on to make some wonderful reforms and changes in the county where I served on the board of supervisors.

Then running for Congress, of course, it was what we talked about and promised. I think it is about time that we keep, at least, some of our promises to the American people. Even though there was not sweeping health care reform legislation in the 103d Congress, some cheered that. But the American people have been left without solutions that they need to bring to their day-today lives.

So this legislation, which is bipartisan, which was shaped in the Senate by both the Republican and Democratic Senator, has now attracted support, important support from both sides of the aisle. It is not all things to all people. It is not a Christmas tree with many decorations on it. But quite simply it strikes at the heart of two issues that we can address in the 104th Congress.

First is portability. Portability, what does that mean? It means that where you work and you are insured with a policy, that if you move to another job or if you lose your job, you can continue that health care coverage. How? By individuals being willing to pay for it. So this is not a government program, as important as some of them are to those in other circumstances in our society, this is a piece of legislation that acknowledges and will give to people what they want, and that is portability.

Some say that they experience job lock. They will not leave their jobs for another because they do not want to leave this benefit behind. Certainly on the threshold of the 21st century, the Congress of the United States would be forward looking and say, We are more than willing to catch up with what is going on in society and allow our citizens to take with them the benefit that they already enjoy and that they themselves are willing to pay for.

So I think that is not only a very important principle to set down, but it really is responding to what people want. If the Congress itself wants to distinguish itself to the American people, I think we better be about their business and to respond to what they talk to us about every day.

I am a Californian, and I do not stay in Washington on the weekend. As soon as the bells go off, I race off to Dulles Airport to fly home to be with my constituents. This issue of portability has been spoken to and about tens of thousands of times just in my congressional district alone.

This is not a Democratic issue, it is not a Republican issue. This is the people's issue. So this legislation which we are so proud to support contains this provisions.

The other provision is something that people have spoken, I think, to every single Member of Congress about in our respective congressional districts. That is those that have a preexisting condition are redlined by the insurance companies.

Now, let us back up for a minute and understand why we all buy insurance to begin with. I know that I buy and pay for my automobile insurance in the eventuality that something happens and I am involved in an automobile accident, that I am covered. I do not do that so that, when the accident happens, the insurance company drops me. We buy it to be covered at the time that we need the coverage.

So there are tens of millions of Americans today that on the basis of a preexisting condition, which is part of health care, everyone's body is not perfect. Every human body does not remain perfect from birth until God calls us. So we need to make these provisions for the people in our country.

I think that it is one of the real unfairnesses of the insurance industry. So we need to make these provisions. There is a great deal that is written today, everything that we pick up, from the New York Times to all of the weekly magazine publications, about the anxiety that is underlying the American public today.

Mr. Speaker, I think that we can take a quantum leap on their behalf if in fact we speak to those things that help to make a family secure. I do not think any one of us in cosponsoring this bill is making the promise that it cures everything, that it takes care of everything. It does not. But, again, it does strike to the heart of two very major, important provisions that need to be made by law by this Congress. I think that there will be a grateful Nation that will acknowledge the work of the people in the 104th Congress if in fact we produce this for them.

Now, for those that are listening in, they are probably thinking, This sounds so simple. It sounds so sensible. What could ever stand in the way of this? There are always interests that weigh in, certainly the health insurers in the country.

I think it is time that the Congress look at the interests of the American people. Certainly we can listen to what people's concerns are, about what they like or dislike about a bill. But then we must move on. We are here for the people of America. The Speaker sits in the chair with the American flag behind him. Over that it says, ''In God we trust.''

I would like to think that the American people will say at the end of this process and this bill that we know the President will sign, not as a Christmas tree, not diluted to be less than what it is now, but that the American people will say, ''in the Congress we trust,'' because they responded to what we need, to what the families need, to what individuals need, to add to the security that they really deserve.

□ 1630

So I would like to again salute my colleague, Mr. PALLONE, for the leadership that he has provided with the health care task force that has certainly been in operation on the Democratic side of the aisle to help bring forward the sensible reforms, not a Rube Goldberg plan that no one can understand.

No one can charge that this is Big Government on any individual's back. This is for the people. They are willing to pay for these provisions, but the law must change in order for them to enjoy them.

So ''thank you'' to you, Mr. PALLONE, for your leadership. It is ongoing. You are tenacious. I think that you were absolutely terrific. I look forward to gathering round the desk of the President on a bipartisan basis when he signs this bill into law, hopefully this year, and that we can conclude the 104th Congress in keeping the promise that we made to the American people that we would indeed try to lift them up and that there will be sensible health care reform, and I think that this bill, H.R. 2893, is it.

Thank you for sharing some of this special order time. I think that this is special, and I think that it is in order.

Mr. PALLONE. I want to thank my colleague from California, Ms. ESHOO, for explaining the bill and basically why those two principles of portability and limitations on preexisting conditions as the basis for getting health insurance are so important.

As you indicated, it seems like this is apple pie. In other words, why would anybody oppose it? But as we know, that is not the case. In fact, without getting into all the bureaucracy of it, what we are trying to press and challenge the Republican leadership to do is to simply bring up this bill in what we call a clean form, exactly the way you described it and the way it was introduced, and not load onto it all kinds of other things that may create controversy and make it difficult to pass.

One of the things that we have heard is that in the Senate, Senators KASSEBAUM and KENNEDY seem to have a commitment from the Republican and the Democratic leadership to do exactly that. When the bill comes up, as I said, in mid-April or possibly late April, they already have a commitment that there will not be any amendments. Somebody might offer an amendment, but there is not going to be any effort to allow those amendments to succeed, not because you and I or others do not think that we should go further and do more for health insurance reform, because we do, but because we just know that these things are basic and we do not want them cluttered up.

Now, on the other hand, if I could just come back to the House for a

minute, what we are hearing in the House from the Republican leadership is very different. Just to give you some information, this was from yesterday's New York Times, and just to read a little bit, it says that the House Republican leaders said today they would soon take up this bill, but they intend to add provisions that are likely to generate bitter, prolonged disputes in Congress.

For example, they are talking about adding provisions dealing with medical malpractice, antitrust law, special savings accounts for medical expenses, and tax deductions for the health insurance costs of people who are self-employed. Again, we may or may not agree with those points, but they are, as you know being in the Commerce Committee, tremendously controversial.

It says, in fact, in the article that the decision to add these provisions essentially is made to placate conservative House Republicans or to satisfy committee chairmen keenly interested in one provision or another. I honestly believe, though, that the real motivation is to sabotage the bill because they know, the House Republican leadership knows, as you and I know, that these provisions are very controversial. Many of them were hotly contested during the Medicaid, Medicare budget battle that we had for a year that was never resolved, and I think it is important for us to keep pointing out we want a clean bill.

We do not want, for the sake of those who are more conservative or those who are more liberal, to sort of muck up this bill, because it is so important that it move forward.

Ms. ESHOO. Would the gentleman yield for just a moment?

Mr. PALLONE. Sure.

Ms. ESHOO. I think as people are tuned in and hopefully listening and finding this, our conversation, enlightening, the reason why we point out, excuse the expression, the ying and yang of this, is that what has taken place in the Senate around this bipartisan bill and the promise to keep it clean is to keep it uncomplicated.

With the ingredients that are already there, they are winning ingredients. We know that a souffle only rises once, and so we want to capture that opportunity. For that set of ingredients that has been agreed to and I think will breed the success that we are looking for, these two major, important health care reforms for the people of America, that we duplicate that recipe and those ingredients in the House.

If in fact other ingredients are thrown into this so that the souffle does not rise, then I do not think it is difficult to predict. We will lumber toward the end of the 104th Congress, I think, with egg on the face, most frankly, because the American people are exhausted with the partisanship that comes around these life issues and what secures their family.

They do not want to hear these kind of debates. They want us to stand next to them, pay attention to what they are saying, and at least incrementally come out with the two things that this very sensible bipartisan bill represents.

So thanks again to my colleague. I think you are exactly what people sent you here to do, that you are sensible, that you are caring, and that we want to be effective and produce for the American people. After all, this is the House of the people, this Chamber that we are standing in.

Some of the greatest Americans have come and gone from this floor, have addressed the Nation from that podium, and I think that we are their political descendents and we would do well to remind ourselves of the greatness of individuals of the past.

The reason that they were great was because they were good. Why were they good? Because they were effective. Why were they effective? It is because they produced things for the American people, and they are long in the American people's memory for what they accomplished on their behalf.

I think that we can do the same thing, and I would call on the Speaker and anyone else that is thinking of, excuse the expression, mucking up the bill or placing on it those things that will make it cave in, instead of shepherding it across the finish line and producing a great touchdown for America.

Thank you.

Mr. PALLONE. Thank you. I just wanted to continue, if I could, to talk about some of the efforts, if you will, that are taking place even today to try to avoid Mrs. ROUKEMA's bill from coming to the floor in the clean form that we just talked about.

First of all, in the Committee on Economic and Educational Opportunities today a bill was reported out by Mr. FAWELL of Illinois instead of the Roukema bill that we just discussed. In fact, there was an effort by the Democrats on the committee to simply pose an amendment that would move the Roukema bill or take up the Roukema bill, and that was defeated along partisan lines, the Democrats voting for it, the Republicans against it.

The Fawell bill, if you will, that was actually reported out of the Committee on Economic and Educational Opportunities does not include the Roukema bill's protections for individuals who have been laid off or retired and are trying to purchase health insurance for themselves. It also contains weaker provisions with respect to protecting individuals against being denied health care due to preexisting conditions.

Another shortcoming, if you will, of the Fawell bill includes provisions that would threaten State reform initiatives designed to increase access and affordability in the health insurance market. Basically this deals with the whole issue of ERISA, where the Federal Government essentially preempts any State efforts to improve access or to do more, if you will, in terms of health insurance reform than the Federal Government might do.

So already, getting back to the point that myself and the gentlewoman from California made before, already there are efforts on the part of the Republican leadership in the House to sort of muck up this bill and not bring the clean bill to the floor that would simply address the issues of portability and limitations on preexisting conditions.

We also understand that in another House committee, the House Ways and Means Committee, there may be an effort to bring up a bill, H.R. 1610, by Mr. THOMAS. That again is a much weaker reform measure than the Roukema bill. What we are seeing here essentially is the leadership in the House moving to try to enact provisions that are much less reform-minded, if you will, than the legislation that we have talked about today.

I wanted to go back briefly to just explain in a little more detail what this legislation that was sponsored by Mrs. ROUKEMA would do and how important it is to the average American. Essentially what it is is a minimum guarantee for all citizens with employment-based health coverage, in other words, these are people that are buying insurance on the job or essentially getting insurance through their employer, that as long as they pay their premiums, their health insurance can never be taken away from them, whether they change jobs, lose their jobs, or get sick.

That is essentially what we are trying to do. Exclusions for preexisting conditions would be limited. They cannot be reimposed on those with current coverage who change jobs or whose employers change insurance companies.

No employers who want to buy a policy for their employees can be turned down because of the health of their employees. No employees can be excluded from an employer's policy because they have higher than average health care costs, and cancellation of policies will be prohibited for those who continue to pay their premiums. Any employee losing group coverage because they leave their job or for any other reason would be guaranteed the right to buy an individual policy.

Now, again, the Roukema bill, H.R. 2893, to get a little more specific, would prohibit insurers and employers from limiting or denying coverage under group plans for more than 12 months for a medical condition that was diagnosed or treated during the previous 6 months. So, in other words, if you have coverage now, I will use the example of a cancer patient.

If you are working, for example, for General Motors and when you are there working you discover that you have cancer and you have to have treatment, be treated for cancer, and 6 months later you were to change jobs and while you are still undergoing treatment and move to, for example, to Ford Motor Co. and start working there, well, essentially the new company would only be allowed to exclude

you from coverage at most over a lifetime of 12 months. So that maybe for the first 6 months, there would not be the guarantee of health coverage once you change jobs, but there would be after those 6 months.

Now, again, those of us who believe that there should be universal coverage and that you should not be able to exclude anybody at any time would say that even that is not enough. But at least to guarantee that, that a person for the most can be excluded for only 12 months, is a significant change in the law from what you are guaranteed right now.

Also, denial of individual coverage to workers losing group coverage that have had it for at least 18 months would also be prohibited. I do not want to get into all the specific details, but essentially it is a significant improvement from the way the law now reads.

The other thing that I wanted to point out today is that our Democratic caucus health care task force, which is supportive of the Roukema bill and which has sort of spearheaded the effort to try to get the many Democratic cosponsors that we now have for the bill, about 171, we developed about 6 months ago a set of principles on health care reform which is essentially guiding what we do in this Congress. The two goals that we set forth in our Democratic principles of health care reform that are really most important are, first, that Democrats remain committed to universal coverage for all Americans and, second, that Democrats remain committed to assure that high quality health care is affordable for all.

So essentially what our task force principles say is that we will support any proposals which move the Nation closer to these goals of universal coverage and high quality health care that is affordable for all, and we will oppose proposals which move the Nation further away from those goals. For that reason we have been very much opposed to the cuts and changes in Medicare and Medicaid that the Republican leadership has proposed as part of its budget recommendations in 1995 and that continue into 1996.

At the same time, though, the principles that are incorporated in the Roukema bill which we talked about on the floor today, the principles that basically limit exclusion for preexisting conditions and the principles that allow you to carry your health insurance with you from one job to the other, so to speak, these are principles that move us in the direction, if you will, of universal coverage and more high quality coverage that is affordable.

□ 1645

That is not to say that these are the answers and that these are going to necessarily achieve universal coverage or affordable health care, but at least they move us in that direction, and that is why our health care task force is very much supportive of the Roukema bill.

What we are saying essentially, and I cannot reiterate it enough, is that in this Congress so far nothing really has been accomplished to move us toward health care reform, and even with the battle over Medicare and Medicaid and the budget battles that continue, it is not likely that there is going to be much resolution of those issues and those programs. But at least, if we can achieve modest health insurance reform on the issues of portability and on the issue of preexisting conditions, then we will have accomplished something, and there is a need for bipartisan cooperation to at least achieve those modest goals as we continue to work toward the ultimate goal of universal coverage and affordable quality health care for all.

So with that, I would just like to conclude this special order today, but point out that we are going to continue to press that the Roukema bill be brought to the floor as a clean bill and oppose any efforts to try to prevent its adoption in this Congress and its ultimately being signed into law by President Clinton who has repeatedly stated that he will sign the bill and that he supports this very modest health care insurance reform.

BALANCING THE BUDGET

The SPEAKER pro tempore (Mr. LATOURETTE). Under the Speaker's announced policy of May 12, 1995, the gentleman from Maine [Mr. LONGLEY] is recognized for 60 minutes as the designee of the majority leader.

Mr. LONGLEY. Mr. Speaker, it is a privilege to be here in the House this afternoon, and I would like to discuss one of the aspects of the budget debate that I think we have not been paying enough attention to, and that is that, and I know that there is a great deal of concern amongst the public in terms of what is really happening in Washington, and I guess I have got some reassuring news.

The reassuring news in that I think this Congress has succeeded in stopping the spending train in Washington dead in its tracks, and in all honesty I wish that we could have done it in, perhaps, a cleaner and a more polished manner.

But I would like to offer a little bit of historical perspective on some of the difficulties that we have been facing, and what this Congress really means, particularly in comparison to prior Congresses, and what prior Congresses have attempted to do to control spending, and I would like to go back to 1975.

1975 was the year that my father was elected Governor of Maine, Governor Longley. He was an independent, and I had just graduated from college, was doing some volunteer work, not only in his campaign, but later in his term of office, and at that point first became personally aware and met many of the members of the Maine congressional delegation, which at that point, in 1975, included Senator Muskie as well as Senator Hathaway, both very well respected Members of the U.S. Senate, also Congressman Emery and Congressman OLYMPIA SNOWE of Maine who were representing the State of Maine in the House of Representatives. And knowing and having met these individuals on a personal basis was, of course, a very special experience for myself as a recent graduate of college and as a law student, and I took particular notice of the fact that at that time the Congress was grappling with the issue of the Federal budget.

In fact I believe it was 1975; it was very significant in the sense that Congress passed the Budget Reform Act which was attempting to address what was then viewed as a systemic problem in the Congress, in the U.S. Government, in terms of how we really dealt with managing the spending of the Federal Government, and in that year we created the House Committee on the Budget in the House of Representatives, in this Chamber, and we also created the Senate Budget Committee, and 1975 also marked the establishment of the Congressional Budget Office which was to be a special office of the Congress that was going to be geared to address fiscal issues in this country and provide honest advice, nonpartisan advice, to those of us here in Washington who were attempting to deal with the issue of how to control Federal spending.

I mention that because at that point the Federal debt was somewhere below a trillion, possibly about a half a trillion dollars, and yet is was still viewed, the national debt was still viewed, as a serious potential crisis, and the level of federal spending and the deficits were also viewed as a crisis.

Now mind you that was almost 20 years ago, but as a country we had accumulated a record of unbalanced budgets, of running deficits, that were exceeding the prior 30 or 40 years.

I believe that presently, here in 1996, I have been advised that we have only balanced our Federal budget in 9 or 10 of the last 60 years, and clearly we have almost 50 years, going back 60 years where we did not balance the budget, and so 20 years ago, to put this in context, we had acquired a record of unbalanced budgets, felt it was a serious crisis, needed to act on it. And again I need to underscore that that was 20 years ago.

I had another personal connection in this issue, and that was that the following year, in 1976, Governor Longley was appointed as one of the first national cochairmen of the Committee for a Balanced Budget Amendment, and so against a member of my family, somebody that I love very much was given this responsibility of calling the country's attention to the crisis that our budget deficits represented.

Now I mention that as backdrop to the fact that I asked Greg Winter of my staff to go back and look at the major congressional actions taken to

deal with the budget crisis and give me a breakdown of the different acts and what they might represent, and I am stunned to discover that going back just to 1980 there have been 16 major pieces of legislation designed to deal with the Federal budget crisis.

In 1980 we passed, the Congress passed, the Omnibus Reconciliation Act. 1981, we passed the Omnibus Budget Reconciliation Act. In fact that title became so popular that we later passed six additional acts with that same title over the last 15 years. And of course in 1982 we had the Tax Equity and Fiscal Responsibility Act. It is famously known as TEFRA to nearly every accountant in the United States. 1983, we passed Social Security amendments again designed to deal with controlling the growth of spending particularly in the Social Security System and to bring the revenues at that point which were under threat based on the increasing payments, it was felt 12 years ago that we needed to act to protect the integrity of Social Security. 1984, we had the Deficit Reduction Act, and then in 1985 we had the Balanced Budget and Emergency Deficit Control Act. In fact some of these titles actually become somewhat ridiculous. We have the Omnibus Reconciliation Act of 1986, and then the following year, in 1987, the Balanced Budget and Emergency Deficit Control Reaffirmation Act.

In fact in audiences, as I have spoken to audiences in my district, I have joked that the only thing that we have missed in the last 18 years is the words really, really, really serious about balancing the budget act, and the underscores, I think, a great concern that many of us have, and I know that the public and certainly this Member feels very strongly that we need to work together, Democrats and Republicans, to deal with this important issue. Balancing the budget should not be a partisan political issue.

But I also have to say that there comes a time when you must focus on what your objectives are, and unfortunately partisan fights do arise and occur, and maybe sometimes for good reason, but I would point out that in looking at these 16 pieces of legislation that were passed that each of the parties at different times supported 12 of the 16 acts, and on 8 instances majorities of each party in this Congress supported the acts, which basically means that both majorities, of both the Democrats in the Congress and Republicans in the Congress, passed or supported 8 of the 16 acts, and, as I indicated, the Republican Party per se supported 12 of the 16 pieces of legislation, and the Democrats supported, again also supported, 12 of the 16, and in 8 of those years they were in agreement in passing these bills.

Now what was the problem? Well, I think, first of all, the focus was on the deficit, and when you get right down to it, I think that one of the lessons that we have learned in the last 2 years is that the deficit per se is not the issue. The deficit is the symptom; spending is the issue. And controlling spending has become, I think, a priority in this Congress.

But something else is important to understand. Many of these pieces of legislation contain fiscal notes that called for in some cases revenue increases, in many cases spending cuts. But when you look at the actual numbers, the fact of the matter is that in no single year over the last 16 years has the Federal Government ever reduced spending, and by that I mean actually spent less money in 1 year than it had spent in the prior year.

And the message is clear, that spending has continued to increase unabated for the last 16 years, despite the fact that we have had 16 major pieces of legislation designed to deal with reducing spending so that we could get spending in line with revenues and work towards balancing the budget.

The point that I would like to make, and I see that Representative NEUMAN has come into the Chamber, and I would just end with this one comment and then perhaps ask for some comments from the gentleman from Wisconsin, Mr. NEUMANN. But the point that I would make is this:

I think many of us who were just elected to this body realize in hindsight that this Congress, albeit well intentioned, was focusing on the wrong aspects of the problem and was attempting to deal with the symptom; i.e., the deficits, and not the fundamental problem which was overspending; and the second recognition that we all have is that what we have seen truly is a failure of will, a failure of Congress to insist on the measures that were necessary to actually bring revenues in line with expenditures, and I would suggest that one of the major mistakes that we want to avoid, that this Congress wants to avoid, is that it would be very easy for us to enter into a look good, feel good agreement with the administration on a budget, and we could all hold news conferences and pat each other on the back. But unlike prior congresses, none of us wants to be in a position where in 10 or 20 years we find out that our children are really paying the bill.

And I notice that the gentleman from Wisconsin, Mr. NEUMAN is here, and, MARK, welcome to this special order.

Mr. NEUMANN. I will just carry on a little bit on just what you were just saying here, that when I go home to our district, and I turn on my TV set, and I hear about cut, cut, cut, cut, and then I come back out here to Washington, and I take a look at the numbers, and the numbers are not going down, they are going up in spending; spending today is about $1530 billion or about $1.530 trillion, and by the year 2002 that spending is slated to go all the way up to 1.8 or $1,835 billion.

So when people talk about these spending cuts, I think it is important to note that they are not cuts in spending. What they are is reductions in the amounts of increases, and in fact, as you can see looking at these numbers in the spending line, we have got spending increases of $350 billion from the year 1995 to the year 2002. Spending is continuing to go up. And you are right on the money with what you are talking about, that the real goal here needs to be to get the net revenues into line with the amount of spending that we are doing. That is how you get to a balanced budget.

□ 1700

The way to get a balanced budget is to control the amount of money that you were spending out here. In fact, that is what the Republican plan would have done had it been signed into law by the President. Of course, it was most recently vetoed. I think it is real important to know that that spending and bringing that spending into line is what is absolutely essential.

Again, when we look at this chart, we see revenues of 1.356 or $1,356 billion today, going all the way to 1,841. The problem with charts like this one I have in my hand here is there are so many numbers in my charts that we lose sight of what this really means. What this really means, it is not about these numbers. It is about the next generation of Americans. It is about our children, it is about our grandchildren.

If we do not accomplish this, the picture is not very bright for our children. But if we manage to bring this about, it opens all kinds of opportunities for our children that absolutely were not there before. Balancing the budget, according to Alan Greenspan, means a 2-percent reduction in the interest rates. That means our children, that means young Americans, get to buy homes and get to buy cars.

Mr. Speaker, what a lot of people forget when they go down this road of discussion is that when these young people buy homes and when they buy cars, somebody is going to be building those homes and somebody is going to be putting those cars together and building those automobiles. That means jobs. So we are not only talking about the ability for them to live the American dream, to own their own home, we are really talking about them being able to live the American dream and have a job that allows them to work and provide for their families. This is truly the opportunity to achieve the American dream.

This is absolutely essential. These numbers are nice, but it is not about numbers. It is about our children and the opportunities they have here in America. It is about keeping our jobs here at home instead of watching them to overseas. It is about the job opportunities and the opportunities to live the American dream. That is what this chart is really all about.

Mr. LONGLEY. That is very important.

Mr. Speaker, I yield to the gentleman from Connecticut [Mr. SHAYS].

Mr. SHAYS. I thank the gentleman for making sure we kept this time.

Mr. Speaker, this is an extraordinary opportunity that we have to just really clarify certain issues and just make sure that we are all focused on our ultimate objectives. We want to get our financial house in order and balance the budget, and we want to save our trust funds, particularly Medicare, from bankruptcy. We thought they were going to start to go insolvent and be bankrupt in the year 2002, if we did not do anything. Now we learn it started to go insolvent last year, and will be bankrupt just at the turn of the century, so we have some heavy lifting to do to save our Medicare plan for seniors, even present-day seniors.

Then that third issue, and it all relates, we want to transform this caretaking social, corporate, even farming welfare state into what we would call a caring opportunity society. We want to help people kind of grow the seeds instead of just hand them the food.

Mr. Speaker, the gentleman related it so well to our children. It is amazing to me that in the last 22 years we have allowed the national debt to increase 10 times, from about $430 billion in 1974 to about $4,900 billion; just 22 years in a time of relative peace. There it is. It is growth out of control. In that case you are doing it from 1960. But if we notice the number of 1975, down there, it just starts to go up at an alarming rate.

I think former Prime Minister Rabin, who was assassinated, he was a politician, and he used to enjoy telling people and reminding all politicians around the world that elected officials are elected by adults to represent the children. We are going to be judged on our success on what kind of world we leave our kids. The kind of world we are leaving our kids is not a hopeful one unless we get this incredible runaway debt in line.

I thank you for letting me share this time with you which you have claimed, and I am grateful you have.

Mr. LONGLEY. Mr. Speaker, I would just add to that particularly with reference to the chart of the gentleman from Wisconsin, [Mr. NEUMANN,] that what we do not hear our attackers saying, and we hear an awful lot about, for instance, how much money we are going to be spending on medical care for our senior citizens, and believe me, that is a very important priority; but what our attackers do not acknowledge is that there is one program for which we will pay more money in the next 7 years than we will spend on medical care for our seniors. That is interest on the Federal debt.

I think that the public would be absolutely amazed to learn that we will spend more money on interest on the Federal debt in the next 7 years under any of the programs being discussed than we will spend on medical care for our seniors. That is how critical the issue has become.

Mr. Speaker, I notice the gentleman from Georgia. [Mr. KINGSTON], has arrived, and I yield to him.

Mr. KINGSTON. I think it is important to follow up that comment, Mr. Speaker, in saying that that interest does not pay down one dime of the principal, that people will still continue to pay all the other taxes involved in it. The gentleman from Wisconsin [Mr. NEUMANN], has said that two reasons, real quickly, to balance the budget is it saves America from economic disaster. We are paying almost $20 billion each month in the interest on the debt already. Nations cannot survive with that much debt service.

No. 2, the gentleman had said that there is a great interest or dividend in terms of the homeowner. If you have a 30-year home mortgage for a $75,000 house, a 2-percent drop in interest rates, which is what the Federal Reserve would estimate balancing the budget would bring permanently, bringing lower interest rates permanently, that would mean $37,000 less that American homeowners would pay on that mortgage. If it is a $15,000 car loan, American consumers would pay $900 less.

One thing that the gentleman from Wisconsin [Mr. NEUMANN] did not mention, a third reason you want to balance the budget is because it will lower your taxes. Middle-class America right now has gone from paying about 5 percent Federal income tax in the 1950's to, currently, 24 percent. In all State, local, and Federal taxes, middle income, it is about 45 percent for Americans now. If President Clinton had not vetoed our bill this April, this April, 6 weeks from now, Americans who have children would have $500 in their wallet.

Mr. SHAYS. Per child.

Mr. KINGSTON. In their wallet, right here. I do not know how many American families would benefit from that in Maine or the other States, but I can promise you, in Georgia it would mean a tremendous amount. That is real money. The gentleman from Wisconsin [Mr. NEUMANN] said let us get off the chart. That is what we are talking about, a $500 per child tax credit in your wallet today.

Mr. SHAYS. If you had three children you would get $1,500. It is important to point out, we did not just have a tax cut without paying for it. The way we pay for it is cut government spending or slow the growth of some programs in order to afford to reduce taxes by probably about $180 billion by the time we ultimately have an agreement with the President. If we do, it is in that range, we want it about $240.

That $140 billion was paid for by reducing government more so we could afford that tax cut.

The thing that just simply amazes me is we have some of our colleagues who say, ''I want to balance the budget, but I do not want a tax cut for the wealthy,'' quote unquote. The irony of that is that our $500 tax credit is going to families who make less than $75,000. That is the bulk of our tax cut. They are hardly wealthy people.

But they say they do not want that, as if they want to balance the budget. The crazy thing is they want to still balance the budget in 7 years without a tax cut, so it means that they are going to spend the money that we save for a tax cut, they are going to take and spend it for more government. So they are not balancing the budget any sooner. They are just making government larger than we would make it.

Mr. NEUMANN. Mr. Speaker, if the gentleman will yield, I think that point is so important. I have found that to be such a big misconception, talking to folks here in Washington versus talking to folks at our town hall meetings back in Wisconsin. The people back in Wisconsin think if we do not do the tax cuts, that means we will borrow less of our children's money and get to a balanced budget sooner. If that were the case, I would sure listen to that argument.

But that is not what is being talked about here in Washington. That is Wisconsin. Out here in Washington what we want to do or what is being discussed is getting rid of the tax cuts and spending the money on more bureaucratic programs here in Washington. That I am opposed to.

If we talk about what the Wisconsin people think we maybe ought to be thinking about doing, and that is getting to a balanced budget sooner and borrowing less of our children's money, that is a good discussion. But that is absolutely not the discussion going on out here in Washington. The discussion out here is totally centered around if we do not do the tax cuts, then we get to spend more money, like somehow that money belongs to us. That is not our money. That is the American taxpayers' money. It is our children's money that we are borrowing here. It is not our money to spend.

Mr. KINGSTON. Mr. Speaker, if the gentleman will yield, one thing that is very important for us to remember, and I believe all four of us here worked for that lockbox provision in an appropriations bill that said when you reduce spending by *x* amount of dollars, that money goes to deficit reduction, rather than just being unearmarked and open for the general budget to spend any way you want.

What is so important about that is the Washington liberals and the administration fought that lockbox provision, and now we have been unable to pass that. It passed out of the House, but we cannot get it out of the Senate because of the Washington liberals fighting it.

That is the very thing people in Wisconsin are saying. If you are going to put that $500 directly into deficit reduction, that is one thing, but we know what it is going to do is to feather the bed of another bureaucracy, and another bureaucrat is going to spend it.

Mr. LONGLEY. Mr. Speaker, this goes back to a point that I attempted to make before each of the Members arrived on the floor.

Mr. SHAYS. You mean while we were running to get over here, when you took over the floor?

Mr. LONGLEY. I had gone back, actually, and I had mentioned 1975 and Senator Muskie's appointment as chairman of the Senate Committee on the Budget, and that was the year the House Committee on the Budget was established and the Congressional Budget Office was established, because 20 years ago we viewed the debt and spending as a serious problem, and we created special committees to deal with it. Yet, 20 years later, we are still struggling with the same issue.

Mr. SHAYS. In fact, it has gotten much worse.

Mr. LONGLEY. What has been amazing to me is, as I mentioned, from 1980 forward, there have been 16 major pieces of legislation. Most of this legislation passed on a strong bipartisan basis. I do not say this to be critical.

Mr. SHAYS. What was this legislation intended to do?

Mr. LONGLEY. To reconcile spending.

Mr. SHAYS. It is more process-oriented?

Mr. LONGLEY. The Omnibus Reconciliation Act. There were seven omnibus budget reconciliation acts. We had a Balanced Budget and Emergency Deficit and Control Act. Then we later had a Balanced Budget and Emergency Deficit Control Reaffirmation Act. We literally had everything except the we are really, really, really serious about controlling spending act.

I just checked this afternoon the yearly rates of increase in Federal spending in the 1980's. I say this, whether we are Republican or Democrat, let us deal with the facts. The facts are that spending increased at tremendous rates during the 1980's. Yet, at the same time, we had Congress working together on a bipartisan basis, probably everyone believing they were trying to do the right thing, but what they were trying to do is, frankly, nibble around the edges of the problem. We were tinkering with Social Security, we were tinkering with retirement programs, we were tinkering with details of the bureaucracy. We were talking about spending cuts, but yet, my research tells me there is not a single year in the last 20 years, if any even in the history of this country, where the Federal Government has spent less in 1 year than it has spent in the prior year.

Mr. SHAYS. Really what the gentleman is describing, if the gentleman will yield, he is describing a situation where people think we have a revenue problem, and we know that we have a spending problem. Revenue keeps going up every year. It is just that our spending is going up by a greater amount.

Mr. KINGSTON. I think it is also important, Mr. Speaker, that as an outsider, I am relatively new to Congress, but it looks to me that every time Congress has made a deal in a bipartisan fashion, the tax increase came at the beginning of the deal and the savings or the cuts came later, and then that was the time for a new Congress to come in, and the cuts never happened.

Mr. LONGLEY. It is even worse than that, I would say to the gentleman. The revenue increases always happen. The spending cuts, reductions, never happen. There had never been a cut in Federal spending in the last 15 years. The Federal Government has consistently spent more money each year than it did in the prior year. All of the talk about spending cuts or spending reductions was part of the hypothetical wherein you created an artificial level of increase, then said you were going to reduce the artificial increase, but you did not tell people that you were not cutting, you were still increasing spending.

Mr. SHAYS. If the gentleman will yield, this is just an exact circumstance. When I was first elected in 1987 I kept hearing that we were cutting spending, and we actually had bills that said we were cutting spending. I would go back to my district and say, ''We cut so much.'' At one community meeting someone said, ''Young man,'' and I was younger then, ''how come the budget keeps going up?'' A good question.

I went back to my office, and we learned about this amazing thing that started to happen in 1974, which was called baseline budgeting. We spent $100 billion this year, and then they said it would cost to run the same level of service $105 billion and Congress spent $103 billion, and they would call that a $2 billion cut, even though we were spending $3 billion more.

One of the things I hope we do in this special order is to really just talk about where are we cutting, where are we freezing, and where are we allowing growth to continue to grow, quite frankly, at a significant rate.

I know our colleague from Michigan, Mr. SMITH, is here. I don't know if he wants to be on theme. If he is going to be on theme, we would welcome him to participate.

Mr. KINGSTON. He is always on theme.

Mr. SMITH of Michigan. Mr. Speaker, if the gentleman from Maine will yield, I think the theme is to remind ourselves how bad it is for not only making our kids and our grandkids pay all this overspending and what we borrow back, but it is also tremendously negative on the economy. So what we have said is such things as a child born today is going to have to pay $187,000 in their lifetime just to pay their share of the interest on the national debt.

Mr. SHAYS. Not to pay back the national debt, just to pay the carrying charge.

Mr. SMITH of Michigan. Just to pay their share of the interest. It is time everybody, that is, however you want to put it, you are a young man relatively, I would say to the gentleman from Connecticut [Mr. SHAYS], but everybody had better start looking at what this Government is doing to their lives and the lives of their children.

Not only is it immoral to make our kids and grandkids pay our bills today, like they are not going to have their own problems when they grow up, but it is tremendously negative on the economy, because our demand for money, for more borrowing, has driven up interest rates by 2 percent.

Mr. KINGSTON. One of the things I wanted to point out is that on the chart that the gentleman from Wisconsin [Mr. NEUMANN] showed us earlier, there is an urgency. When you have a Federal budget that has been going like this, or excuse me, a deficit, and then it goes like that, people have said particularly to the freshmen, ''You are going too far too fast.'' I disagree. When it is the third largest expenditure in the national budget, the national debt——

Mr. SHAYS. If you can clarify.

Mr. KINGSTON. I am trying to turn this thing around. If you are trying to balance this budget and bring down that orange peak line, what you are trying to do is do it in 7 years. The folks back home, the business people I know say, ''Why can't you do it in 1 year?'' President Clinton as a candidate on June 4, 1992, promised to do it in 4 years.

□ 1715

I believe we should be arguing, is 7 years not waiting too long? Should we not try to balance it in 3 or years? Indeed I supported the balance that the gentleman from Wisconsin [Mr. NEUMANN] had, which was a 5-year.

Mr. NEUMANN. I would just add on that, it is possible to do this even faster than 7. Seven is a compromise that is putting off how long it takes us before we start this line going back in the other direction.

Again, this line shows the growth in the Federal debt over the past years, and we are on a steep incline. I told my folks back home at the town hall meetings that my goal was to someday stand before them, my dream for the future of this country, and say, yes, here is what we have done in Congress. We have stopped that growth and we have started it back down again so that our children have a future in this country of ours. That is my goal for my service here.

Mr. LONGLEY. If the gentleman would yield, if I could add to what he is saying, and I do not have a chart to go with it, but I also added up the, quote, ''Tax increases that were called for in these 16 pieces of legislation.''

Mr. SHAYS. Does the gentleman mean since 1984?

Mr. LONGLEY. Since 1980. Theoretically Congress has only raised taxes by just about $500 billion over the last 16 years. The reality is we have increased spending somewhere in the vicinity, in other words, if one took the baseline approach which was at $590 billion a year in 1980 and carried that forward, despite officially raising taxes only by

$500 billion, there has been over $5 trillion of increased spending.

What is going on? What has really happened is because much of the tax system is on a percentage basis, we have built in automatic tax increases into the Tax Code that generate more and more revenue every year, whether or not the tax increases were legislated. Then on top of those increases, we have added additional increases in taxes in a manner that has always protected the Government, always made the Government look as if we were the innocent party.

Mr. SHAYS. The bottom line to this issue, though, is that revenues are increasing significantly, and the challenge is that expenses are increasing even at a greater amount. We need to start to slow the growth of spending.

I am seeing where the gentleman from Michigan [Mr. SMITH] is, and basically the minority has accused us of, say, cutting the earned income tax credit, which is a tax credit that was designed to help working poor, transition them to a point where they are actually making enough to not be poor. They do not pay any taxes, they actually get a credit back from the Government.

We are expanding that program. But this is what we are being told. We are being told that we are cutting the earned income tax credit, that we are cutting the School Lunch Program, that we are cutting the student loan program, that we are cutting Medicaid and Medicare. That is what we are being told, and they call it a cut.

This is what is happening. Our bill increases the earned income tax credit from $19 to $25 billion. It increases the School Lunch Program from $5.2 to $6.8 billion in the seventh year. The student loan program, and that is the one that really gets me, is going from $24 to $36 billion. Only in this place and in this city when you spend 50 percent more, it is $24 billion now, we are going to add $12 billion to be $36 billion in the seventh year, do people call it a cut.

Mr. NEUMANN. If the gentleman will yield, I would like to ask the gentleman a question, again, that I ask at all the townhall meetings. You talked about the student loans, you used the $24 billion and $36 billion numbers. I would like to ask how many of the American people would be willing to accept a pay cut from $2,400 a month to $3,600 a month. Let me ask that question again. How many would like a pay cut from $2,400 to $3,600?

Mr. SHAYS. In other words, a 50-percent increase. I think we would all like it, especially if we could get away with calling it a cut.

I am not proud that there are certain parts of the Government that are going up. I would like to be able to get a better handle on spending. It is just that I think if you tell the American people the truth, they will tell you to do the right thing. If you kind of obfuscate it and you distort it, they are going to give you a mixed signal back.

The fact is the earned income tax credit is going up, the School Lunch Program is, the student loan, and Medicaid. Medicaid is going from $89 billion, which it was last year, to $127 billion.

Medicare is growing from last year, $178 billion to $289 billion. We are going to spend 7 percent more each year on Medicare, we are going to spend 60 percent more in the seventh year than we did now. And on a per beneficiary, because everybody says we have more seniors, you have more seniors, but even if we take all the seniors, we are going from $4,800 to $7,100 in the seventh year, $7,100 per senior, a 49 percent increase in the seventh year over now. Hardly a cut.

Mr. SMITH of Michigan. If the gentleman will yield, when I go to my town hall meetings, and you can picture that group of people out there that are having a hard time with their own budgets, they start saying when we hear what the gentleman from Connecticut [Mr. SHAYS] has just said: ''Well, why aren't you cutting faster? Why don't you cut more? Why are you spreading it out so long?''

Then they hear that even with the Republican plan we are still borrowing $100 billion a year, even at the end of 7 years, from Social Security and the other trust funds.

Mr. SHAYS. We will still be borrowing from the trust funds, the gentleman is right.

Mr. SMITH of Michigan. They say, ''Look, you've got to do better than this.''

Is it not sad that we cannot get some of the liberals, the President of the United States, to say, Yes, we are going to do the right for the future and we are going to stop playing political games? It is so frustrating that we cannot cut some of this spending and make this economy stronger, and leave our kids a paid-off mortgage rather than the big debt.

Mr. LONGLEY. Just to pick up on one example, I think if someone asked me what has bothered me the most perhaps since I came to Washington, I have to say the lack of honesty, the lack of directness, being candid about the difficult issues that we are confronting.

Mr. SHAYS. The gentleman likes that Maine honesty. You want people in here to speak like the people in Maine.

Mr. LONGLEY. It is hard, I think, for people across the United States to recognize the extent to which people in this body frankly can become so clever with language and words that they have made an art form out of disguising the truth. As an example, let us just take the Medicare situation.

I campaigned 2 years ago on the fact that the Social Security trustees, and this was in 1994, actually 1993 and 1994, that the Social Security trustees had reported that the system was in serious difficulty, and in 1994 they projected that the three major Social Security funds, the disability fund, the Medicare fund, and the Social Security retirement income fund were all going broke. Specifically they projected that the disability fund was going to be broke last year, that the Medicare fund would be broke in 2002, and when I say broke, there would not be a nickel left in it, and that the general trust fund for Social Security would be broke as early as 2029.

I have a number of insurance and financial companies in my district. I checked with some of the professional economists and they said that the private projections are that Social Security could be broke as early as 2010.

I say to people, when you have an official report, signed by the Secretary of Treasury, the Secretary of Health and Human Services, and the Secretary of Labor telling you that three major Social Security trust funds that the public depends on, particularly the Medicare fund, which right now is a very critical program for our senior citizens, when you are told by your Government that the program is going bankrupt, what do you do?

Then I told people that when I came to Washington, I had people seriously tell me, ''Don't worry about it, they say that every year.'' When I go back to my district, they are astounded.

But I go one step further. It turns out, in the middle of this budget crisis, that as early as November, that the Medicare trust fund went into deficit a year earlier than it was projected because spending was almost $5.5 billion more than the trustees had estimated, and we did not even hear about it.

I have to question who is in control and why are they not being truthful with us about the nature of the problem we are trying to confront?

Then I say to my audiences, particularly in my district, young and old alike, a lot of business people, individuals, I say, Now what do you do if you are in that situation? Let me tell you the piece that is not being talked about when it relates to Medicare reform.

We are hearing all the attack ads about Medicare and we are being accused of just the most cold-blooded actions that anyone could conceive of, putting our seniors on the street, et cetera. Nonsense. Clear scare tactics designed to prey on a very vulnerable population.

I say, put those attacks aside. Who is talking about what our alternatives are? What happens if we do not do what we are trying to do? Let me tell you the options. I say this to an audience, Anybody here in favor of cutting benefits? Nobody responds.

How about doubling or tripling payroll taxes? And have we forgotten that barely 2 years ago the administration had a request on the table in the Committee on Ways and Means to increase payroll taxes by 10 cents a dollar of wages? I say, Anybody here think that increasing payroll taxes or doubling or tripling them is going to solve the problem?

That would just be wonderful for employment, because what also happened in the middle of this debate is AT&T laid off 40,000 workers, and across the country it has become an epidemic for large companies and small companies to realize they cannot afford to pay the tax burden and the liability burden that Government is imposing on them for the workers they are hiring.

Mr. SHAYS. So what is the bottom line?

Mr. LONGLEY. First let me tell what the third option is. We ruled out cutting benefits, we ruled out increasing payroll taxes. If anything, we said, we need to reduce payroll taxes and lower the tax burden, particularly on working people.

The third option is, we will borrow the money. We will borrow our way out of the crisis. Then I tell them that do you know that we are going to be spending more money on interest on the Federal debt in the next 7 years than anyone is going to spend on Medicare?

Of course we reject those three options out of hand because not a single one of them deals with the real problem. In fact, every single one of those measures creates more problems than it solves.

I say we settle on the one choice that made the most sense, which is make the tough decisions to reform the program, create options for senior citizens, protect those who want Medicare but give other choices, and that if we give more power—and this is a radical idea for this city—if we give senior citizens the right to make choices about their own health care, I mean, the very idea that we are going to give the beneficiaries of a program the right to make choices, and I describe to people in Maine that in Washington that is sacrilege.

Mr. SHAYS. If the gentleman will yield, the bottom line is we did the heavy lifting with a lot of programs, but in some cases, and particularly with Medicare, we have a better program and yet we save about $240 billion. We do it by not increasing the copayment, not increasing the deductible, not increasing the premium for Medicare Part B. The seniors should have still paid 31.5 percent, which is what they paid last year. That is what we said, just keep it at that rate.

We did say that the very wealthy in our society would pay more for Medicare. If you make more than $125,000 of taxable income, you would pay more for Medicare Part B.

Then we get into how are we able to make the savings? By, as the gentleman has pointed out, giving seniors choice. They are allowed to go into a variety of private health care plans. We still keep Medicare. No one has to leave. But we allow seniors to get private care, and the private care has to be as good or better, otherwise they are not allowed to participate. They cannot offer seniors less service and charge them less. They have to provide equal to or better, and the way they are going to attract them is by providing eye care or dental care, prescription drugs, allow copayment rebate or deductible rebate or even give MidiGap.

Mr. LONGLEY. If the gentleman will yield, more astounding, we are actually increasing spending on the program, in that the average payment per beneficiary this year is $4,800 a year and within 7 years it is going to exceed $7,000 a year. That is actually a healthier rate of increase than the administration itself proposed.

What we are going to be doing, and this is what will save the program, is that we will be running it more efficiently, managing it better, giving more people control over their health care and eliminating a lot of fraud and waste, particularly as it relates to unduly burdensome regulatory structures. We are going to run a better program, we are going to be providing more money for the beneficiaries, they are going to have more choices and, frankly, we will be able to do it in a manner that will bring revenues in line with expenses.

Mr. SHAYS. Before the gentleman yields to my colleague, I just want to make sure that we cover this, because we do not want any senior to think that they have to participate in choice. They can keep their traditional fee-for-service, their 1960 Blue Cross/Blue Shield model. If they choose to get into private care and they do not like it, they have 24 months, each and every month within these next 2 years, they can get out of the private care and right back under the system they had.

I know my colleague wanted to speak.

Mr. NEUMANN. Just a couple of things on this. I think all of this discussion about what is happening in Medicare, I just reemphasize that if our seniors do nothing, they keep Medicare as they know it today.

A lot of times people forget that our friends and our own parents are on Medicare, and they forget how concerned we are about the senior citizens we know. When I jog with George, a good friend of mine, he talks to me about his mother. When I ride to basketball games with Tom, where our kids play on the same team, we talk about his parents and we talk about the meaning of Medicare to these senior citizens.

□ 1730

Somehow in this whole discussion we lose the fact that we care a lot. We have a responsibility. It is like this with Medicare today. They are writing out checks for more money than they have in their checkbook. We all know they cannot keep doing that.

We have a responsibility to George's parents and to Tom's parents and to George and Tom and our responsibility to these people, to the people we represent, is to make sure we do not allow this system to go bankrupt so their parents can continue to receive these benefits.

We would be totally out of line to allow the Medicare system just to continue down the road it is going down right now. I care too much about Tom's parents and George's parents and the other parents like them across our district.

Mr. LONGLEY. Not only that, it is clear that we have people in this city who have made a career out of taking more and more and more money from the public for their purposes, not for the public's purposes.

Mr. SMITH of Michigan. Mr. Speaker, I think there are a lot of people watching maybe that are saying, well, look, you are the Congress of the United States. You have the majority. Why do you not do it? What has happened is Congress has given away the ability to control spending over the last 40 years. We have, in effect, passed into law so-called entitlement programs that say the money is going to be there automatically without being appropriated on a yearly basis from Congress, and so into these laws of food stamps and AFDC——

Mr. SHAYS. Basically, it is half the budget.

Mr. SMITH of Michigan. The blue part represents these welfare entitlement programs. A majority of Congress cannot reduce these programs and change spending without the consent of the President, and the President has now vetoed changes in the Food Stamp Program. The President has now vetoed changes in the work requirement in the welfare program.

Mr. NEUMANN. Just to comment on that, it is very important for the American people to know that on that half where we do not get to vote on it, spending went this year from last year to this year, went up by $46 billion. That money is spent and it is gone. We have no control over that, no vote over that. It went up $46 billion. Contrast that to the part that we do have control over, about $500 billion out of a $1.6 trillion; that went down by $14 billion.

Mr. SMITH of Michigan. Let me show you where that is on this little pie chart. That is the little red section on this pie chart that represents the 12 appropriation bills other than the defense appropriation bills. This is where Congress has control. If we do not pass the appropriation, if the President vetoes it, there is no money there, so we have been unsuccessful here, and by the year 2002, we are going to see the welfare entitlement portion of this budget grow to almost 60 percent, and then you have got the interest on the national debt. The service, paying the interest on the national debt, is also on automatic pilot unless we follow what these gentleman have been saying and we started reducing the rate of increase in spending.

Mr. SHAYS. If the gentleman will yield, the bottom line is this: As you point out, the gentleman from Wisconsin [Mr. NEUMANN], 50 percent of the

budget is on automatic pilot. It is entitlement. We do get to vote on it, but if we do not vote on it, it stays the same, and so Congress simply never voted on it.

I have been in Congress since 1987. I never got to vote on changes. The majority party never wanted to change the entitlements and to control their growth. So I never had an opportunity to vote.

Mr. SMITH of Michigan. Up until now, in the Balanced Budget Act.

Mr. SHAYS. Up until now, with the balanced budget, for the first time, this is the Congress that is willing to take on the heavy lifting of controlling 50 percent of the budget that is basically on automatic pilot. We voted on a third, as the gentleman pointed out so well, those appropriation items, defense and nondefense, that come out of appropriations. There is the 15 to 16 percent of interest on the national debt which we do not vote on. We have been voting since I have been here on a third of the budget, trying to control it. For the first time, we are trying to control the entitlements. All we are trying to do is slow their growth to 5, 6, 7 percent a year. We are not cutting them. We are allowing them to increase. That is just bottom-line issue.

You know, I would love to just get into this issue. I would like your reaction, I have been here now for about 9 years, and I am seeing good men and women not run again, and some of them have very real personal reasons. I just want to express my concern about some of them.

I happen to think of myself as a moderate Republican. I think of myself as a centrist in terms of my ideology. I like to think of myself as passionately moderate. I am in the center. I am seeing some of my fellow moderates quit. They say this is not a fun place anymore. I am thinking to myself, with all due respect, when has it ever really been a fun place? I get up in the morning and say I have one of the best jobs in the world. To call it a fun place, I have never known it to be a fun place.

Now, to listen to them further, you know, people are getting nasty with each other. I see that. I mean, to the public this must look like a food fight when really what it is about is some very heavy lifting about whether we end those obscene debts and annual deficits that we have, whether we stop adding to the national debt, and this is what my colleagues are saying. I think the Senator from New Jersey, even your own Senator, with all respect; in my judgment, they have participated in our getting deeper and deeper and deeper in debt by their silence, in some cases, by their willingness not to step and stand out and say no more, we are going to call the question.

So now that we are deeper in debt and we are clawing our way to get out of this means, people are quitting, and then some, not your Senator, but some Senators have said, ''You know, now I can be honest with the American people. I can tell them now, since I am not running again.'' And I am thinking, why did you not just be honest with them when you were a candidate? Tell the American people the truth. They will have you do the right thing.

So I just wanted to express some disappointment with some very good people who are leaving, and my take on it is they are leaving now that we have got to do heavy lifting, now that we have got ton confront seniors, young people and everyone else and say, you know, we have got to address this issue. Some things you may not like, but we have got to do it for the sake of our country. I do not know if any of you have had that same reaction.

Has this place been a fun place? No. Is it going to be a fun place? No. Do we have heavy lifting? Yes. Are we deep in the hole? You darn right, and we are clawing our way to get out of the hole.

Mr. LONGLEY. I think you are making an outstanding point. This is one of the reasons I went back and looked back over these 16 years of legislation. Literally, of these 16 acts, at different times the Democratic Party supported 12 of the 16 acts, and the Republican Party supported 12.

Mr. SHAYS. Both parties, not just one.

Mr. LONGLEY. That is exactly it.

Now, you look in the early 1980's in spending, 1981, spending went up almost 15 percent; 1982, 10 percent; 1983.

Mr. SHAYS. The point is we are not blaming parties. But now we have a chance.

Mr. LONGLEY. Not only, this is particularly with respect to the current debate and the impasse between the administration and the Congress, and clearly, as the gentleman from Michigan [Mr. SMITH] pointed out, the President has vetoed welfare reform. He has vetoed a balanced budget. He has vetoed literally every significant initiative that we are trying to bring to the table to deal with this crisis, and the easiest thing in the world for us to do would be to pretend the crisis does not exist, to just cook up some, come to some agreement even though philosophically we are miles apart on some issues, we come to some common ground, and we have editorial writers across the country hailing our bipartisanship, the television crews showing up and just we are all standing there smiling at each other and patting each other on the back.

But the bottom line is, when we leave here, our kids are paying the bill. I am not willing to do that.

Mr. NEUMANN. That is really the point. We keep talking about the debt and deficit. It is not about the debt and the deficit. It is about a moral and ethical responsibility that our generation has to stop doing what has been going on for the last 15 or 20 years. This is a moral, ethical, it is a values problem in our country. What kind of a society would be willing to spend their children's money? Ask yourself, what kind of society would do that? It is a moral and ethical responsibility to stop the growth of this debt.

Mr. SMITH of Michigan. If the gentleman will yield, I would suggest this borrowing obscures the true size of Government. You know, if people have to pay their taxes to afford this huge bureaucracy, they would be saying, wait a minute, but we have somehow, politicians have discovered if they borrow this money and say somehow, well, we will pay this back later, our kids and our grandkids are going to have to do it, but what we have done is we have had a Government become larger and larger, and the bureaucracy so big now that almost half my time as a congressman is spent being an ombudsman to help people move through this political maze of this huge overbloated Government. If we stop borrowing and people have to start digging into their pockets for this size of a Government, they will say, no, wait a minute.

Mr. LONGLEY. We cannot even go, to go just one step beyond what you are saying, most people cannot even afford the tax burden now, even though we are not even paying for the entire Government. That is the difficulty we are trying to confront.

Mr. NEUMANN. I would just add, if you would be interested, I have one more chart left.

Mr. SMITH of Michigan. We like your charts.

Mr. NEUMANN. Would you like to know how much more an American family of four would have had to pay in taxes over the last 15 years in taxes in order to pay their share of what the Government spent? If the Government were to break even over the last 15 to 20 years, an average family of four in America would have had to spend or pay to the Federal Government $76,000 more in taxes over that period of time if our generation had paid for what they bought through this.

Mr. SHAYS. That is a great illustration of why it did not happen. There is no way a family of four would have tolerated paying $76,000.

Mr. SMITH of Michigan. Now, the little young tots in that family of four are going to be obligated to account for that money later on in their lives. No. 1, it is immoral. No. 2, balancing the budget is going to strengthen the economy.

Mr. NEUMANN. That is what this chart is showing. This is showing our total debt as of right now. This is the amount they borrowed per person, $19,100 for every man, woman and child in America, which has been borrowed basically over the last 15 years. The kicker on this chart is really the bottom line. The bottom line is our family of four today has to pay $440 a month just to pay the interest on the Federal debt. It is not for any goods or services, not for Medicare, Medicaid, or any of the rest. The family of four today has to pay $440 a month just to pay interest on the Federal debt.

I always like to reduce it down to what the actual impact is on my

friends and our constituents across our districts, and that really is what it translates into. A lot of times they say, ''I don't pay that much in taxes.'' I would like to remind, every time we walk in the store and buy a loaf of bread, that store owner makes a small profit on the loaf of bread bought in the store. When the store owner makes a small profit on it, some of that profit comes in here to the Federal Government in the form of taxes. When it is all added up, they are paying, in fact, paying that $440 a month.

Mr. LONGLEY. This comes back to the point the gentleman from Connecticut [Mr. SHAYS] made so well several minutes ago, that the easiest thing in the world any of us can do is say, well, we are going to create a program. Sure, we will give you more money, even though you are getting increases and spending, we will double the rate of increase. We can all look like heroes until the American public has got to show up with the tax dollars to pay for it or to deal with the mess that we have created.

Mr. SHAYS. One reason I like my community meetings, I call it my community test, if I have got to go to my community in a community meeting, I have got to tell them what we are doing, and if it does not pass, you know, if I cannot pass it through my constituents in a community meeting, I do not vote for it. There is no way I can justify seeing what has happened in the last 22 years, and my constituents have told me almost to a person, ''You get a handle on this Federal budget. You stop the obscene annual deficits.'' Revenue is here, spending is here, at the end of that year the deficit is added to the national debt; they want us to end it. That is what we are going to do.

I mean we have three objectives. We want to get our financial house in order and balance the Federal budget. We want to save our trust funds, particularly Medicare, from bankruptcy, and we want to transform this social and corporate welfare state into a true caring opportunity society. We are not going to give up.

I noticed, you know, I just am in awe of my freshmen. I mean, I wish I could be an honorary freshman. I know you all have taken some criticism, but my take on what you have done is you basically watched what we have done and said, ''I can't believe it.'' Men and women have run and owned businesses, and you said, ''You know I am going to end this.'' You do not care if you get reelected, and that is your strength. If you do not care whether you get reelected, you are going to do the right thing, and I tell my people, thank God for the freshmen.

Mr. NEUMANN. If the gentleman will yield, we are nearing the end of the time. I want to close my part by reminding us all this is still the greatest country in the world. Sure, we have got some problems. As a country, we have had problems before. What is going on out here right now is a new era in America, and we have started down the right path here toward restoring this great country of ours.

I have 100 percent confidence that we together, the people that are here, along with the American people out there, are going to restore this great Nation of ours. I have a lot of faith in the future of this country. I know we are going to make a great country to pass on to our children and to our grandchildren.

Mr. SHAYS. I just would like to thank both of you. You claimed the time, and I thank the gentleman from Maine for doing that and just say that we do live in the greatest country in the world, and we are going to save it. I mean, we are not going to listen to polls. The polls are not going to guide us. We are going to do the right thing. If Abraham Lincoln had listened to polls, we would not be one Nation under God, indivisible. We would be two nations very much divided. We are going to stay one Nation, and we are going to pursue this.

Mr. LONGLEY. Just to end on that note, I think it is easy to forget we as a country have faced greater crises in the past. We are going to face greater crises in the future. What we have learned as a country, and particularly I know the senior population understands this, the generation that confronted the depression, that confronted World War II, that put an end to the world fascism and another generation that put an end to world communism, yes, we have had some big crises to deal with. We have identified the problem. We have looked at the options. We have acted to get the problem dealt with, and we move on.

I am very confident that we are going to deal with the issues we need to deal with and that the public realize that it is in their best interests, and we are going to move forward.

I thank the gentleman from Wisconsin [Mr. NEUMANN], the gentleman from Connecticut [Mr. SHAYS], and the gentleman from Michigan [Mr. SMITH] for your participation tonight.

□ 1745

INTERNATIONAL WOMEN'S DAY

The SPEAKER pro tempore (Mr. HUTCHINSON). Under the Speaker's announced policy of May 12, 1995, the gentlewoman from New York [Mrs. MALONEY] is recognized for 60 minutes as the designee of the minority leader.

Mrs. MALONEY. Mr. Speaker, today I am honored to rise with some of my colleagues in this special order to celebrate International Women's Day. This day is a celebration borne out of the fighting spirit of the women's labor movement in the great city that I am honored to represent, New York City.

International Women's Day was born in 1857 when women from the garment and textile industry in New York City staged a demonstration protesting low wages, 12 hour workdays, and increasing workloads. It is the perfect day to call for equal rights for women, equal pay for women, equal representation for women, equal treatment for women, and expanded health care for women and all Americans.

I have called this special order today to pay tribute to women, past and present, who fight every day for improved working conditions and equal rights and treatment for women.

Mr. Speaker, with this in mind, we come together today to celebrate our gains. Already this year we have celebrated the 75th anniversary of women gaining the right to vote, the 23d anniversary of Roe versus Wade, the coming together of over 30,000 women from 190 different countries at the fourth U.N. World Conference for Women in Beijing, and the first Women's Expo held here in Washington, DC.

We celebrate these successes at a time when we face the most hostile, antiwoman Congress that I can remember, a Congress more antifamily, antichoice, antiurban, antiworker, and antienvironment, than any in recent history. In short, this Congress is a disaster for women.

In the first 6 months, we voted in this House of Representatives and passed 12 antichoice bills. But the impact of these actions in this Congress really came home in a very personal way recently. I received a notice from the Government in the mail. It said that abortion services are no longer covered under my health insurance plan. It was one small notice in the mail, but one giant step back for reproductive freedom in the United States. The letter, marked in a very personal way for hundreds and thousands of employees the first widespread practical impact of the 104th Congress's multifaceted assault on a woman's right to choose. Thanks to extremists in the 104th Congress, U.S. military hospitals, both here and overseas, are now prohibited by law from performing abortions. In other words, women who are stationed here and overseas busily protecting our rights, while in this Congress we have been busily removing theirs.

The House also passed an amendment denying Medicaid-funded abortions for victims of rape and incest. For poor women, this would make fathers out of rapists. If that were not enough, on March 15, when the current continuing resolution will expire, we will effectively zero out funding for international family planning programs, denying hundreds of thousands of women around the world their only source of health care.

Conservative estimates show that this reduction is much more than a loss of money. It means that over 7 million couples will lost access to modern contraceptive methods, and, for many, health care services.

In other actions, the new majority suspended Federal responsibility for the women, infants, and children nutrition program, and eliminated $2 billion

in school lunches and Aid to Families with Dependent Children programs.

Tomorrow, this Congress will be marking up, or marching backward, the affirmative action bill, which has opened tightly held doors to so many women and minorities. They will be attempting to roll back affirmative action.

When we consider the losses I have listed and those in our scorecard on women's issues, which we will release tomorrow, we might feel better served with a wake today instead of a celebration. Today we celebrate to remind each other that the obstacles we face are real, but we will succeed in enacting legislation which will counter the antiwoman actions of the 104th Congress. We will introduce shortly and hopefully pass the Women's Health Equity Act and the Economic Equity Act. We will restore funding to International Family Planning and the Children programs. We will succeed, because we have the power of the vote. Women in this country will use their vote in the upcoming elections to turn around this antiwoman Congress' actions.

We do have winning strategies to build on. We need to look back to the energy and promise of the 1995 U.N. Fourth World Conference on Women in Beijing. Over 6,000 Americans and 30,000 women attended this conference—190 countries ratified the platform for action. Although it was not legally binding, it is certainly politically binding and important that so many governments spoke in support of women's rights and a specific plan to achieve equality.

Along with 53 of my colleagues, I have introduced House Resolution 119, which supports the seven United States commitments as introduced by Ambassador Madeleine Albright. The time has come to mobilize and energize. We must enact the U.S. commitments and the platform for action into law to put women in the winning column.

Included in the commitments are initiatives which would launch a powerful program to end domestic violence and crimes against women with full funding, and an all-out assault on the threats to the health and well-being of women. Today we introduced H.R. 2893, the Kennedy-Kassebaum-Roukema bill, which represents the minimum that can be done to provide additional health security to all American people. It would cover preexisting conditions and provide for portability of health care, making increased availability of health care to all Americans. Today we gained 170 cosponsors for the legislation, and we are hopeful that it will pass.

Third, a strong commitment to protecting women's reproductive health and the right to choose; grassroots programs to assure that women make much more than the 72 cents to every dollar a man earns today by fighting for equal pay and assistance in balancing family and work; plans to enhance economic empowerment and economic equality for women; and, finally, enforcement of women's legal rights and a drive to increase women's political participation.

I must say that in this Congress we have heard a lot of talk about quotas and the need to end affirmative action, but I would like to talk about one quota, and that is the representation of women. Although we are well over 50 percent of the population, we are still only 10 percent of this elected body and only 6 percent of management positions in the private industry. This needs to be changed.

In response to the Beijing conference, President Clinton established the Interagency Task Force on Women, which, along with other advocacy groups, including Bella Abzug's group, WEDO, are working hard to implement the platform for action. The 12 planks in the platform for action, combined with the seven U.S. commitments, could succeed in counteracting the new majority's all-out assault on American women. The platform for action was agreed to by 190 countries, and it is a strong statement when 190 countries and their governments endorse this platform.

The platform will unify women at all levels and move forward with positive change. The platform goes further than the U.S. commitments by calling for the empowerment of women, sharing of family responsibilities, ending the burden of poverty for women and children, high-quality affordable health care, sexual and reproductive rights, workplace rights, educational equity, ending violence, protecting a healthy environment, women as peacemakers, ratifying the convention to end all forms of discrimination against women, and a long-term platform for achieving equality.

Mr. Speaker, today we commemorate the International Women's Day. We celebrate because the same thing the new majority fears, women's potential power, will help us to succeed. In honor of International Women's Day, we will reintroduce and reissue the scorecard on women's issues tomorrow to inform the public on how people have voted in this Congress on women's issues and family issues and children issues, and we must hold those in power more accountable for their antiwomen actions.

We intend to have score cards produced and given out on every single Member of Congress on how they have voted on women and children issues. We stand together tonight and we will come together tomorrow, and we will work each and every day to remind the extremist majority that women are neither marginal nor a minority. The rights we have gained are significant, but they are only steps in a long march toward equality of rights for all women.

Today we celebrate International Women's Day. I would like to end with the words of Eleanor Roosevelt when she talked about change, when she talked about getting things done for women, children, and families. She said, ''It is up to the women.''

Mr. Speaker, I recognize the gentlewoman from California [Ms. WOOLSEY], who is the author of many important bills in the Woman's Equity Act and the Women's Empowerment Act, and many other areas we have been working on.

Ms. WOOLSEY. Mr. Speaker, I would like to thank my colleague for yielding this time and for organizing this special order. She has done a wonderful job in supporting women internationally, and will continue to speak out around the globe and here in our own country.

Mr. Speaker, I thank my colleague, CAROLYN MALONEY, for yielding time.

Mr. Speaker, this Friday is ''International Women's Day.'' I come before you today to celebrate one-half of the world's population. I come to pay tribute to women of every nation who care for their families, contribute to their work places, and make their communities stronger. They are true heroes, and deserve our recognition.

Mr. Speaker, it has been over 6 months since the U.N. Sixth World Conference on Women took place in Beijing. At this conference, leaders from around the globe laid out a plan of action for improving the economic, social, educational, health, and political status of women worldwide.

A key plank of that document is ratification of the United Nations' Convention on the Elimination of All Forms of Discrimination Against Women, or CEDAW, as this treaty is commonly known.

CEDAW, which was drafted at the first women's conference in Mexico City in 1975, holds governments responsible for working to eliminate all forms of discrimination against all women.

To date, CEDAW has been ratified by 144 countries, with one notable exception—the United States. Can you believe it?

The United States, the world's greatest superpower and staunchest defender of human rights, continues to represent the only industrialized democracy failing to take this important stand for women's rights.

On behalf of all women around the world—in Africa, Europe, Asia, and in the Americas—I invite my colleagues to join over 60 other Members of the House in support of House Resolution 220, which urges the Senate to pass CEDAW this Congress.

Let's make the 21st century the first century free from state sanctioned discrimination against women. Let's make International Women's Day meaningful. Let's pass CEDAW now.

□ 1800

Mrs. MALONEY. Mr. Speaker, I would like to recognize one of our Nation's leading experts on constitutional rights, the gentlewoman from the District of Columbia, Ms. ELEANOR HOLMES NORTON.

Ms. NORTON. I thank the gentlewoman from New York [Mrs. MALONEY] for her kind words. I especially thank her for her leadership in calling our attention and summoning us to the floor this evening in celebration of Women's History Month and of International Women's Day on Friday.

We are obligated, Mr. Speaker, I believe, to use these occasions not just as opportunities to talk. We need, I think, to use them to re-energize ourselves about issues that are important to us that can be solved and that, at least in the 104th Congress, have been stalled. There is still time to keep the 104th Congress from being known as the unfeminist Congress or the antifeminist Congress where the losses will be recorded by history over the wins.

More than 30 years after women's consciousness took hold in this country, I continue to believe on either side of the aisle that is where Members want to be. Yet if we look closely, we will find what I call take-backs, because they certainly aren't give-backs, losses from where we had come and where we must head.

I am very appreciative that so many Members have signed onto the omnibus bill to carry out the seven U.S. commitments at the Beijing conference and that so many have signed onto the individual bills sponsored by individual Members. This tradition now in the House from among women especially of combining women's legislation into a single bill has the advantage of focusing us on where the greatest need is and offering Members and the public an opportunity to see what we must do and what legislation is most pressing at a given moment in time.

I am pleased that in this country we celebrate International Women's Day, as well. There must be solidarity among women across the world. In every country, women occupy the second place, not the equal place, even in this country where women have made tremendous strides for more than 30 years. We take note of those strides, even as we note also that there is real backsliding today and that women simply must halt it, must reestablish the momentum that is associated with women's rights in this country.

Only 33 years ago, we got the first women's rights legislation in the 20th century, the Equal Pay Act. As a former chair of the Equal Employment Opportunity Commission, I have seen in great detail how the law has worked to the advantage of women in the United States. I note that the law has had less, a lesser effect in other countries, because the law is not as often associated with vehicles to bring progress. Yet, we are grateful for what has happened with affirmative action, with title VII of the 1964 Civil Rights Act, with the interpretation of courts. We are still living in the period when the courts for the first time have indicated that the 14th amendment requirement of equal protection of the law applies to women.

If you were alive in the 1960's, you lived to see or were a part of a country that for the first time indicated that women had to be treated equally under law. We are still living, therefore, in a breakthrough era for women in this country. There have been big, big take-backs in this Congress. Some of the worst have been in an area that is most vital to women, their personal reproductive rights.

I mourn what we have done in the area of abortion. I can only mourn it. I will not chronicle it, because it is a long list, indeed.

I regret that women in the military lose the protection of their country if they become pregnant and desire to have an abortion at the hand of the 104th Congress. Surely we must regret it, as well, for women who are serving their country. I regret that women in prisons at the hand of the 104th Congress, may not have an abortion unless they have funds to pay for it. I regret the withholding of funds for international family planning, which has virtually destroyed those programs. I regret the criminalizing of partial birth abortions and what a huge step that measures from where we had come on choice.

I regret the proposal that the States no longer provide Medicaid for victims of rape and incest. These seem to me to be unusually cruel provisions, and I hope they are an indication in this Women's History month that no right acquired is permanent without permanent vigilance. These are rights we will reacquire, but surely International Women's Day and Women's History Month must energize us so that we are not left at the end of the 104th Congress with less than we came in with.

Included in the omnibus bill is one of my bills, the Fair Pay Act. This bill could not be more germane today. Indeed, I invite Members to note that on March 13, I am conducting a special order on women's wages. There has been a focus on angry white men and, indeed, on angry men because of what has happened to men's wages in an era when manufacturing has shifted offshore, where men are increasingly outside of the labor force, and where women are at work not only because many desire to work, but because they are either critical to the family income or the only family income.

We would do well then, as well, to focus on what has happened to the income of women. We note with pride that there is a narrowing of the gap in wages between men and women until we look closely at how that gap has narrowed. We find that the gap has narrowed largely for professional women and women who are highly skilled, at the entry level, and at the entry level only. As we go up the ranks, the gap widens and reappears, and we note that the average woman is right where she was. A very large part of the gap has narrowed because men have fallen, not because women have risen, because men have lost income, because men are outside of the labor force. Women do not want to narrow the gap in that way.

It is interesting to note that the Equal Pay Act itself, which requires that women doing the same or similar work be paid the same as men, does not allow an employer to equalize men and women's wages by bringing down men's wages. So if one goes into a business and finds that there is unequal pay of men and women doing the same job, the employer has to bring up the pay of women, rather than bring down the pay of men.

Mr. Speaker, I say to my colleagues, the way in which women have gained over the last 30 years has been in very large part because the pay of men has come down, not by operation of law but by operation of the economy. What that means for the average woman in the work force is that the gap is right where it was and that the Equal Pay Act has done just about all it can do. The rest will require a sharper remedy.

In my Fair Pay Act, I offer that sharper remedy where a woman doing comparable work would have to be paid the same as a man doing comparable work. The burden would be on the woman to demonstrate that the difference in wage between her and the man is due to discrimination and not to ordinary market forces. That is a heavy burden. But the burden of proving discrimination is always on the complainant, and here it must be on the complainant as well.

My colleagues will note that the fact that the woman has to establish that the wage differences between herself and a man doing comparable work is because of discriminations and not because of market forces means that my bill will not interfere with the ordinary operation of the market. I discuss my bill only as the one I know best and as one of the many excellent bills in our omnibus bill.

While there is still time, while the 104th Congress is still making history, I call upon my colleagues to make sure that it does not make negative history; to make sure that women and men and families will not remember the 104th for take-backs but for gains; to make sure that the 104th has something positive to say to American families about half of the family, or in the very many instances, the family itself that has a wage earner that is a woman.

Even where there has been consensus among us on women's issues, we often have not made the progress that I believe all of us surely intended, for example, on domestic violence. There is a consensus on both sides of the aisle that this ancient issue finally is ripe for mitigation and elimination. While indeed we were able to get an appropriation that is respectable, the fact is that all of us who have worked hard on this issue are saddened that we have not made the great leap forward, that this most basic of issues requires.

So in this Women's History Month and the year 1996, the year of the 104th

Congress, may we leave it with more to celebrate than we find on March 8, International Women's Day. May we remember that we have days only for issues or almost only or largely for issues that need special exposure because of special problems that obtain that we, therefore, dedicate this International Woman's Day to women all over the world and to the forward gains and momentum promised in Beijing and our own country. We who are Members of this body use this day and this month to move forward women's issues at a time when we still can make the 104th Congress truly memorable and truly bipartisan on women's issues.

I very much thank the gentlewoman for her leadership and for yielding to me.

Mrs. MALONEY. Mr. Speaker, I would now like to recognize the former Governor of Puerto Rico, the gentleman from Puerto Rico [Mr. ROMERO-BARCELÓ].

□ 1815

Mr. ROMERO-BARCELÓ. Mr. Speaker, I take this opportunity to salute women as we commemorate the International Women's Day and the Women's History Month.

Since the United Nations held the first world conference on women 20 years ago, significant progress has been made towards achieving equality between women and men. Women's access to education and proper health care has increased, their participation in the paid labor force has grown and legislation that promises equal opportunities for women and respect for their human rights has been adopted in more countries. All these endeavors contributed to the improvement of women's rights and important changes have occurred in the relationship between women and men.

Yet, despite these efforts, the discrimination women have suffered solely because of their gender has been pervasive. Violence against women remains a global problem. Women's equal access to resources is still restricted and their opportunities for higher education and training are concentrate din limited fields. Decisions that affect women continue to be made largely by men.

Unfortunately, in some instances, our legal system has entrenched the subordinate status of women. These attitudes have contributed to the perpetuation of stereotypes which must be eliminated for they only contribute to all types of violence against women. Today I invite you to join women in their request to live in peace and to be recognized as equal citizens with equal rights and opportunities.

As we all know, women fought a long and difficult battle to achieve universal suffrage; a basic tenet of democracy. For the past 97 years, Puerto Rico has been and still is a territory, or a colony, of the United States. The island is home to 3.7 million U.S. citizens, of whom more than half are women, who are disenfranchised and deprived of participating in the democratic process of this Nation. Universal suffrage does not exist in Puerto Rico. While we preach the virtues of democracy throughout the world, the United States still maintains the largest colony in the world. U.S. citizens who are excluded from our Nation's democratic process and who are denied the right to vote and the right to representation.

The Beijing Declaration and Platform for Action, adopted unanimously at the Fourth World Conference on Women by representatives from 189 countries, reflects a new international commitment to the goals of equality, development and peach for all women everywhere.

As a result, the world now has a comprehensive action plan to enhance the social, economic and political empowerment of women, improve their education and training.

The platform for action, a 362-paragraph document that recommends actions on 12 critical areas of concern considered the main obstacles to women's advancement and builds on the accomplishments made since the first U.N. Conference on Women.

Today, I exhort women to rise and demand equality. Today I urge Congress to sustain our commitment to women. Today, I remind nations of the world to keep on struggling to build a gender respectful society.

Mrs. MALONEY. Mr. Speaker, I would now like to yield to the gentlewoman from Ohio, Ms. MARCY KAPTUR, who has been a strong fighter for increased wages, increased job opportunities for all working women and men.

Ms. KAPTUR. Mr. Speaker, I want to thank the gentlewoman from New York [Mrs. MALONEY] for taking the leadership today in commemoration of International Women's Day, which is March 8, this Friday, and also during this month of March, Women's History Month.

So often, I guess, I have to think back to the whole history of the country. There have only been about 165 women that have ever served in the Congress of the United States out of over 11,700 persons that have been elected to the Congress of the United States. So it has not been but until very recently that women have been able to discuss not just the plight of men in this country and children but also of themselves, the issues of concern to working women here in our country, which is the vast majority of women of all ages, as well as women around the world.

I want to thank the Congresswoman from the great city of New York for taking the leadership on this and helping us put on the record on behalf of women everywhere helping us be a voice for them. I must begin with entering into the RECORD an article from the New York Times of February 21 of this year called Squeezing the Textile Workers. It is just an excellent story by John Holusha, and it is situated in Pisgah, AL, P-I-S-G-A-H. I have never visited there.

It talks and it has a magnificent picture, compelling picture of two women, Martha Smith, saying goodbye to her fellow coworker in that town at a plant called Andover Togs, where she and approximately 100 other workers, largely women, lost their jobs sewing children's clothing.

If I could describe this picture to you, I am sure that most Americans who have gone through this understand. They were saying goodbye to one another and facing a very unknown future. She was quoted as saying, ''There are no more textile jobs around here, they are all going to Mexico and overseas.'' Ms. Smith, who has lost 3 jobs due to plant closings, seems to have the evidence on her side. Two other sewing mills in this region of northern Alabama closed at about the same time, sending 550 people, mostly women, into the local labor market.

In many of these towns, there just are not any other jobs to go to. So often we hear, these jobs are low skill jobs; these are not the high technology jobs of the future. If anyone has ever made a dress or have done it by hand or if you have done it with a machine or if you have ever sewn pearls on a wedding dress in a pattern, I would like to see the President of the United States do that. I would like to see most of the Members of this body do that. There is not any job that takes more skill, more concentration, more attention to detail than the sewing arts, because in fact they are the arts.

And for those people that work on machines, which many of these women do, the speed at which they have to work with piece work in order to get paid is a speed beyond which most people in this society have never had to work. And they work very, very hard for a living. Many of them get carpel tunnel just in that one industry because they work so hard. Many of them being immigrants, many women it is their first job that they have really had after high school or after going through school. And many of them are the sole support of their families.

So tonight we pay tribute to them and we say to them that we know who you are. And we understand the important jobs that you have done for the people of this country, and we think it is very wrong that those jobs are being outsourced elsewhere by corporations that do not value you as much as we value you in this country. And really, it is not your fault. A lot of women go home at the end of the day and think, gee, I lost my job because I did not try hard enough. Yet they have very good work records. Many of them have children at home. They have husbands. They have houses to keep. And yet they go to work every day, many times when they do not feel well, and they have done this throughout the history of this country.

If you look at what has been happening over the last 20 years, what has

been happening to them is so unfair, so unfair. The last 20 years, the entry level wages of women with high school educations has gone down 20 percent. That means the harder they work, the fact that they are providing many times the income that makes the difference between that family being able to survive or not survive, they are getting paid less for it. And even women who have gone to college are now earning 7 percent less than their counterparts did 20 years ago.

So the stress that families feel and particularly women who still largely have the child rearing responsibilities, taking care of the home when they get home from work, even though that responsibility is more shared now, there is just a great deal of pressure on them.

If it had not been for women going into the workplace, even though many of them do not want to be there today but they have to be, family incomes would have gone right through the floor. And now they are barely treading water just keeping even. If you look at where women have had the most pressure on them, where they have been losing jobs to international trade because of unfair trade laws, they are in fields like electrical machinery and electronics, apparel, which I have just talked about, the food processing industry like the women workers in Watsonville, CA, who worked so very hard for Green Giant. They then put all those women out of work and replaced them with very cheap labor in Mexico, where the women do not earn enough to buy the frozen foods that they manufacture. And in fact they cannot even afford a small refrigerator in their homes. Many of them do not have electricity. Yet those women are being exploited in Mexico while our women lose their jobs here in this country.

If you look at NAFTA, since the passage of NAFTA, of the hundreds and hundreds of thousands of jobs lost in our country, about a third of those were held by women, many in the apparel industries.

We know, just because of GATT and NAFTA, we have had upwards of 85,000 women lost their jobs in apparel and 30,000 women in textiles. And it is not because people in this country are not working hard. Americans work harder than any other people in the world, including overtime. We have the fewest vacation days. I think only one other nation, the Japanese, work a few more hours a week than we do. So it is not that people here are not trying very hard.

I want to thank Congresswoman MALONEY. I just will end with this statement: That among the laws of our country that are so important in giving women equal pay for equal work and the wage and hour laws that control overtime compensation and how many hours people can work, those laws were passed during the 1930's. There was a great women Congresswoman from New Jersey, from Jersey City, NJ, Mary Norton, who served here was responsible.

She actually chaired what was then called the Education and Labor Committee. So it was a woman from you part of the country, who grew up in very humble circumstances, who was responsible during those years for coming here to Congress, waiting her turn to serve as committee chair, and responsible for the most important labor laws that have helped working women and working men across this country for the better part of the century. So we owe a lot to the east coast. We owe a lot to the Manhattan-Jersey City nexus and to the great Congresswoman from Jersey City, Mary Norton, for helping us build a middle class in this country.

Congresswoman MALONEY, you walk in her footsteps, and I thank you tonight for allowing me to participate in this special order.

Mrs. MALONEY. I thank the gentlewoman very much. I would like to bring to your attention that Congresswoman NYDIA VELÁZQUEZ is working on many of the issues that you raised and in fact will be hosting a public hearing on March 11 in New York City with Secretary of Labor Robert Reich. I hope that you will be able to attend, as well as other Members of Congress, as we explore ways to protect jobs in the textile industry and expand wages for workers in America.

Ms. KAPTUR. I would very much like to be there. I want to compliment the First Lady, Hillary Clinton. I understand today she was in New York City somewhere sewing on a label, I hope it was a made in the USA label, to a garment in New York City. And we look forward to welcoming Secretary Reich to that very important hearing on sweatshops and what is happening to women workers in New York City who sew so many of the garments still made in this country that are worn by women across this country.

Thank you so very much for being a part of that and for the kind invitation.

Mr. Speaker, I include for the RECORD the article to which I referred.

[From the New York Times, Feb. 21, 1996]

SQUEEZING THE TEXTILE WORKER

(By John Holusha)

PISGAH, AL.—Martha Smith cried as she left the Dover Mills plant of Andover Togs Inc. on a Wednesday afternoon late in January. Along with approximately 100 other people, she had lost her job sewing children's clothing.

Now she is enrolled in a state-sponsored program to learn clerical skills. ''There's no more textile jobs around here,'' she said. ''They are all going to Mexico and overseas.''

Ms. Smith, who has lost three jobs due to plant closings, seems to have the evidence on her side. Two other sewing mills in this region of northern Alabama closed at about the same time, sending 550 people, most of them women, into the local labor market.

The layoffs are not just a regional phenomenon. After four years of stability, employment in the apparel industry took a sudden plunge last year, falling by more than 10 percent, to 846,000, from 945,000 at the end of 1994. An additional 42,000 jobs vanished in the fabrics industry, which produces the raw material to make clothing, for a total shrinkage of 141,000 jobs—40 percent of all manufacturing jobs lost in the United States last year.

Job losses like these provide grist to politicians with protectionist messages, especially in an election year. So while dismantling trade barriers benefits most consumers by lowering prices, it also deepens blue-collar anxieties in industries that are vulnerable to foreign competition.

The new wave of job losses in the apparel industry, coming as they did soon after the passage of the North American Free Trade Agreement and the latest global trade accord, benefits candidates who say they want to save jobs and protect workers. Four years ago it was Ross Perot railing against free trade accords, and this year, the Republican populist, Patrick J. Buchanan, has enjoyed a surge in the polls with his attacks on free trade as a sellout of American labor.

And while textile-plant closings have been a fixture of the economic scene in the small towns of the South and Northeast for nearly a quarter-century, the recent hemorrhage of jobs, though predicted by many economists, is devastating some areas. It is driven by two forces—government policy, which encourages free trade with low-cost apparel exporters like Mexico and Malaysia, and high technology, which helps big, profitable textile companies produce more cloth with fewer workers.

''We have lost on the order of 500,000 jobs in apparel in the past 23 years and we will probably lose another 40,000 to 50,000 this year,'' said Carl Priestland, an economist with the American Apparel Manufacturers Association.

Most of the pain will be felt in small towns like Pisgah, named after the mountain that Moses climbed to get his first glimpse of the Promised Land. Locals fear that Andover Togs, Pisgah's biggest employer, will shut down its remaining operations, including lithography and engineering, in addition to the sewing plant it just closed. If that happens, 400 more jobs will disappear—and with them, the town's hopes for an economic recovery.

''I do a good business with people at the mill, so this is going to slow down the economy big time,'' said R.D. Mitchell, a former mayor who runs a Chevron service station that is one of the town's unofficial gathering spots. ''There are a lot of people being pushed out of jobs within a 20-mile radius of here,'' he added. ''People can't spend money they don't have.''

For all the financial turmoil in textile workers' lives these days, the industry itself remains a huge and profitable sector of the American economy. Output has grown steadily, from $32.8 billion in 1974, to $56.3 billion in 1984 and to $74.2 billion in 1994, the last year for which figures are available. Even after adjusting for inflation, the increase over the last two decades has been more than 33 percent. Profits in 1994 totaled $1.74 billion, or 2.7 percent of sales, half the 5.4 profit margin for all manufacturing.

Broadly speaking, the textile trade consists of three sectors. Fiber manufacturers, the smallest of the three, spin cotton and other raw materials into threads for the fabric makers, which weave the threads into cloth for apparel producers to make into clothing.

While it is profitable, the continued prosperity of the industry hinges in large part on its ability to squeeze out as many American jobs as possible from the production process. The two main sectors—raw fabrics and finished clothing—achieve that goal in two very different ways, cutting labor costs and automation. And industry experts say that outside attempts to stanch the bleeding may do more harm than good.

Clothing manufacturers, swamped by a flood of cheap imports from Asia and elsewhere that have grabbed 50 percent of the American market, up from 20 percent two decades ago, stay profitable by exporting jobs to low-wage Latin American countries like Mexico and the Dominican Republic.

These companies have been unable to exploit America's vaunted technological superiority to offset their foreign rivals' wage advantage because no one has been able to develop an economical alternative to the old-fashioned sewing machine. Automated machines have a hard time handling soft, floppy cloth, and the vision-recognition systems needed to match patterns at seams, collars and cuffs are far too expensive for the low-margin apparel business.

In an integrated apparel factory, one that converts raw fabric to finished clothes, 50 percent of the jobs are sewing machine operators, 86 percent of whom are women. ''You can automate design, you can automate pattern setting and cutting, but sooner or later you have to push fabric through a sewing machine,'' Mr. Priestland said. ''That's still the bottleneck.''

And that is where governmental policy comes in. Congressional approval of the North American and world trade accords in 1994 and 1995 made it much easier for American corporations to bring in goods from factories in third world countries, notably Mexico, by moving to eliminate quotas on imported apparel.

The search for cheap labor is nothing new. Many of the mills that are closing now migrated to impoverished regions of the rural South decades ago from the relatively prosperous Northeast. Even today, says David Thornell, director of the economic development authority of Jackson County, an economically depressed region that includes Pisgah, many of the factory workers here till the fields part time to make ends meet.

But with the factory idle, farming alone will not pay all the bills, and residents are bitter. ''They pay those people down there a dollar and a nickel an hour,'' said Jim Mabry, another Pisgah resident. ''Then they ship the clothes back here for finishing so they can call them American-made.

Andover Togs, which is based in New York, says it had little choice but to open its factory in the Dominican Republic. ''I don't think we have ever seen a retail environment this sour,'' said Alan Kanis, the company's chief financial officer. He added that the company's major customers, discount chains like Wal-Mart and Kmart, were major importers, forcing the company to keep a tight rein on its costs.

David Buchanan, associate dean of the college of textiles at North Carolina State University, predicted more mills would shut down. The trend could turn out-of-the-way places like Pisgah into ghost towns, just as many farms villages in the upper Midwest faded into history when farming became mechanized.

''Historically, the role of the textile and apparel industry has been to provide employment for the otherwise unemployable,'' Mr. Buchanan said. ''But that has been changing. If there is no work, the sons and daughters will move away, the way they did in farming. If there is no reason for a town to exist, it will go away.''

If American apparel makers are surviving by hiring cheap labor overseas, the other big component of the textile industry, the companies that weave the cloth and fabric, is thriving by applying the latest technology at home.

A visit to the Cone Mills Corporation plant in Greensboro, N.C., shows the strides in productivity that American fabric makers have made in recent years. In the weaving room, a total of 416 looms pump out 12,000 square yards of denim every hour, nearly 50 percent more than the 1,000 older machines that they replaced. Yet they are so much easier to operate that only about 20 workers are needed to tend them, about one for every 21 looms and a tiny fraction of the 400 or so workers that handled the previous generation.

Not only that, but weaving technology is about to take a major step forward. The projectile looms in use now can insert 258 threads a minute; new air-jet machines just now coming onto factory floors can process 745 a minute, nearly three times as many.

Cone plans to replace its older machines with the more advanced models but will not increase its production capacity, since little growth is seen in the American market. ''We'll just have fewer looms and fewer people,'' said Patrick Danahy, Cone's president.

The combination of faster machines and fewer people explains the decline in employment in the fabric industry from more than 700,000 in the late 1980's to 625,700 in January, even as fabric output increased.

Although the people in Pisgah are unhappy when their jobs depart for Caribbean nations like the Dominican Republic, the location is good news for the American fabric industry because the new factories there are more likely to buy cloth from them rather than their Asian competitors.

''Eighty percent of clothing imports from Mexico and the Caribbean are made of American fabric,'' Carlos Moore, executive vice president of the American Textile Manufacturers institute, said. ''That explains why we have been able to supply a lot of fabric in the face of slow growth and imports.''

And though the recent liberalization of world trade seems to be accelerating the exodus of apparel jobs from the United States, Mr. Moore said it might also provide an opportunity to increase American raw-textile exports. ''Most countries have traditionally protected their textile industries, but now they may be forced to open up,'' he said.

Moreover, some people question whether the North American Free Trade Agreement and other trade pacts should be blamed for the flight of jobs abroad. Without the trade agreement, Mr. Danahy of Cone Mills said, ''Both the apparel and textile jobs would have gone to Bangladesh and elsewhere in the Far East.

''With Nafta in place,'' he added, ''the textile complex on this continent is more competitive.''

Mrs. MALONEY. Mr. Speaker, I would like to recognize one of our newly elected Members of Congress from Texas, SHEILA JACKSON-LEE, who has been a strong advocate on so many important issues for this body.

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me thank the gentlewoman for her leadership and also her diligence on a myriad of issues that have added to the enhancement of women and their lives and their families in this Nation and how important it is. And we thank you for your organization of this special order to pay tribute to women both in terms of honoring them for this month and as well as recognizing the International Women's Day which will be celebrated on March 8, 1996.

It is interesting, I would imagine that there might be those who would be listening to this special order and argue that we are all one family, one America. And I applaud that, and I certainly encourage the recognition that we are one Nation under God. But it is important, as we recognize the oneness of this country, that we celebrate African-American history month and Asian-American history month and Hispanic-American history month, and in my community, Fiestis Patris, as we also celebrate Women's History Month along with many of the myriad of wonderful ethnic groups throughout this Nation.

We happen this month to be celebrating and commemorating the importance of women, and certainly it is important to recognize women internationally.

Mr. Speaker, this month we are celebrating Women's History Month and this Friday we will celebrate International Women's Day. In 1910, the German labor leader Clara Zetkin proposed that March 8 be proclaimed International Women's Day in memory of those earlier struggles of women to better their lives. Working women in the home and work place have fought to make a difference. In recent years, it has become a widely celebrated day for many women's organizations and groups. Rallies, forums, panels, conferences, demonstrations, radio programs, media shows, and school programs have become a part of these celebrations of women's contributions to the history and culture of the world.

I rise today, however, not in celebration but with great concern for women everywhere, overseas and here at home. With the January 26 enactment of the current Continuing Resolution [CR], a handful of antichoice lawmakers in the house scored a far-reaching victory against women's reproductive health and rights—they have effectively eliminated all funding for the U.S. International Family Planning Program.

The legislation passed by the House and Senate will decrease by 35 percent the amount of money available to spend on international family-planning programs—that is, it will cut the budget by nearly $200 million.The Agency for International Development [AID] will not be permitted to spend any of its appropriation for family planning until July 1, 1996, 9 months after the start of the fiscal year. Since AID has been unable to release any population funds since October 1995, the beginning of the fiscal year, this means that the program will be deprived of support, altogether, for three quarters of fiscal 1996. For the remainder of this fiscal year, and for fiscal 1997 in its entirety, the funds can only be allocated month by month and on an equal-amount basis. The net effect is a reduction in the family planning/reproductive health budget from $547 million in 1995 to $72 million in 1996.

Most of the campaign against family planning has been carried out under the guise of preventing U.S. foreign aid funds from paying for abortions, a practice that has been banned since 1973. Ironically, the effots of my antichoice colleagues will lead to even

more abortions. Nils Daulaire, deputy assistant administrator for policy at the U.S. Agency for International Development, has said that an additional 200,000 illegal and unsafe abortions will result from this action. Daulaire projects that as many as 5,000 more women will die over the next year as a result of unsafe abortions and mistimed pregnancies, and that roughly 500,000 additional births will result, putting further stress on already strained child-survival programs. By gutting funds for family planning, which enables women to avoid abortion in the first place, this Congress has sentenced women in the developing world to more unwanted pregnancies and consequently, more abortions.

This assault on family planning is an attack on women everywhere, at home and overseas. In the most fundamental way, it seeks to undermine women's ability to take charge of their own lives, their families, and their health care needs.

Enabling couples to plan when to have children and how many is at the very core of promoting personal responsibility and family values. By enacting deep cuts in the program, my antichoice, and so-called pro-family, colleagues have increased the likelihood that more families will experience the tragedy of maternal of infant death due to a lack of reproductive health care.

I would like to quote Senate Appropriations Chairman MARK HATFIELD, a pro-life Senator, who has expressed his outrage over the gutting of international family planning.

> What we did is bar access to family planning services to approximately 17 million couples, most of them living in unimaginable poverty. We opened the door to the probability of at least 14 million unintended pregnancies every year, tens of thousands of deaths among women * * * and the probability of at least 4 million more abortions that could have been averted if access to voluntary family planning services had been maintained.

Senator HATFIELD is correct in saying that,

> The family planning language in [the CR] is not pro-life, it is not pro-woman, it is not pro-child, it is not pro-health, and it is not pro-family planning. It inflicts the harm of a profound misconception on very poor families oversees who only ask for help in spacing their children through contraception, not abortion.

My colleagues, I urge you, in honor of International Women's Day and Women's History Month, to help reverse this policy. Please, let us not turn back the clock on women's rights, let us not return to the days when women did not have the freedom to choose what they would or would not do with their own bodies and when couples could not determine what was best for their families.

□ 1830

Mrs. MALONEY. Thank you very much. I would now recognize the gentlewoman from California [Ms. WATERS], a leader on women's issues and the newly elected ranking member on the Committee on Banking and Financial Services for Oversight. Thank you for joining us.

Ms. WATERS. Thank you very much. I would like to thank you for providing leadership for all of us as we join together to recognize International Women's Day, which is Friday, March 8. I thank you for providing leadership for us of focus and give some attention to who we are, what we are doing, what we are accomplishing and what we must do to further the cause of women, not only in this country, but in this Nation. We have held a powerful and highly successful World Conference on Women in Beijing, and I suppose we discovered something maybe others knew, but not all of us. We discovered that women all over the world are struggling for freedom, struggling for justice and equality, and while we have made some serious and profound advancements, we still have a long way to go.

Mr. Speaker, we have a long way to go because there are those in this Nation, some in very high places, who simply refuse to see us as equals, who will deny us the opportunity to serve in the many diverse ways that men serve in this Nation and in this world, and because we have those who would deny us opportunity, those who will fight very hard to ensure that we do not get a chance to realize our full potential, we must continue to struggle.

We do not like the idea that we have to be here this evening even, talking about the struggle that women are still involved with in this world to ensure justice, equality, and freedom, but we must do that.

One of the things that we all recognize, most women, and most women who are elected to the House of Representatives recognize, that until and unless we are free to determine what happens with our bodies, we are not free. It is the most basic of those freedoms that we are able to say what we want in relationship to our health concerns. We must be able to say without equivocation, without fear, without concern for what anybody else thinks, we must be able to say and make decisions about our bodies.

We have been in this struggle for a long time. It has been a long time since Roe versus Wade. But we find ourselves having to defend our right to make decisions about our own bodies right here in this House because there are those, men for the most part, who will take every opportunity to try and take back the rights that we have garnered through the courts in this country.

And so we struggle month in and month out, year in and year out, and we are still confronted with those obstacles that are created by some of the men in this House, even as we look toward our work over the next few months, and so I say to all of those who are listening that this is a struggle that we may have to be in for some time to come. But I think that if women really do believe and they really do understand that this is the most basic of all freedoms, the right to determine what happens to your body, then we will rise to the level that we must rise to in order to ensure that we have such a freedom.

This evening I would like, in addition to talking about the freedom of choice, to talk about an issue that really concerns me, and that is women's economic empowerment.

□ 1845

Women throughout the world continue to struggle to raise and provide for their families. We have fought hard for the right to work, the opportunity to participate in government, the ability to access capital, to start our own businesses, and the right to attain a higher education and reliable child care.

All of our strides toward affirmative advancement are halted when our own leaders talk about dismantling programs under affirmative action that help women establish a level playing field with men. I come from a State where we must be involved in the struggle to try and save opportunities for women because there has been advanced something called the California Civil Rights Initiative, that would eliminate affirmative action programs in public employment, education, and public contracting.

Women have only begun to climb the corporate ladder and to shake up the glass ceiling. While women account for 52 percent of all Americans, yet we still comprise only 3 to 5 percent of senior level positions in major companies. We represent only 11.8 percent of college presidents, 10 percent of the House of Representatives, and only 8 percent of the U.S. Senate. Even with affirmative action, women are still paid less for the same work. Women make only 72 cents to a man's dollar.

In 1993, female managers earned 33 percent less than male managers. Female college professors earned 23 percent less than male professors, and female elementary school teachers earned 22 percent less than male elementary teachers.

I cannot continue to give you all of the dismal statistics. All I can say is, as we focus this evening, let us recognize that we are not near the equality that this country and this Nation and this world deserves.

Mr. TORRES. When I step onto the House floor every day, I am never certain what I will face: Will the agenda promote progress and growth? Or will the House encourage policies that deliver an America of inequality?

Unfortunately, inequality is often the answer and women are often the targets. Whether the issue is opportunity on the corporate ladder or the freedom to make choices, this Congress has sought to strip away and demolish the rights of women.

At the top of the hit list is: limiting access to abortion and abolishing affirmative action. But

what worries me most is the theme of these efforts: These themes are not about helping women.

If helping women was the intent, we would acknowledge the fact that women earn only 72 cents for every man's dollar, and we would enforce equal pay for equal work.

We would not question a woman's judgment when she needs a medically necessary procedure; we would work toward perfecting the safest method.

If this Congress is serious about women's issues, let's focus on what we can do for women, not what we can take away.

GENERAL LEAVE

Mrs. MALONEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous matter on the subject of my special order tonight.

The SPEAKER pro tempore (Mr. HUTCHINSON). Is there objection to the request of the gentlewoman from New York?

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the House will stand in recess subject to the call of the Chair.

Accordingly (at 6 o'clock and 46 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1910

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 7 o'clock and 10 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3021, GUARANTEEING CONTINUING FULL INVESTMENT OF SOCIAL SECURITY AND OTHER FEDERAL FUNDS IN OBLIGATIONS OF THE UNITED STATES

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 104–473) on the resolution (H. Res. 371) providing for consideration of the bill (H.R. 3021) to guarantee the continuing full investment of Social Security and other Federal funds in obligations of the United States, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3019, THE BALANCED BUDGET DOWNPAYMENT ACT, II

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 104–474) on the resolution (H. Res. 372) providing for the consideration of the bill (H.R. 3019) making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PERMISSION FOR MEMBER TO SUBMIT AMENDMENT TO H.R. 3019, THE BALANCED BUDGET DOWNPAYMENT ACT, II

Mr. LINDER. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. OBEY] may have until midnight tonight to submit an amendment to H.R. 3019 for printing in the RECORD.

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

There was no objection.

APPOINTMENT OF MEMBERS TO ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of section 3(a) of Public Law 86–380, the Chair announces the Speaker's appointment to the Advisory Commission on Intergovernmental Relations the following Members of the House: Mr. SHAYS of Connecticut and Mr. PORTMAN of Ohio.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. MCCARTHY (at the request of Mr. GEPHARDT), for yesterday, March 5, and today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:

Mrs. MALONEY, for 5 minutes, today.
Ms. KAPTUR, for 5 minutes, today.
Mr. POMEROY, for 5 minutes, today.
Mr. TOWNS, for 5 minutes, today.
Mrs. MINK of Hawaii, for 5 minutes, today.
Mrs. CLAYTON, for 5 minutes, today.
Mrs. SCHROEDER, for 5 minutes, today.
Mr. GEJDENSON, for 5 minutes, today.
Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. TATE) to revise and extend their remarks and include extraneous material:)

Mr. WELDON of Pennsylvania, for 5 minutes, today.
Mr. MCINTOSH, for 5 minutes, today.
Mr. DUNCAN, for 5 minutes, today.
Mrs. CUBIN, for 5 minutes, today.
Mr. TIAHRT, for 5 minutes, today.
Mrs. CHENOWETH, for 5 minutes, today.
Mr. MICA, for 5 minutes, today.
Mr. BRYANT of Tennessee, for 5 minutes, today.
Mr. FUNDERBURK, for 5 minutes, today.
Mr. SMITH of Michigan, for 5 minutes, today.
Mr. HUNTER, for 5 minutes, today.
Mr. FOX of Pennsylvania, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Ms. JACKSON-LEE of Texas and to include extraneous matter:)

Mrs. THURMAN.
Mr. HAMILTON.
Mr. BARCIA.
Mr. STUDDS in two instances.
Mr. DEUTSCH.
Mr. RAHALL.
Mr. KLECZKA.
Mr. JACOBS.
Mr. MILLER of California.
Mr. CLAY.
Mrs. MINK of Hawaii.
Mr. CONYERS.
Mr. MARKEY.
Ms. BROWN of Florida.
Mrs. MALONEY.

(The following Members (at the request of Mr. TATE) and to include extraneous matter:)

Mr. LEWIS of California.
Mr. SOLOMON.
Mr. BARCIA.
Mr. FOX of Pennsylvania.
Mr. STEARNS.

(The following Members (at the request of Mr. LINDER) and to include extraneous matter:)

Mr. BUNN of Oregon.
Mr. FUNDERBURK.
Mr. KENNEDY of Rhode Island.
Mr. POMEROY in two instances.
Mr. DELLUMS.
Mr. STEARNS.
Mr. WELDON of Pennsylvania.
Mr. SHAW.
Mr. SANDERS.
Mr. FRANK of Massachusetts in two instances.
Ms. NORTON.
Mr. GILMAN.
Mr. HANSEN.
Mr. YOUNG of Alaska.
Mrs. MEEK of Florida.
Mr. KENNEDY of Massachusetts.

ADJOURNMENT

Mr. LINDER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 12 minutes p.m.), the House adjourned until tomorrow, Thursday, March 7, 1996, at 10 a.m.

NOTICE OF PROPOSED RULEMAKING

Office of Compliance Notice:

Notice of Proposed Rulemaking: Rulemaking regarding the application of chapter 71 of title 5, United States Code, relating to Federal service labor-management relations; procedures for remedy of violations, see page S1547–50 of the RECORD dated March 6, 1996. The 30-day period for public comment on these proposed regulations ends April 6, 1996.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

[Omitted from the Record on March 5, 1996]

2191. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the President's March 1, 1996, determination regarding certification of the 31 major illicit narcotics producing and transit countries, pursuant to 22 U.S.C. 2291; to the Committee on International Relations.

[Submitted March 6, 1996]

2192. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the 1996 International Narcotics Control Strategy Report, pursuant to 22 U.S.C. 2291(b)(2); to the Committee on International Relations.

2193. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report on PLO compliance, pursuant to Public Law 101–246, section 804(b) (104 Stat. 78); to the Committee on International Relations.

2194. A letter from the Administrator and CEO, Bonneville Power Administration, transmitting the 1995 annual report of the Bonneville Power Administration, also other reports pursuant to the Chief Financial Officers Act that relate to the Administration, pursuant to Public Law 89–448, section 3(a) (80 Stat. 201); to the Committee on Government Reform and Oversight.

2195. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11–215, ''Equal Opportunity for Local, Small, and Disadvantaged Business Enterprises Temporary Amendment Act of 1996,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

2196. A letter from the Attorney General, Department of Justice, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1995, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

2197. A letter from the General Counsel, Federal Emergency Management Agency, transmitting a report of activities under the Freedom of Information Act for calendar year 1995, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

2198. A letter from the Director, Administration and Management, Department of Defense, transmitting the annual report of cross-servicing and acquisition actions undertaken pursuant to acquisition and cross-servicing agreements with countries that are not part of the North Atlantic Treaty Organization [NATO] or its subsidiary bodies, pursuant to 10 U.S.C. 2349; jointly, to the Committees on National Security and International Relations.

2199. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 96–11: Presidential Determination on Military Drawdown for Jordan, pursuant to section 572 of the Foreign Operations, Export Financing and Related Programs Appropriation Act, 1996; jointly, to the Committees on International Relations and Appropriations.

2200. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report regarding the economic policy and trade practices of each country with which the United States has an economic or trade relationship, pursuant to 15 U.S.C. 4711; jointly, to the Committees on International Relations and Ways and Means.

2201. A letter from the Chair of the Board, Office of Compliance, transmitting advance notice of proposed rulemaking for publication in the CONGRESSIONAL RECORD, pursuant to Public Law 104–1, section 304(b)(1) (109 Stat. 29); jointly, to the Committees on House Oversight and Economic and Educational Opportunities.

REPORT OF COMMITTEE ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SOLOMON: Committee on Rules. House Resolution 369. Resolution to provide the Committee on Government Reform and Oversight special authorities to obtain testimony for purposes of investigation and study of the White House Travel Office matter (Rept. 104–472). Referred to the House Calendar.

Mr. LINDER: Committee on Rules. House Resolution 371. Resolution providing for consideration of the bill (H.R. 3021) to guarantee the continuing full investment of Social Security and other Federal funds in obligations of the United States (Rept. 104–473). Referred to the House Calendar.

Mr. DREIER: Committee on Rules. House Resolution 372. Resolution providing for consideration of the bill (H.R. 3019) making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, and for other purposes (Rept. 104–474). Referred to the House Calendar.

BILLS PLACED ON THE CORRECTIONS CALENDAR

Under clause 4 of rule XIII, the Speaker filed with the Clerk a notice requesting that the following bills be placed upon the Corrections Calendar:

H.R. 2685. A bill to repeal the Medicare and Medicaid Coverage Data Bank.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 2969. Referral to the Committee on Commerce extended for a period ending not later than March 11, 1996.

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. GUTIERREZ (for himself, Ms. VELAZQUEZ, and Mr. SERRANO):

H.R. 3020. A bill to exclude voyages to or from Puerto Rico from laws applicable to coastwise trade; to the Committee on National Security.

By Mr. ARCHER:

H.R. 3021. A bill to guarantee the continuing full investment of Social Security and other Federal funds in obligations of the United States; to the Committee on Ways and Means.

By Mr. STUDDS (for himself, Mr. MCDERMOTT, Mr. ENGEL, Mr. WAXMAN, Mr. BEILENSON, Mr. FROST, Mr. EVANS, Mrs. COLLINS of Illinois, Mr. RANGEL, Mr. DELLUMS, Mr. GUTIERREZ, Mr. MORAN, and Mr. LIPINSKI):

H.R. 3022. A bill to amend the Public Health Service Act to establish a program regarding training in lifesaving first aid, including training in the use of automated external defibrillators to assist individuals experiencing cardiac arrest; to the Committee on Commerce.

By Mr. SHAW (for himself, Mr. GILMAN, Mr. HAMILTON, and Mr. SOUDER):

H.R. 3023. A bill to require the imposition of certain trade sanctions on countries which threaten the national security of the United States and the health and safety of U.S. citizens by failing to take effective action against the production of and trafficking in illicit narcotic, and psychotropic substances, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska (for himself, Mr. GALLEGLY, Mr. GINGRICH, Mr. SERRANO, Mr. KENNEDY of Rhode Island, Mr. RAHALL, Mr. ROMERO-BARCELO, Mr. GILMAN, Mr. BURTON of Indiana, Mr. UNDERWOOD, Mr. CALVERT, Mr. LONGLEY, Mr. GENE GREEN of Texas, Mr. DEUTSCH, and Mr. KLINK):

H.R. 3024. A bill to provide a process leading to full self-government for Puerto Rico; to the Committee on Resources, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BAKER of Louisiana:

H.R. 3025. A bill to suspend until January 1, 1999, the duty on 2,2-Dichlorophenylacetic Acid Ethel Ester [DCPAE]; to the Committee on Ways and Means.

By Mr. BRYANT of Tennessee (for himself, Mr. BARR, Mr. BONO, Mr. DUNCAN, Mr. GEKAS, Mr. GOODLATTE, Mr. HEINEMAN, Mr. HOSTETTLER, Mr. MCCOLLUM, Mr. SCHUMER, Mr. SENSENBRENNER, and Mr. SMITH of Texas):

H.R. 3026. A bill to amend section 372 of title 28, United States Code, to provide that proceedings on complaints filed with respect to conduct of a judge or magistrate judge of a court be held by a circuit other than the circuit within which the judge serves, and for other purposes; to the Committee on the Judiciary.

By Mr. BRYANT of Tennessee (for himself, Mr. BARR, Mr. DUNCAN, Mr. GEKAS, Mr. GOODLATTE, Mr. HEINEMAN, Mr. HOSTETTLER, Mr. MCCOLLUM, Mr. SENSENBRENNER, and Mr. SMITH of Texas):

H.R. 3027. A bill to amend title 18, United States Code, and the Controlled Substances Act, with respect to the payment of the costs of court-appointed attorneys in certain criminal cases; to the Committee on the Judiciary, and in addition to the Committee on

Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS:

H.R. 3028. A bill to secure the voting rights of former felons who have been released from incarceration; to the Committee on the Judiciary.

By Mr. DAVIS (for himself and Ms. NORTON):

H.R. 3029. A bill to designate the United States courthouse in Washington, District of Columbia, as the ''E. Barrett Prettyman United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Ms. ESHOO:

H.R. 3030. A bill to establish a minimum amount that maybe applied as an aggregate lifetime limit with respect to coverage under an employee health benefits plan or a group health plan; to the Committee on Economic and Educational Opportunities, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HANSEN:

H.R. 3031. A bill to amend the act of October 15, 1966 (80 Stat. 915), as amended, establishing a program for the preservation of additional historic property throughout the Nation, and for other purposes; to the Committee on Resources.

By Mr. KANJORSKI (for himself, Mr. MCDADE, Mr. MURTHA, Mr. COYNE, Mr. GEKAS, Mr. HOLDEN, Mr. MCHALE, Mr. GREENWOOD, Mr. MASCARA, and Mr. DOYLE):

H.R. 3032. A bill to assist State and local governments in recovering from recent disasters; to the Committee on Banking and Financial Services.

By Mr. MARKEY (for himself, Mr. KASICH, Mr. KENNEDY of Massachusetts, Mr. FROST, and Mr. JOHNSTON of Florida):

H.R. 3033. A bill to control the transfer within the United States of infectious agents which have the potential to pose a severe threat to the public health and safety, and for other purposes; to the Committee on Commerce.

By Mr. MILLER of California:

H.R. 3034. A bill to amend the Indian Self-Determination and Education Assistance Act to extend for 2 months the authority for promulgating regulations under the act; to the Committee on Resources.

By Mrs. MINK of Hawaii:

H.R. 3035. A bill to provide for a special application of section 1034 of the Internal Revenue Code of 1986; to the Committee on Ways and Means.

By Mr. MONTGOMERY (for himself, Mr. STUMP, Mr. BUYER, and Ms. WATERS):

H.R. 3036. A bill to amend title 38, United States Code, to require that the offices for management, policy, and other functions associated with the educational assistance programs of the Education Service of the Department of Veterans Affairs be in the District of Columbia; to the Committee on Veterans' Affairs.

By Mr. POMEROY:

H.R. 3037. A bill to amend title 49, United States Code, to provide funding for the essential air service program, and for other purposes; to the Committee on Transportation and Infrastructure.

H.R. 3038. A bill to reauthorize and amend title XIV of the Public Health Service Act (commonly known as the ''Safe Drinking Water Act''), and for other purposes; to the Committee on Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHAEFER (for himself, Mr. TAUZIN, Mr. CHRYSLER, Mr. BONO, Mr. HEFLEY, Mr LINDER, and Mr. STUMP):

H.R. 3039. A bill to promote freedom, fairness, and economic opportunity for families by repealing the income tax, abolishing the Internal Revenue Service and enacting a national retail sales tax to be administered primarily by the States; to the Committee on Ways and Means.

By Mrs. SMITH of Washington (for herself, Mr. SHAYS, and Mr. MEEHAN):

H. Res. 373. Resolution providing for the consideration of the bill (H.R. 2566) to reform the financing of Federal elections, and for other purposes; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. PETERSON of Florida introduced a bill (H.R. 3040) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Two Can;* to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 833: Mr. MCHALE and Ms. PELOSI.

H.R. 835: Ms. WATERS.

H.R. 911: Mr. BILBRAY, Mr. CRAMER, and Mr. BILIRAKIS.

H.R. 957: Mr. FRANKS of Connecticut.

H.R. 969: Mr. KENNEDY of Massachusetts.

H.R. 1000: Mr. FRANKS of New Jersey and Mr. BROWN of Ohio.

H.R. 1462: Mr. BENTSEN and Mr. SKEEN.

H.R. 1496: Mr. QUINN.

H.R. 1646: Mr. MCHALE, Mr. WAMP, Mrs. MORELLA, Mr. EWING, Mr. BARCIA of Michigan, Mr. STUPAK, Mr. FAZIO of California, Mr. BATEMAN, Mr. BISHOP, Mr. HILLEARY, and Mr. SAM JOHNSON.

H.R. 1684: Mr. SMITH of Texas, Mr. HOKE, Mr. PETE GEREN of Texas, Mr. TEJEDA, and Mr. BONO.

H.R. 1733: Mr. SCOTT and Mr. MOAKLEY.

H.R. 1757: Mr. NADLER.

H.R. 1758: Mr. BONIOR and Mr. PAYNE of Virginia.

H.R. 1771: Mrs. LOWEY.

H.R. 1776: Mr. THORNBERRY, Mr. WATT of North Carolina, Mr. NEUMANN, Mr. TALENT, Mr. FRANKS of Connecticut, Mr. BATEMAN, Mr. BOEHLERT, and Mrs. FOWLER.

H.R. 1791: Mr. BARRETT of Wisconsin.

H.R. 1828: Mr. ORTIZ.

H.R. 2019: Mr. ABERCROMBIE and Mr. CLEMENT.

H.R. 2026: Mr. TALENT, Mr. FRANKS of New Jersey, and Mr. SANFORD.

H.R. 2090: Mr. SCHAEFER.

H.R. 2098: Mr. ROYCE.

H.R. 2182: Mr. TRAFICANT.

H.R. 2202: Mr. CREMEANS, Mr. BATEMAN, and Mr. MARTINI.

H.R. 2228: Mr. EHLERS.

H.R. 2247: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WATT of North Carolina, and Mr. YATES.

H.R. 2270: Mr. ALLARD and Mr. WHITE.

H.R. 2333: Mr. NEAL of Massachusetts, Mr. HAYES, and Mr. RANGEL.

H.R. 2342: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 2401: Mr. STUPAK.

H.R. 2421: Mr. SHAYS, Mr. SAXTON, Mrs. KELLY, Mr. BLUTE, Mr. FORBES, Mrs. JOHNSON of Connecticut, Mr. GEJDENSON, Mr. MARKEY, Ms. SLAUGHTER, Mr. STUDDS, Mr. ACKERMAN, and Mr. MCNULTY.

H.R. 2452: Mr. HOKE.

H.R. 2500: Mr. HUTCHINSON and Mr. MARTINEZ.

H.R. 2509: Mr. COOLEY and Mr. KINGSTON.

H.R. 2535: Mr. CHAMBLISS.

H.R. 2551: Mr. NEY.

H.R. 2651: Mr. BONO.

H.R. 2682: Mr. GILMAN.

H.R. 2701: Mr. MINGE, Ms. MOLINARI, Mr. HASTINGS of Florida, Mr. QUILLEN, Ms. DELAURO, Mrs. KENNELLY, Mr. ORTIZ, Mrs. LOWEY, and Mr. SKEEN.

H.R. 2741: Mr. BARR, Mr. ARMEY, Mr. DELAY, Mr. BOEHNER, and Mr. TAUZIN.

H.R. 2745: Mr. LUTHER, Mr. FOX, Mr. WALSH, Mr. RANGEL, Mrs. MEYERS of Kansas, Mr. LEVIN, and Mrs. ROUKEMA.

H.R. 2802: Ms. FURSE, Mr. RIGGS, Mr. TAYLOR of Mississippi, Mr. OBERSTAR, Mr. BISHOP, Mr. CALLAHAN, Mr. DEFAZIO, Mr. TRAFICANT, Mr. NORWOOD, and Mr. HUTCHINSON.

H.R. 2864: Mr. FATTAH, Mr. THOMPSON, and Mr. FRANK of Massachusetts.

H.R. 2898: Mrs. MEYERS of Kansas, Mr. CUNNINGHAM, and Mrs. ROUKEMA.

H.R. 2919: Mr. EHLERS.

H.R. 2928: Mr. CHRYSLER, Mr. TIAHRT, Mr. SHADEGG, and Mr. FOX.

H.R. 2930: Mr. LAZIO of New York.

H.R. 2931: Mr. FRAZER, Mrs. LINCOLN, Mr. FROST, and Mr. FATTAH.

H.R. 2945: Mr. FARR, Mr. ABERCROMBIE, Mr. CONDIT, Mr. TOWNS, Ms. KAPTUR, Mr. THOMPSON, Mr. TAYLOR of North Carolina, Mrs. COLLINS of Illinois, and Mr. HINCHEY.

H.R. 2946: Mr. FARR, Mr. ABERCROMBIE, Mr. CONDIT, Mr. TOWNS, Ms. KAPTUR, Mr. THOMPSON, Mr. TAYLOR of North Carolina, and Mrs. COLLINS of Illinois.

H.R. 2959: Mr. FRELINGHUYSEN, Mr. WATT of North Carolina, Mr. GIBBONS, Mr. MENENDEZ, Mr. WILLIAMS, and Mr. CLYBURN.

H.R. 2972: Mr. RUSH.

H.R. 2974: Mr. CHRISTENSEN, Mr. BAKER of Louisiana, Mr. SKEEN, Mr. LATOURETTE, Mr. SMITH of New Jersey, Mr. ACKERMAN, and Mr. GENE GREEN of Texas.

H.R. 2991: Mr. FRAZER and Mr. FORD.

H.J. Res. 159: Mr. LAHOOD and Mr. BONO.

H. Con. Res. 47: Mr. THOMAS.

H. Con. Res. 83: Mr. MCHALE.

H. Con. Res. 124: Mr. SENSENBRENNER.

H. Con. Res. 144: Mr. ANDREWS, Mr. FOGLIETTA, Mr. GILMAN, Mr. SCHUMER, and Mr. THORNTON.

H. Res. 286: Mr. TORRES.

H. Res. 348: Mr. PORTER, Mr. SCHAEFER, Mr. SKEEN, Mr. RADANOVICH, Mr. CRANE, Mr. CHRYSLER, Mr. GOODLATTE, Mr. SOLOMON, Mr. WELLER, Mr. INGLIS of South Carolina, Mr. TIAHRT, Mrs. MEYERS of Kansas, and Mr. SPRATT.

H. Res. 362: Mr. FARR, Mr. ABERCROMBIE, Mr. CONDIT, Mr. TOWNS, Ms. KAPTUR, Mr. THOMPSON, Mr. TAYLOR of North Carolina, and Mrs. COLLINS of Illinois.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 359: Mr. BONO.

H.R. 1963: Mr. SAXTON.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

66. By the SPEAKER: Petition of the city of Miami, FL, Commission relative to the downing of two unarmed civilian planes on February 24, 1996, by the Cuban Government; to the Committee on International Relations.

67. Also, petition of the Council of the District of Columbia, relative to Council Resolution 11–251, ''Sense of the Council Federal Payment Emergency Resolution of 1996''; to the Committee on Government Reform and Oversight.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 3019

OFFERED BY: MR. MCINTOSH

AMENDMENT NO. 1: At the end, add the following:

SEC. . EXEMPT ORGANIZATIONS.

Section 18 of the Lobbying Disclosure Act of 1995 is amended—

(1) by inserting ''(a) ORGANIZATION.—before ''An'';

(2) by striking ''section 501(c)(4)'' and inserting ''section 501(c)(4) or 501(c)(5)'';

(3) by inserting after ''1986'' the following: ''or affiliated organizations''; and

(4) by adding at the end the following:

''(b) DEFINITION.—For purposes of subsection (a), any 2 organizations shall be considered to be affiliated organizations if the organizations meet any one or more of the following criteria:

''(1) The governing instrument of one such organization requires it to be bound by decisions of the other organization on legislative issues.

''(2) The governing board of one such organization includes persons who—

''(A) are specifically designated representatives of the other such organization or are members of the governing board, officers, or paid executive staff members of such other organization; and

''(B) by aggregating their votes, have sufficient voting power to cause or prevent action on political advocacy issues by the other such organization.

''(3) The organizations—

''(A) either use the same name or trademark, or represent themselves as being affiliated; and

''(B) coordinate their lobbying activities or political advocacy.''.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, SECOND SESSION

Vol. 142 WASHINGTON, WEDNESDAY, MARCH 6, 1996 No. 29

Senate

(Legislative day of Tuesday, March 5, 1996)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND.]

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Lord God, You are infinite, eternal, unchangeable, and the source of wisdom, holiness, goodness, and truth. Today we want to hold together two Biblical admonitions. We are told that the fear of the Lord is the beginning of wisdom but also that we are not to fear. Help us to distinguish between the humble awe and wonder that opens us to the gift of Your guidance, and the negative panic that so often grips our souls.

Give us a profound reverence in Your presence that keeps us on the knees of our hearts. May we never presume that we are adequate for a day's challenges until we have received Your strength and vision. Give us the confidence that comes from trust in Your reliability and resourcefulness. You never let us down and constantly lift us up.

Lord, liberate us from all minor fears that haunt us: the fear of hidden memories, the fear of imagined failure, and the fear of what is ahead. We may not know what the future holds, but we do know that You hold the future. In the name of Him whose constant watch word is ''Fear not, I am with you!'' Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The distinguished acting majority leader, Senator LOTT, is recognized.

SCHEDULE

Mr. LOTT. Mr. President, today there will be a period for morning business until the hour of 11 a.m., with Senators permitted to speak therein for 5 minutes each, with the following exceptions: Senator FEINSTEIN, for 15 minutes; Senator DORGAN, for 15 minutes, Senator BINGAMAN, for 30 minutes; Senator THOMAS, for 30 minutes.

At the hour of 11 a.m., it will be the intention of the leadership to begin consideration of a resolution regarding the extension of the Whitewater Committee. Rollcall votes are, therefore, possible during today's session.

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

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

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. 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 Senator from North Dakota is recognized for 15 minutes.

THE AMERICAN PEOPLE HAVE CHOICES TO MAKE

Mr. DORGAN. Mr. President, yesterday was so-called Junior Tuesday, where there were a lot of Presidential primaries in our country. It is one more step in this public discussion that happens every even numbered year under the Constitution in our country whereby the American people make choices about their future.

It is interesting to watch the political system this year because the discussion and debate in our political system is fascinating and interesting to me and, I think, millions of others. There is one area especially that has me confused. We have, at the same time, candidates for public office who will tell us that this country is in terrible shape, America is in deep trouble, the Congress cannot do anything right, and America is going down the wrong road. We have other candidates who say that the solution to at least one of our problems is to build a fence between the United States and Mexico to keep immigrants out.

I scratch my head and wonder, why would we want to build a fence to keep people out? Why do people want to come? Because this is a wonderful place, a remarkable country, a country full of hope and opportunity, a country many others look to as a beacon of hope in the world. So what is the disconnection here? Why is it that one group of people say it is an awful place, this country is going to hell in a handbasket, and other people say we have too many people who want to come here, so let us build fences to keep them out?

I could make the case as a politician, find a lectern and an audience and go on the stump and tell people about America: There are 23,000 murders a year, and we are the murder capital of the world. The United States consumes 50 percent of the world's cocaine. There are 110,000 rapes in a year, and there are a million violent aggravated assaults in a year. Ten million people are looking for work, 25 million are on food stamps, and 40 million people are living in poverty. There will be a million and a quarter babies born this year without a father present at the birth, and 900,000 of those babies will never in their lifetimes learn the identity of their fathers.

I can talk about the challenges and the troubles in this country. We entertain ourselves with everybody's dysfunctional behavior. We, every day and every way, on television and elsewhere, hold it up to the light on Oprah and Phil and Geraldo and Ricki, all of those programs, and say, ''Is this not ugly?'' ''Is this not awful?'' Yes, it is ugly. But it is the exception. So it becomes entertainment, entertaining people with other people's dysfunctional behavior.

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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This country is much, much more than any of that. The crime, the poverty, and the unemployment are challenges we have to respond to in this country. But this is a country that got through a civil war and united on the other side. This is a country that survived a depression and got through on the other side. This is a country that defeated Hitler and cured polio and put a man on the Moon. This is a country with remarkable resources and remarkable will.

The question is, How do we as a country and as a government—a representative government as called for in our Constitution—together create the things and do the things necessary to advance our country's interests and make it a stronger, better country for everybody in the future? We have a chorus of people who tell us that the solution is just get rid of Government. The problem is our Government.

We have done a lot of good things in this country together. I worry about a country where we treat as a public sport an effort to essentially try to denigrate our institutions. I worry about a democracy where there is not respect for the institution of government, because government is all of us. The people rule this place. Nobody but the people rule this Senate, because the people determine who serves here. Those they want out will very soon be out; those they want to retain, who they believe fight for the right public policies and the right kind of future for this country, will stay.

There is an enormous capacity for good in all of us, to do the right thing for this country's future, if we decide to concentrate not on what is wrong with these institutions, but decide to make sure these institutions work to create real solutions to the real problems confronting the American people.

Some would say the answer is just term limits. If we can impose term limits and get all these evil, venal people out of these institutions and move all the knowledge out the door with them, then we have something that is good for America. In fact, I saw all these folks who come to the floor of the Senate this year. I saw people who served here 20 and 30 years march to the floor of the Senate and vote for term limits. They did not believe in term limits; not for a minute. They felt politically, I suppose, it is the thing to do. Make sure those who have experience are told, ''You cannot serve anymore.'' I would not trade one BOB DOLE for 75 freshman Republicans in the House, just because I think the people here with the experience and the people who are here who understand the value of doing the right things through this institution of government, an institution that is all of ours, are the people who are finally going to advance this country's interests, not Democrat or Republican, but just Americans, working together to solve problems.

What are the problems in this country? They are legion. There are a lot of them. Personal security issues—we must deal with crime and do it in the right way. Values—diminished standards and values in this country are of concern. We must deal with that in the families, the neighborhoods, and the communities all across this country.

I want to talk today about the centerfold of what ought to be the debate in 1996. That is the economy and jobs. We have a circumstance in this country that is described well, I think, by two pieces in the Washington Post 2 weeks apart. First, ''Labor Cost Rise in '95 was Lowest on Record.'' Blue collar workers, this says, had benefits or labor costs increasing 2.5 percent. That is not even the rate of inflation, just under the rate of inflation. So, workers down at the bottom of this country—the people who work, manufacture, and produce—are not quite keeping up with inflation. Two weeks later, ''CEO's at Major Corporations Got a 23 Percent Raise Last Year.'' Average salary? $4 million. Some of them got raises while they downsized and streamlined and cut out 10,000, 20,000, or 40,000 jobs to be more competitive.

What does that mean, being more competitive? It means they are global enterprises. They do not sing the National Anthem. They do not say the Pledge of Allegiance. What they want is profit for their stockholders, and they want to do that any way they can. If that means hiring people who work for 12 cents a day, 12 hours a day, even if they are 12 years old, in some foreign country to make tennis shoes, rugs, or shirts, and then ship the product to Pittsburgh, Fargo, or Denver and sell them, if that spells profit, that is just fine for those interests because it is in their economic interests, but it is not in this country's interest.

The center of the economic debate in this country is how do we provide the incentives to keep good jobs here in this country and prevent jobs from leaving? Now, we have a trade deficit that I am not going to talk about at great length. Pat Buchanan is out there and that lit the fuse on the debate. On part of it he is right, and on part of it he is wrong. The debate ought to be this: We ought not in this country create circumstances where we tell enterprises, ''If you move your jobs and your plant overseas we will make a bargain with you. Your Federal Government will give you a tax break.''

Can you think of anyone in the U.S. Senate who would decide to go out and hold a town meeting or announce for election and decide, ''My hypothesis is this: I am going to decide to run on this proposition. I believe that we ought to provide a tax cut or a tax loophole or a tax break for manufacturing firms who close their businesses in the United States and move them overseas.'' How many votes do you think that politician would get? They would get booed out of every single room in this country and should be booed out of every single room in this country.

Do you know something? That provision now exists in our Tax Code, and we had a vote on it last October. I tried to get that provision repealed, saying we should no longer have an insidious provision in our Tax Code that pays companies to move their workers overseas—pays companies to shut down their manufacturing plant in our country and move their jobs overseas. Do you know how many people voted against my proposal to close that insidious loophole? Fifty-two. Fifty-two people said, ''We believe we ought to keep that tax loophole.''

The old advice in medicine, to save the party you stop the bleeding. If we are going to start talking about jobs—and we ought to be; that ought to be the central issue in this Chamber—we ought to start with step one. Every person in this Chamber ought to stand up on this question, and I will give them the opportunity a dozen times if it takes it this year, because we will vote on this proposition again and again and again: Do you believe we ought to have a provision in our Tax Code that says shut your plants down here, move your jobs overseas, and we will reward you, we will give you a big fat tax break worth billions of dollars. That is going to be closed this year, one way or another. This Senate is going to vote, and the vote is going to be different than the 52 votes against me last October. I believe we ought to do that as a first step—shut down that insidious tax provision.

The second step we ought to do is take the advice of the Senator from New Mexico, Senator BINGAMAN, and many others who worked on the high-wage task force, and start providing incentives to those who create good jobs in this country. Stop the hemorrhaging of jobs out of this country and start rewarding and providing incentives for those who create jobs in this country. We can talk forever about all the other ancillary issues, but what is important to the American family is this: 60 percent of them sit down for dinner these days and around the dinner table talk about their lot in life. What they discover is that they are working harder and, after 20 years, have less income. After 20 years, they have lost income when you adjust for inflation.

That is not the American dream. The American dream is to work harder and do better and hope your kids do better than that. But we now have an economic circumstance where the largest enterprises in our country and in the world have decided they want to produce where it is cheap and sell into established markets, which means American jobs leave. We have to decide as a Congress and as a country what it is we are going to do to rebuild once more an infrastructure of good manufacturing jobs in America.

I have said before and I will say it again until people are tired of it, you cannot measure America's economic strength by what we consume. The people at the Federal Reserve Board with

thick glasses, living in concrete bunkers, every month they measure what we consume. They think heart attacks are a source of national strength and an earthquake is a source of national economic enterprise. Hurricane Andrew added one-half of 1 percent to the gross domestic product in our country. That is true. That is the way the Federal Reserve Board measures economic progress, what do they consume. They document what we consume, not the damage. That is not what economic health is.

Economic health in this country will be measured by what we produce. Do you have a vibrant, working manufacturing sector that is competitive and produces in a way that is competitive with the rest of the world, and also produces good jobs with good income for American workers? If you do not have that, nothing else much matters to those families who are having dinner and losing money and talking about their lot in life, knowing that their wages are going down, their job is less secure, they have fewer benefits, and they know that the future for their children is less bright than that which they face.

That is why Senator BINGAMAN and others—all of us have worked together to try to create a circumstance where we can begin to debate in this Chamber the center of the economic debate in the country: How do you create and retain good jobs in America? There is not any way that we ought to lose on the international economic stage. We just should not.

I grew up in a town of 300 people, which is probably the case with many Members of the Senate. It was a small town. When I walked to school I knew I came from the country that was the biggest, the best, and the strongest. We could beat anybody in the world at anything and we could do it with one hand tied behind our back.

Our competitors are shrewd, tough, international competitors. The world has changed. We cannot countenance unfair trade. We cannot countenance dumping in our markets. We cannot countenance economic enterprises that decide they want to produce where it is cheap to produce and sell back to our established market, even if it means fewer American jobs.

We must decide to stand up for the economic interests of this country. It is not to say we ought to build a wall to keep things out. It is to say, whether we are talking about the Japanese trade surplus with us or our deficit with them, that we insist you buy more from us. If you have a $50 billion trade surplus with us, or we a deficit with you, then we insist you buy more from us because that is what translates into more American jobs. Our failure to do that consigns us to a future of lower standards of living because of these trade deficits, and that is not something I am prepared to accept. It is not something I believe my constituents are prepared to accept.

It is something we can alter, we can change, if we, in this Chamber, finally get rid of all these distractions and get to the center of the economic debate: What about good jobs in America's future? How do we create them and how do we keep them? And can we take the first baby step by deciding, all of us, that we will finally and completely close the insidious loophole in our Tax Code that actually rewards companies to move jobs overseas, and then begin to take other steps to say we want to, in addition to stopping jobs going overseas with juicy tax breaks, we want to provide incentives that will help create new jobs, good jobs, good paying jobs in this country? And that represents part of the work that we have done in the Democratic caucus, especially with the task force headed by Senator BINGAMAN.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Kentucky [Mr. FORD] is recognized.

Mr. FORD. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is in morning business. Several Senators have reserved time to speak.

Mr. FORD. I did not want to interrupt anything. Could I have 5 minutes?

The PRESIDING OFFICER. All Senators may speak for up to 5 minutes each.

Mr. FORD. Well, could I have 5 minutes?

The PRESIDING OFFICER. The Senator from Kentucky.

WORKERS' DECLINING STANDARD OF LIVING

Mr. FORD. Mr. President, I think we all ought to listen to the Senator from North Dakota. I think the Senator from North Dakota laid it out very well and if we listen to what he says and the direction he wants to go, he has within him the American dream. It was instilled in him as a boy. He could be my son. That's the difference in age. I hope I have instilled into my son that he has that opportunity.

But, Mr. President, our Nation's economy is strong and it is growing. Home ownership, when you read the records, is at its highest rate in 15 years. Mr. President 7.8 million new jobs have been created in the last 3 years. And the administration's 1993 economic plan has cut the deficit nearly in half. However, for the first time—and I underscore first time—in our country's history, productivity is surging but real wages for workers are declining. That is unacceptable. That is just unacceptable, that productivity is surging and real wages for workers are declining.

The majority of Americans are working longer and harder, as my friend from North Dakota said, without the promise of higher wages or job security from their employers.

The days of having one parent at home with the child, or children, are becoming a distant memory for many, many families in this country. American working families need both parents' incomes now, in order to make ends meet. The number of two-worker families rose by more than 20 percent in the 1980's and more than 7 million workers—think about this—7 million workers are holding more than one job. At least two. The largest increase in population of working spouses was among families earning the least money.

There is no question the standard of living of American working families is declining. Workers have invested their hard work, their time—and let me underscore—loyalty to the company they work for, and employment in the companies, and are being repaid with layoffs, downsizing, and relocation by these same employers.

The American dream is fast becoming a distant vision for many American working families.

Society is changing with the growth in technology. Computers are replacing jobs that were once done by hand. We need to change the outlook for the American work force by adjusting our education and training opportunities to reflect the needs of the marketplace.

We can no longer view the development of a skilled work force separately from development of the business community. By adjusting to the needs of the business community we can provide our workers with good jobs at real wages. Government cannot solve this problem alone.

Let me give an example. In my home State of Kentucky the business community, the educational community and local leaders are working together through school-to-work, and work force development programs, to create jobs for the future. We are creating high-technology jobs at high-technology wages. This is a partnership: Education, partnership with business; partnership with government.

Government cannot be all things to all people but it can be an honest partner.

Kentucky has taken the approach that students not entering college should have both a high school diploma and certified skills, enabling them to enter the work force at a living wage.

So, Mr. President, in order to prepare our work force of the future we must maintain the tools such as school-to-work that have succeeded in places like my State of Kentucky. The President has requested that funding for school-to-work be restored and I think it should be in the next continuing resolution. I ask my colleagues to support this add-back, which will assist 27 States in building statewide school-to-work transition systems.

I appreciate the efforts of my colleagues, Senator BINGAMAN, Senator DASCHLE, Senator DORGAN. I feel their report addresses issues that are foremost in the minds of American families.

I read the other day a statement, I do not know who to attribute it to, but I

am going to repeat it. ''A cut in education never heals.''

A cut in education never heals, and in there lies our responsibility.

The PRESIDING OFFICER. Under the previous order, the Senator from New Mexico, Senator BINGAMAN, is recognized to speak for up to 30 minutes.

AMERICA'S WORKING FAMILIES

Mr. BINGAMAN. Mr. President, I commend my colleague from Kentucky for that eloquent statement about the problem, and also the Senator from North Dakota for his eloquent statement about the extent of the problem and our efforts to find at least some partial solutions to the problem.

As both of my colleagues have said this morning, there are millions of American working families that are scrambling to pay the bills each month. They are working longer hours. They are taking home less money in real spendable money. Yet what they are having to pay for education and for health care is going up, and many of these same families are afraid of being laid off from their jobs.

So we do have a problem and the problem is twofold. The problem is that our economy has grown too slowly in the last couple of decades. And, second, the people who are doing the work in our economy, whether they are working for large companies or small companies or nonprofit organizations—the people who are really doing the work in our economy are getting a smaller part of the benefit from the work that they do and from the profit that is being realized.

Last spring I went to our Democratic leader, Senator DASCHLE, and urged that he set up a working group of Senators to explore options for dealing with this problem of stagnant wages. This is not, I should say, a recent problem. This is a problem that has been with us, now, since 1973. I think all economists would agree that it is a new era in our Nation's economy.

Senator DASCHLE, of course, agreed. He was enthusiastic about the idea and appointed me to chair that group. We turned out a report entitled ''Scrambling To Pay the Bills, Building Allies for America's Working Families.'' Mr. President, I think this report summarizes very well the recommendations that we found and that we came up with that we believe seriously address the problem in a variety of areas. What I want to do this morning is to first describe the problem in some detail but then go on and describe at least the broad outlines of the recommendations that we have made.

Many people deserve credit for participating in the preparation of our report. My own chief of staff, Patrick Von Bargen, took a lead role in it; Virginia White and Steve Clemons in my office deserves special thanks, as well as Paul Brown, with the Democratic Policy Committee, and many other Senators and staff people here in the Democratic side of the Senate.

I also want to thank all the experts that we consulted with, many of whom made major contributions to what we were doing.

First, let me talk about the problem. The economy in this country is growing too slowly. It has been growing too slowly for at least 2 decades now. This issue, as I said before, has been recognized by economists. But I believe the best summary of the problem was made by Jeffrey Madrick in a recent book that he published called ''The End of Affluence.'' That book has in it a chart which I have reproduced here so we can make the point very readily.

It points out that the long-term annual rate of growth in this country from 1870 until 1973 averaged 3.4 percent. That is a good rate of growth, and it was one that is discounted for inflation. That is a rate of growth that we had been able to maintain—at least that average rate of growth—through wars, through depressions, and through a whole variety of economic circumstances.

Since 1973, the rate of growth has slowed. That slowing of the rate of growth is a major part of the problem that we face. There has not been enough investment in productive capacity in the country. There has not been enough job creation, nor good-paying, high-wage jobs in the country. So the rate of growth of our economy has slowed to 2.3 percent during the period from 1973 until the present. That slowing of the rate of growth is a serious issue that we are trying to address with some of these recommendations.

The second serious issue that we are trying to address is that the people who are doing the work in this economy are sharing less in the benefits from the growth that is occurring. Again, we have some charts to try to make the point.

The first of these charts is a chart that shows what has happened to real hourly earnings between 1967 and 1995. These hourly earnings, as you can see, for a period from about 1967 to perhaps 1976 were going up and were reasonably high. Since the early 1970's, or the mid-1970's, they have been dropping. Clearly we are in a situation today where we are almost back—not quite, but almost back—to the same real hourly earnings that people in this country were realizing in 1967. This shows part of the problem that American working families are struggling with.

Let me show another chart. This is the drop in real average income. It is a slightly different measure, but, again, it makes the very same point. This chart shows that from 1978 until 1995 there has been almost a continuous decline in real average income for American workers.

The next chart shows the share of workers that have pension coverage in the country. By ''pension coverage'' I am not talking about just Social Security. I am talking about a pension in addition to Social Security. In the period from 1979 to 1989—that is just the 10-year period—you can see a dramatic dropoff in the total number or the total percentage of workers with pension coverage which dropped from 50 percent in 1979 to 43 percent in 1989. When you break that down according to the level of education of workers, you can see a much more dramatic impact on people who have not had the education. For those with less than a high school diploma, the number of those workers with pension coverage was 44 percent in 1979. It dropped to 28 percent in 1989.

The next chart is full-time male workers with health insurance. We spend a lot of time around here talking about health insurance coverage and the importance of that. Again, taking the period from 1979—this chart goes from 1979 to 1992—it shows that the total figures are that 87.3 percent of full-time male workers had health insurance in 1979. That 87.3 percent dropped to 70 percent by 1992.

Again, just to show the way that breaks out by education level, for people with less than a high school diploma, 87.7 percent of those people had some type of health insurance in 1979. That had dropped in 1987 to 53.8 percent, a mere 14 years later.

The next chart shows the job insecurity in the 1970's and 1980's. This is a very interesting chart, in my view, because it shows what is happening to a lot of families. This shows the percentage of workers that are age 24 to 58 who changed employers at least four times during the decade. That is a lot of change. In the 1970's, you can see that something around 13 percent of all workers aged 24 to 58 had to change jobs four times in that decade. When you look in the 1980's, that number, the percentage of workers who had to change jobs four times, doubled and is nearly at 30 percent. This is twice as many workers changed employers at least four times during the 1980's as changed employers during the 1970's.

The final one of these charts that I want to show on the problem is trying to point out what is called ''the mean time to financial failure.'' By ''financial failure,'' we essentially mean if a person loses their job, how long will it be until they have exhausted their financial resources? This is broken down by fifths, or quintiles, according to family income. For the lowest fifth of all families as far as their income level, of course, they have no time. If they lose their job, they are facing financial failure immediately. For the second fifth, it is half of 1 month until they face financial failure; the middle fifth, 3.6 months; the fourth fifth, 4.66; and even the top fifth is only a little over 18 months from financial failure. On average—that is this final column—it is 3.64 months from loss of job to total financial failure for American families.

Mr. President, I think this makes the case that there is a problem. This is not a manufactured problem. This is not a rhetorical problem. This is a real life problem that many working Americans are faced with.

The debate, unfortunately, about this problem has not been particularly productive. The debate which the public hears on the issue sort of veers from those who are surprised to discover that there is a problem on the one hand to those who recognize that there is a problem but have no plan to deal with it other than giving speeches, attacking corporate management, or attacking foreign companies or foreign countries for unfair trade practices.

There is no set of proposals that has been put forward so far in the public debate to try to come to grips with this very real problem. What we tried to do in the report that I referred to earlier was to come up with that set of recommendations and get this debate on to a serious plain.

In putting these recommendations together, we have tried to move the debate past the blame game and name calling and on to thoughtful consideration and policy options.

First, what can we do to stimulate the growth, going back to the first chart I referred to. And second, what can we do to ensure that America's working families fairly benefit from the growth that does occur? In the report that I referred to, we have some 80 specific recommendations. I am sure that no single Senator supports each, but each is a proposal that deserves to be seriously considered on its merits. I hope that this debate we are beginning now will result in that.

Let me describe the three broad areas in which we have made recommendations. First, we have made recommendations to encourage businesses to become better allies of American families, because they have a tremendous impact. And that is in this column here on the left.

Second, we have made some recommendations to make financial markets better allies for America's working families, and that is the center column.

And third, we have made recommendations on how Government can become a better ally for America's working families. Let me just describe briefly the major recommendations in each area.

Businesses, how do we help businesses to be better allies with America's working families? We concluded fairly early in our discussion that the present corporate income tax is a jumble of complexity that does not serve the best interests of any of us. In our view, we should repeal the present corporate income tax and replace it with something like the business activities tax that was proposed by Senators Boren and Danforth in the last Congress. We believe that would be a major improvement in many respects.

Let me cite some of the ways that would improve the situation. First, it would eliminate the existing preference in the tax law for debt over equity.

Second, it would incentivize investment in this country rather than overseas, an issue that the Senator from North Dakota spoke about several times.

Third, it would apply the tax as other countries apply their taxes, on imports and not on exports, so that it would encourage more exports and it would see to it that imports coming into this country pay their fair share of tax.

Fourth, it would impose the tax more equitably across all types of firms than the present income tax does.

Fifth, it would dramatically simplify the Federal corporate tax.

And finally, it would allow us to reduce by half the payroll taxes that are paid by businesses. That is a very major expense to U.S. business today, and the shift to a business activities tax would allow us to dramatically reduce the payroll tax. We would make up any lost revenue to the Social Security trust fund from revenue that we received through the business activities tax. But we believe that would be a major step forward.

One other major advantage to adopting this proposed business activities tax is it would allow us to give better tax treatment to corporations that invest in their workers and invest in America. We designated such businesses as ''A-Corps,'' suggesting that they were allied with America's working families, and we provide that the business activities tax would be imposed at two different rates, one rate for any business with receipts over $100,000, which does not qualify as an A-Corp, a second rate for a business that does self-qualify as an A-Corp.

Let me briefly describe what we intend as the criteria for determining qualifications as an A-Corp. To qualify as an A-Corp and thereby qualify for a lower tax rate, a business would self-certify that it is, first of all, investing in its workers, that it is investing in pensions and profit sharing, investing in training and education, investing in their health care, making some contribution to help them acquire health coverage; second, that they are investing in plant and equipment in the United States, and that a reasonable proportion of their new employment created for meeting the demands of this market is in fact made and produced here in this country; third, that they are doing at least 50 percent of their research and development in this country.

Then there are several other items. Let me mention one. We do have a provision in there indicating that there should be some multiple of the compensation of top management as compared to the salary of the lowest paid worker. Now, this is controversial, Mr. President, and I do not know that the specifics of what we recommended will be embraced by everybody, but I think it is an issue that needs to be discussed.

What we basically said was that to qualify as an A-Corp, a company would demonstrate that the compensation of its top executives did not exceed the salary of the lowest paid full-time worker by more than 50 times. That may not be the right figure. I will tell you how we arrived at that. It is somewhat arbitrary. We basically said that if you are paying the lowest paid worker in your company, say, $15,000, which I think may be a low figure for most corporations, but if you are paying the lowest paid worker $15,000, if you want to pay your top CEO 50 times that, you can pay him $750,000 a year. That did not seem like an unreasonably low number to me at the time we were putting the report together. Since then, the new information out makes me doubt whether that is the right number. As the Senator from North Dakota referred to it, this article in the Washington Post of March 5 says CEO's at major corporations got a 23 percent raise in 1995. It says that the average compensation for chief executives of major companies is now $4.37 million. Obviously, 50 times the lowest paid worker does not get you up to $4.37 million. So maybe it should not be 50 times. Maybe it should be 100 times. At some point, however, I do think it is appropriate for the taxpayers of this country to say we want to give the best tax treatment to corporations that have some sense of equity and some reasonable commitment to help their own workers and do not just pay top executives exorbitant salaries at the same time that they are refusing to share any of the profit with the people who are doing the work down in the trenches. So that is another part of the issue which needs to be discussed.

Let me go on to the second column in our earlier chart which was how do we make financial markets become allies of working families as well?

The concept here is very simple. Much of the action that corporate management has to take these days which adversely affects the workers in that corporation is brought about by pressures imposed from financial markets. There is a constant pressure to look at the short-term profitability of the company. There is an inability to invest adequately in research and development, an inability to invest adequately in investments of various kinds that will have a long-term payoff. So what we are trying to do is to get something in the law to discourage the short-term focus and encourage the long-term focus.

So what we have done here is to come up with some recommendations to reduce the financial market pressure for short-term decisionmaking, to reduce financial market pressure for short-term speculation in securities by imposing a security transfer excise tax on sale of securities that occurs within 2 years of the purchase of the securities at issue.

That is the recommendation. This excise tax, this transfer tax would be similar to the ones that are now imposed in Japan and Switzerland, in Sweden, in Hong Kong, in Taiwan, and various other countries, with one

major exception, that the tax goes away at the end of 2 years.

We are not discouraging investment in securities. We are discouraging speculation in short-term trading in the securities. In our view, the country will be benefited, working families will be benefited, corporate management will be benefited if the owners of the corporations have a community of interests with the corporate management and want to help them by focusing more on the long term.

We would use the revenue from the transfer tax on short-term speculation to create an A fund to create long-term investments in working families. The A fund would be dedicated, first, to funding deductions for higher education and work-skill training. Those higher education deductions—that is the $10,000 deduction the President has talked about—would be used, the resources would be used, to fund a tax credit for dependent children. They would be used to fund programs to accomplish work force training, school-to-work, efforts to achieve education goals, technology research and development, and export promotion. All of these activities, we believe, do help promote more job creation and more high-wage job creation in this country.

We also recommend a whole range of proposals to reform the securities regulation and accounting area to promote greater attention to long-term investment and performance of business by those who do invest in corporations.

Finally, one of these areas I want to talk about just briefly, Mr. President, is the issue of how we make Government a better ally of America's working families. We propose, as part of this overall package of recommendations, to reduce the tax burden on working families in several very specific ways—to cut in half the payroll tax paid by employees.

I referred earlier to the fact that the adoption of the business activities tax would allow us to cut in half the payroll tax paid by employers. We believe we should also cut in half and can also cut in half the portion of the payroll tax paid by employees. I point out to people that this is not a small item. Something over 70 percent of all taxpayers in this country pay more tax under the payroll tax than they do under the income tax. We are suggesting that the payroll tax, which is the biggest tax burden on most working Americans today, be reduced in half.

Second, we are recommending that we reduce individual income tax by increasing the standard deduction very substantially.

Third, we are suggesting—and I referred to this before—we permit the deduction of up to $10,000 for investment in postsecondary education and training—this is the President's proposal—and that we provide a $500 tax credit—a $500 tax credit—for each dependent child. We believe that all of these actions can be taken. All of them will benefit working families.

In addition to that, we can use some of the funds raised by the shift to the business activities tax and by the establishment of the A fund that will be established with the use of revenues from the securities transfer tax to increase efforts to improve education and training. We would support skill standards and academic standards for students. We would support school-to-work transition. We would support more work force training.

Let me finally say that Government, we also believe, needs to be a better ally for the self-employed worker and for small business. As part of what we recommend here, we would reduce in half the self-employment workers' payroll tax, which is presently 12.4 percent. We reduce that to 6.2 percent. We would exempt all small businesses with less than $100,000 in annual receipts from Federal business tax. Corporate tax returns today indicate that there are about 24 million people filing some type of corporate tax return.

With this change, with this single change of exempting all businesses with less than $100,000 in annual receipts, we would reduce the number of people who have to file a business return from 24 million down to 9 million. So there are 15 million businesses that today file business returns that will be exempt from filing such a return or paying a business tax after this set of recommendations are adopted.

Mr. President, let me just step back from the specific recommendations. I have gone through some of the major ones. I have not tried to give an exhaustive description of all of the recommendations in our report. But the important goal is to begin this national debate. The important goal is to recognize the centrality of this issue of how we stimulate economic growth and to recognize that we all benefit from those Americans who do the work in this country, we share in the benefits from the growth that occurs.

It is not enough to continue to give speeches about the problem. It is not enough to continue to ignore the problem. In my opinion, Mr. President, those of us in the Government need to participate in a very real and important debate at this time in our Nation's history.

Our report ''Scrambling to Pay the Bills'' is an effort to move that debate forward and to get us down to some concrete steps that can be taken to help working families in America to do better in the years ahead. I hope very much that the report has that effect. I hope very much that the report does stimulate this debate. I hope that, during the remaining days and weeks and months of this Congress, we can get off of some of the things that, unfortunately, take up too much of our time here.

Today, I understand we are going to spend a substantial amount of time debating the Whitewater Committee again. We debated the Cuban shootdown yesterday. We have a whole range of things that we debate around here that are not directly impacting upon the welfare of the people we are sent here to represent.

These recommendations try to bring that debate back to the issues that matter to people in our home States. I hope very much that we will seriously debate these issues between now and the end of this Congress. I hope very much that we can adopt some of the recommendations in here so that we begin providing some relief to those who are in fact doing the work in this country.

Mr. President, I thank my colleagues for their attention, and I yield the floor.

The PRESIDING OFFICER (Mr. INHOFE). The Senator's time has expired.

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business for 15 minutes.

The PRESIDING OFFICER. The Senator is advised we are currently in morning business, with Senators permitted to speak for up to 5 minutes each. This unanimous-consent request—is there objection?

Mr. THOMAS. Mr. President, we reserved the last half-hour for three Members. If the Senator can take a little less than 15, we would appreciate it.

Mrs. MURRAY. I thank my colleague. I will attempt to do that.

The PRESIDING OFFICER. The Senator from Washington.

WHAT REAL PEOPLE ARE SAYING ABOUT CHILDREN

Mrs. MURRAY. Mr. President, when I left here in early February for the Senate's recess, I was exasperated. Nothing productive seemed to be happening here in Washington, DC. Budget stalemates had become an accepted way of life, rather than words to bring Members of Congress to work together to reach agreements. The battles of last year all seemed to end in stalemates. And worse, even the air in the District of Columbia seemed charged with negativity and mean-spirited rhetoric.

Today, however, I feel invigorated. My trip home to Washington State in early February was hardly relaxing, but it was extremely productive. Today, I want to take a moment to share with my colleagues why I feel a renewed sense of optimism and why I am ready to take on new challenges.

Mr. President, like many who work with our young people today, I have become increasingly concerned about what is or, more importantly, what is not happening for our youth today. I have spent my life working with young people as a mother, as a preschool teacher, as a school board member, as a Girl Scout leader, as a PTA member, as a State senator, and today as a U.S. Senator.

There is no doubt in my mind that young people today are becoming increasingly disillusioned with their

world. They feel that they have no chance—more and more of them know college is out of reach; many people feel unconnected to what is taught in our elementary and secondary schools; far too many have no support from family at home. Increasingly, I hear our young people from all walks of life, from 4.0 students to gang members, say, ''I don't think adults care about me today.''

Indeed, the statistics about our young people are very disturbing. Almost half of Washington State children fail to read at a basic level of competence. The number of young people in my State who are incarcerated is increasing. One in sixteen girls in Washington become teen parents. That, by the way, is a higher rate than many other developed nations.

It is important to note there are some encouraging signs. The health of Washington State children, whether measured by infant mortality rates or child mortality rates or access to prenatal care, is an area of improvement.

But as I have participated in and listened to the debates and direction of this Congress from welfare reform to Medicaid to education, I have become increasingly concerned that our young people are right. Adults do not care about them. Children seem to have been relegated to the bottom of the priority pile at the exact time they are feeling so left out and alone. It is time to change direction for our young people.

Over this last recess, I set out to find what adults need to do to make this Nation a better place for our children to grow up in. I was determined to stay away from partisan battles and inflammatory debates. I wanted to engage people in a conversation about children. I wanted to find goals that we could all agree on.

On that basis, I traveled back and forth across my State for 2 weeks and invited people of all ages and backgrounds to join me in a conversation about Washington children. In four cities around the State, people came out in cold and heavy rain to a community center, to a church, a school, or a college auditorium and they talked, not just for a few minutes, but for 3½ hours. They talked about their own kids or the kid next door or their older or younger brothers or sisters.

We began each of these meetings with a short presentation of some objective local data about how kids are doing, followed by a panel discussion between local people who work with kids, followed by breakout discussions to come up with things we could agree to do.

We covered three aspects in a child's life: Health, education, and membership in community. People talked about how children have to be healthy so they can learn. They spoke of how children needed a relevant education to face a complex economy. They discussed how we must let young people know we care about them and how only then will young people feel the sense of civic responsibility and pride we all need them to feel.

As I said, this was a conversation, and I had one rule: Nobody leaves the room without participating. So we heard answers to one central question: What can we all agree to do for our children?

People brought many different voices and perspectives to these conversations. The groups heard from mothers and fathers. We heard from students, as well as kids who dropped out of school. We heard the voices of business leaders and child care workers. We heard from veterans, youth mentors, teachers, and police officers. We heard from Republicans and Democrats and Independents. We heard thoughts from our senior citizens and our seniors in high school. We heard about individual people or government services or business or charitable programs which make a real difference for our kids. We heard about kids who did not get help, who fell through the cracks or who had such a hard time there was hardly a way to start helping them.

We did not just hear about children and young people, we heard from them. Young people on our panels told us how they do not see evidence that adults care about them or their future. They talked about succeeding in school and not realizing any benefit from it. They talked about failing in school because it did not seem relevant or challenging. They spoke of adults designing programs for them but not with them. They spoke from their hearts about the lack of trust and fear that exists between them and the adults that they meet in stores and on the streets.

Overwhelmingly, they wanted to break down the walls of mistrust. The one word I heard over and over was ''respect.'' They want real respect, not just the kind kids get from joining a gang. And they want an adult world that cares about them so they can build up their respect for adults.

At every one of our meetings, we heard the voices of young people as panelists, as group facilitators, or as group participants. Too many discussions about children from the school board meeting to the State house to the floor of the U.S. Senate happen without real participation by young people. Who better to include on matters concerning laws and policies affecting our children?

And what did all these different people with their divergent, independent, unique American voices, and opinions agree to do? Well, we are still writing down all the specifics, but I want to give you a few of the common themes that we heard.

On the topic of children's health, we heard from people committed to immunizing more children or to creating more child care slots in their local community. They agreed to meet with other citizens to build local awareness and to tap local resources for these needs. There was a strong consensus everywhere that as adults, we have a responsibility to care for our children and to ensure that they have adequate quality health care.

On education, we heard from children who wanted to participate in activities and learning experiences after school but who did not have the $35 sign-up fee for the program. They wanted to work off the fee or to earn good grades so that they could participate.

Over and over, I heard that we must make our education system relevant for tomorrow. Young people want curricula in classes that will give them the skills for the job market and focus them for the world they are entering.

On involving young people in the community, we heard from business leaders who want to increase their investment in the citizenship of young people. They agreed to donate time for their workers to help children do job shadowing or give kids a place to fit in.

There was a strong feeling from both young people and adults that every one of us must begin to take more time to be involved with each other in our neighborhoods and in our communities.

In addition to what people wanted to do, there were some trends I noticed that I want to share with you.

First, people agreed to have a polite discourse. One reason young people say today that they have a hard time getting along is that they say they have no role models. We disagree all the time in the Senate. We have genuine differences of opinion, and we express them freely. Well, I will tell you right now, we do it too freely. We need to find where we agree. All we talk about are the differences. We have to talk about the shared beliefs as well. We need to set a better example for American children and young people and be better role models ourselves.

Second, people seemed to leave their cynicism at home and brought with them a sense of hope. This happened even though we heard some bleak news about children's health, about how they are doing in school, and how they are doing in home and on the streets.

People heard that too many children still suffer from preventable health problems. Too many students cannot read or end up dropping out of school. Too many young people see no alternative to violence. Too many have no hope of ever being employed. But despite the bad news, and some good, the people at these meetings never got cynical or depressed; it just made them want to work harder.

Third, I noticed that people felt the children were too important not to talk about and to learn about and to work for. People said children are too important to scrimp on. They want us to find somewhere else to save our money. They agreed that communities are the best place to solve most problems for kids, but said you have to involve kids to get good solutions. They agreed the Federal Government should guarantee the minimums for all kids and should encourage local action.

Above all, the young people and all participants agreed we should work more on children's issues and less on other things.

During these meetings, I promised to put people's ideas up on the walls of my office so every lobbyist who comes in can see what the people of Washington really care about. As people got ready to leave at the end of the evening, I asked them each to take one idea back to their local neighborhood or their community and make it happen.

The posters from these meetings are in the mail to my office in the Russell Building, and they contain very specific ideas. I encourage all of you to come by my office next week and read what people have to say.

I think you will find, as I have, that it is time to put our young people at the top of our priority list. It is time to find a way at every level to focus our schools on preparing all of our children, not just a few, for tomorrow. You will see, as I have, that people from all walks of life understand as adults we have a responsibility to give our children a strong start in life. There is much we can and much we must do to make this happen in our country today.

Not too long ago, at a hearing in Washington, DC, I heard a businessman talk about what he saw in our country today. So often we hear that Government should act more like a business. He said that any business that wants to be here in the future invests in their most important resources. He said America is acting like a business that does not plan to have a future.

I agree. It is like we are having a fire sale in our country. Children are our growth capital. They are our new physical plant. They are our inventory.

We cannot stop investing in kids now and hope to have any future in this country. This is the strong and loud message I heard from people all over my State, from all political stripes, from all ages, and all walks of life.

I was listening, and I will be working over the next months and years to put children back at the top of our Nation's agenda. I hope we can work together as adults to make that happen. Our children are worth it, our communities are worth it, and our country is worth it.

I yield the floor.

Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

THE STATE OF THE ECONOMY

Mr. THOMAS. Mr. President, we had reserved 30 minutes this morning for our freshman focus to talk about some of those things that are of great importance to American families, to talk about the economy, to talk about jobs, to talk about increasing wages and returns to American families.

I would like to start with three areas that I think are important, even though it is not directly involved. One has to do with how we get facts out, so that we can make decisions based on facts. Another is just to comment a little on the broader question of whether we want more Government in our lives, more Government in business, or whether we want to release the private sector to be able to create jobs and, finally, to talk a little bit about the facts as related to the idea put forth by the President that ''this is the best economy in 30 years.'' The facts do not substantiate that.

First, let me say that it is almost a paradox, it seems to me, where we have the technical ability in this country for everyone who is interested in the world, for that matter, to know precisely what is going on every day and to know it at the time it goes on. Compare that, for example, to the ability to know what happened in your Government 50 years ago or 100 years ago when people in Wyoming did not know what the Congress had done for 3 weeks or a month—maybe they did not care. But now we have the facilities to do that. We know that if Gorbachev stands up on a tank somewhere, we see it the instant it happens. We have the ability to know that. Yet, we find ourselves, I think, in a time where most people are less able to sort out the information and bring it down to facts than we have had for a very long time.

What is happening, of course, is that the political arena is filled with spinning and posturing and seeking to make things look different than they are. I understand that, and it is not the unique province of anyone. But I am not sure that we can really sustain a Government of the people and by the people and for the people, unless the people have some facts. Part of that is our responsibility, of course. We have to sort through the stuff and come out with facts. But I have to tell you, Mr. President, that I guess I have never seen a time like there is now, where you hear something in the media, you hear something from the White House, or you hear something from this place and say, gee, I wonder if that is the case.

Second, let me talk a little bit about the idea of increasing the economy and the growth. I think there is not a person in here who would not be for that. I think it is interesting, and it just happens that my friend from New Mexico just spoke a few moments ago about his perception about how to do it. It clearly defines the greater debate that goes on in this country and that goes on in the U.S. Senate—that is, do you seek to get more and more Government involved? Do you have a tax arrangement where you tell people what they can do and encourage them to do it and get more regulation? Or do you, in fact, seek to release the private sector so that the economy can grow? Could you agree with the notion that the role of Government generally is to provide an environment in which the private sector can prosper? That is the great debate that goes on.

The Senator talked about bringing this debate back in. Let me remind my friends on the other side of the aisle that that has been the debate for a year. We have been talking about balancing the budget. Why? So you can reduce interest rates and increase the economy. We have talked about regulatory reform. Why? So that businesses can prosper and you can create jobs—good jobs, so that there is some growth in take home pay. That has been the debate.

Unfortunately, my friends have objected to everything that we have tried to do. They objected to regulatory reform, and the White House threatened to veto it. They objected to a balanced budget amendment, and they threatened to veto it at the White House. Tax relief and capital gains, so that people can invest, so you can do something with your farm when you sell it and pass it on to your kids and create a stronger economy. So the option will be—and that is fine, it is a legitimate discussion. Do you want more Government, or do you want to release the business sector so it can create these kinds of things?

Third, let me talk very briefly about the economy and the differences in views on that. The President has indicated in his State of the Union and at other times that this is the best economy in 30 years. Well, let us take a look at it. During 1995, the economy grew at 1.4-percent annual growth rate. In the previous decade, it grew at about 3.5 percent. In the last quarter of last year, it was .9-percent growth rate.

The economy has been weaker every year than it was the last year of the previous administration. It is not a matter of blaming. That is just fact. The growth recovery in terms of jobs. We have talked about 8 million jobs. If you break it down into hours and part-time jobs, it comes out to be less than half of that. For the same period in the 1980's, it created 8 million jobs.

So this has not been a time of growth, a time of economic prosperity; particularly, it has not been for families. The stock market is doing pretty good. That is fine. Those are corporate profits. But the problem is, I think, you find when you have to pay your stockholders, of course, in order to get the money to operate, you have a cost of regulation that is exorbitant and going higher, and you are squeezed in the end. But who gets squeezed? The workers. Furthermore, you do not have a growth rate that is traditionally where we have been, and you do not have competition for jobs. Salaries do not go up because competition causes salaries to go up.

We have to be honest about where we are. The fact is, it is not the best time in 30 years. It is not even as good a time as we had 5 years ago. More importantly, what do we do about it to get families into a position where salaries reflect a growing economy, or where families can have more of their own money to spend on their own kids'

education and spend it as they choose? That is what it is all about. That is what this debate is about. That is what a balanced budget is about—to be financially and fiscally responsible, and also to reduce the interest rates so that the economy will grow.

That is what tax relief is about—middle class tax relief, which the President promised when he ran. He has never delivered. That is what $500 per child is about, so it goes to families. That is what regulatory relief is about. It is not a matter of regulation and specifics. It is a matter of being able to grow an economy where there are jobs and prosperity. That is what our agenda is about, Mr. President.

The final argument, of course, will be that basic argument of do you follow the suggestion that says it is the Government's task to regulate these, and let us get more government, more regulation and more involved? Or do we release this dynamic private sector to create jobs.

Mr. President, I yield the floor to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

WHERE AMERICA IS GOING

Mr. SANTORUM. Mr. President, I thank my colleague and my friend from Wyoming for his leadership on this freshman focus, a time where freshman Members of the Senate have an opportunity to get up and talk about issues of importance to the country from a perspective of those of us who are relatively new in this body. I think he is right on target to talk about the issue of the economy and where this country is going.

We have a President who is running around the country talking about how this is the healthiest economy that we have seen and we are doing great and everything is fine. It actually reminds me of another President in an election year 4 years ago, who was going around the country trying to convince the American public that the economy was fine and everything is great and this is a healthy economy and we are moving forward. The American public, frankly, did not buy it.

The reaction was very simple: What country is he living in? What country is he leading? Does he not have any understanding of what is actually going on in the economy, what we are dealing with here, that in fact the statistics show that, out of recessionary years, this economy is the slowest growing economy since the 1950's? This is not a robust economy.

The Senator from Wyoming was right on target as to why this is not a growing economy. It is the same reason that the previous President had problems saying it was a growing economy, and that is because this President and the previous President raised taxes on the American public. They took more money out of their pocket and sent it here to Washington. It had a real effect on their take-home pay and had a real effect on their ability to be able to provide for themselves and their families. That has a ripple effect through the economy, from consumer confidence and their willingness to consume to the real issue of just paying bills.

I think we may be seeing a repeat here. I know many of us who are in this Chamber now were here as Senators or Representatives during the 1993 Budget Act, when President Clinton went out and said we have to raise taxes and we said this is going to have an effect. It is the same type of tax increase that was put forward in 1990. Many Republicans—I was in the House at the time—many Republicans fought it and said President Bush at that time was making a mistake; it would hurt the economy and drag the whole economy down and this country down. A lot of us believed it would bring the President down. It did.

Then 1993 comes around and President Clinton did not learn from the mistakes of President Bush and pushed forward through another tax increase—and, I might add, more entitlement programs, more regulation, more on people's backs. Many of us said, ''Learn your lesson from 1990. That is not going to help the economy. That is not, in the long run, going to balance this budget.'' He said, ''No, we have to do it.'' They did it.

As a result, coming out of this recession in the early 1990's, we have had one of the slowest recoveries in history. Job growth, yes. We have had jobs. But I think if you talk to most of the people, the kind of jobs being created are not the kind of jobs that will support a family. You hear Members on both sides of the aisle talking about that. The reason is oppressive regulation, oppressive taxation.

Almost 25 percent of the income of the average family in America goes just to pay taxes to Washington, DC. That is a peace-time high. By the way, I like to compare that to what it was back in 1950 when the average American family—same family, average-income family—did not pay almost 25 percent of their taxes to the Federal Government; they paid 2 percent of their income to the Federal Government in taxes. Now it is almost 25 percent.

Do we wonder why people feel squeezed, why they do not feel they have the opportunities to provide for a family anymore, why both husband and wife have to work? If you are a single parent, what do you do? You work two jobs and you struggle to provide for your children.

What we do here is what they did 3 years ago: Put even more taxes on the American public. We believe that is not the answer. We have stood up this year and said the answer is not to take the American public for more, not to regulate the American public more, but to put Government on a diet so we can allow the folks back home to take a little bit more out of their paycheck for their own use, not Government use.

So we proposed this irresponsible thing. People got on the floor and said this was such an irresponsible thing to let people keep more of their own money to help provide for their families. As the song goes, ''That's my story and I'm sticking to it.'' My story is that American families should keep more of their money.

We are going to continue to push for a tax cut for American families. We will continue to push for a tax cut to create growth and opportunity in capital gains and helping small business people, because creating jobs is the real answer here. Creating good quality jobs is the real answer here. Growth is the answer—not further taxation, but liberating people. Money should go out and be invested in capital resources so we can create more high-quality jobs in this country. We will continue to push for that.

We will continue to push for regulatory reform so Government does not stifle the creativity of Americans by regimenting them into some model that we believe in Washington, DC, is the best for everyone. We are going to go out and do the things that are necessary to make this country prosperous and moving forward.

I just hope that the President will come to the realization that tightening the belt here in Washington ever so slightly—and frankly, that is all we are talking about in this balanced budget—tightening the belt here in Washington so we can give just a little bit more to working families is not cruel. It may be cruel to some bureaucrats in town, but it is not cruel to American families. It is not cruel to Americans who want good-paying jobs, outside in the private sector, not just here in Washington.

I am hopeful we can somehow come to an agreement that this is not the healthiest economy, that the spin doctors of the campaign of 1996 for the President are not going to win the day to try to convince the American public what they know is not true, that this economy is booming and healthy and the best it has ever been. We should get down to trying to address the real economic insecurity that American workers have, the real problems of raising families in this country, and do something about it on a bipartisan basis in this Congress.

I am hopeful we can do that. We should be able to do that. I am looking forward to the opportunity to make that happen. I yield the floor.

Mr. INHOFE. I thank the Senator from Pennsylvania. I ask unanimous consent that the period for morning business be extended by 10 minutes.

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

THE ECONOMY

Mr. INHOFE. Mr. President, this has been a very enlightening morning listening to both Democrats and Republicans refuting this myth that seems to

be floating around the country that we are enjoying this great economic time when, in fact, the indicators show just the opposite.

I happened to be presiding when the distinguished Senator from New Mexico, Senator BINGAMAN, observed that people who are doing the work in America are getting less and more rapidly plummeting down to the point where we were in 1967 in terms of real income or purchasing power for the American people. Also we can observe that it is worse than might be indicated by family income because we increasingly have multifamily members working in America. When I was quite young, it was somewhat unheard of. It was not a way of life in America. Nonetheless, the real purchasing power is going down.

I do not like to point fingers as to why this is happening, but I think, Mr. President, when you look at the policies that were adopted by the current President of the United States, Bill Clinton, it is four-tiered. It is increased spending, increased taxes, increased borrowing, and increased regulations. I do not very often quote a very distinguished talk radio show host but I remember the other day he said, ''If you really want to be competitive with the Japanese, export our regulations to Japan and we will be competitive.'' I think there is a lot of truth to that.

Some people may have forgotten that back in the first year of the Clinton administration, in 1993, there was a tax increase that was characterized by Democrats and Republicans alike, and I specifically recall the chairman of the Senate Finance Committee characterizing that tax increase as the largest single tax increase in the history of public finance in America or anyplace in the world. That was a very large tax increase.

I recall, also, when the chief adviser to the President, prior to being sworn in for her duties, made the observation that there is no relationship between the level of taxation in a country and the economic activity, and further went on to say what we need in this country in addition to the taxes we currently have is a value-added tax to be comparable to that in other industrialized nations that would immediately increase revenues $400 billion.

I suggest this is where this administration has gone wrong, because the problem we are having in America is not that we are taxed too little, but we are taxed too much.

I, the other day, on the 9th of January, witnessed the birth of a charming little man by the name of James Edward Rapert, in Fayetteville, AR. At that time I looked at this very small baby, where I was actually there in the room during the delivery of that small child in Arkansas, and I realized that innocent child, who had not done anything wrong on his own, inherits a share of the national debt of $18,000 that that one individual will have to pay off during his lifetime. That individual did not do anything to cause this.

Also, I noticed if we do not change this trend that has been continued by the current administration, that that small child, James Edward Rapert, will have to pay 82 percent of his lifetime income just to support the debt. That is how we have gotten to the point where we are now, where we have to do something about it.

There was a man who came to this country by the name of Alexis de Tocqueville many years ago. He actually came here to study our prison system, and when he got here he was so impressed by the freedom in this country and by the wealth of this Nation that he wrote a book. The final paragraph of that book said: Once the people of this country find they can vote themselves money out of the public trust, the system will fail. And that is exactly where we are today, right on the brink of having a system that will fail. The economy is not good today.

One more thing I want to say before yielding the floor, back to this tax thing, is the President has opposed a budget balancing amendment to the Constitution. He actually campaigned on a budget balancing amendment to the Constitution. Also, he vetoed the Balanced Budget Act. When he vetoed that Balanced Budget Act he was saying that we do not want to live in the confines where we will be able to eliminate the deficit in 7 years.

That particular act also included some tax relief. There was a lot of criticism I heard from conservative Republicans all across the country: We do not care about tax relief until we balance the budget. What they do not realize is all we were trying to do is correct a mistake that was made in this country back in 1993 when we passed the largest single tax increase in the history of public finance in America or anyplace else in the world. If anyone was not for that tax increase, then they should be for tax relief.

I think it is incumbent upon us, and certainly those in the freshman class, who are new here to the U.S. Senate, to have an absolute commitment to giving tax relief, to giving families more of the expendable income that they work so hard for. That is our commitment. It is not just for those of us who are around today but the new generations that are coming up, the James Edward Raperts. Incidentally, that happened to be my grandson.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. Mr. President, I ask unanimous consent morning business be extended for a total of 10 minutes.

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

TRIBUTE TO MINNIE PEARL

Mr. FRIST. Mr. President, I rise today in recognition and in memory of one of America's most beloved country personalities, Minnie Pearl, who died Monday night at the age of 83. Minnie Pearl was born Sarah Ophelia Colley, in Centerville, TN, the daughter of a prosperous sawmill owner and lumber dealer. As a student at Nashville's Ward-Belmont Finishing School in the middle of the Great Depression, not many would have thought Sarah Colley had the background to believably portray Minnie Pearl, that man-hunting spinster from Grinder's Switch, TN. But her down home country comedy act, old-fashioned dresses, and a wide-brimmed hat with a price tag still dangling, found a place in the hearts of millions of Americans.

Today, the State of Tennessee and the entire country mourn the loss of a truly outstanding and inspirational American.

After completing her drama education at Ward-Belmont, where I should add that she was a student with my mother, Sarah Colley traveled throughout the rural South for 6 years, putting together amateur theatricals for churches and civic groups. During that time she met various country folk who formed the foundation for the character of Minnie Pearl, as well as Minnie's friends and neighbors from fictional Grinder's Switch. The name Minnie Pearl was actually a combination of Sara Colley's favorite country names.

When she returned to Tennessee in 1940, the story-telling character of Minnie Pearl had fully developed, and WSM radio in Nashville asked her to audition for the Grand Ole Opry. A week after her audition, Minnie Pearl made her debut on the stage of the Grand Ole Opry and was an immediate hit. Before her second performance the next weekend, Miss Minnie had been asked to become a regular member of the Grand Ole Opry cast.

In the 50 years since she burst onto the stage, Minnie Pearl traveled with country music legend Roy Acuff, entertained troops in World War II, and was featured on NBC–TV's ''This Is Your Life.'' She recorded numerous albums, continued her frequent appearances at the Grand Ole Opry, and appeared as a regular on the nationally syndicated television program, ''Hee Haw.'' In 1975 she became the first person elected to the Country Music Hall of Fame for comedy work, and she has been honored by the Academy of Country Music with its Pioneer Award.

Unlike her country counterpart, Sarah Colley caught her man, Henry Cannon, and was married to him for more than 40 years, until her death this week. As active members of the Brentwood United Methodist Church just outside of Nashville, Sarah and Henry Cannon have been actively involved in charitable and community affairs all over this country. Sarah Cannon worked tirelessly for many causes, including the Children's Hospital, the American Cancer Society, and so many others. For her hard work for the Cancer Society, and in recognition of her

personal struggle against breast cancer, Sarah Cannon was awarded the American Cancer Society's 1987 National Courage Award.

The Cancer Center at Centennial Medical Center, where she died this week, was named for her—the Sarah Cannon Cancer Center. That same year, she received the Roy Acuff Humanitarian Award for Community Service. The Nashville Network also created the Minnie Pearl Award in her honor, which is an annual community service award given to members of the country music industry for their dedication and commitment to their community.

As I traveled across the State of Tennessee, so many entertainers and so many artists would come forward and recount stories about how they, when they first came to Nashville to break in but when nobody knew them, would be pulled over to the side by this legendary figure, Minnie Pearl, and Minnie Pearl would give them those words of encouragement and inspiration to plug ahead.

Mr. President, I knew Minnie Pearl personally because my father was her family physician for about 35 years. Whether she was in character as Minnie Pearl or whether she was simply living in her own private life, or whether she was encouraging aspiring young artists upon their arriving in Nashville, Sarah Cannon touched the hearts and souls of all with whom she came into contact. It was her warm smile, her folksy humor, her words of encouragement, her tales, and most of all her famous ''How-dee'' greeting—these will all be missed by those whom Minnie Pearl had entertained for years.

Her kind and loving character will be missed by those across the State of Tennessee and across this country. Mr. President, today I thank Minnie Pearl and Sarah Cannon for all that ''they'' have given to their community, to their State, and to their country.

Mr. President, I yield the floor.

MINNIE PEARL

Mr. THOMPSON. Mr. President, I want to recognize the passing this week of a great entertainer and citizen, Sarah Ophelia Colley Cannon. Mrs. Cannon, better known as Minnie Pearl, was a tribute to the entertainment industry and to our community. She graced the stage of the Grand Ole Opry in Nashville, TN, with her animated humor for 51 years. Who could forget the stories of Grinders Switch, her straw hat with the $1.98 price tag still attached, and her well-known and beloved ''How-dee!''

Minnie Pearl made many contributions off-stage as well. She was a humanitarian who contributed much to her community. Many of her efforts were focused on fighting cancer. In 1987, President Ronald Reagan presented Mrs. Cannon with the American Cancer Society's Courage Award. In 1991, the Sarah Cannon Cancer Center at Centennial Medical Center in Nashville was dedicated in her name. I know that I join all Tennesseans and all Americans in saying that Sarah Cannon and Minnie Pearl will be sadly missed.

TRIBUTE TO DONALD DOWD OF WEST SPRINGFIELD

Mr. KENNEDY. Mr. President, I am delighted that the John F. Kennedy Library is honoring Donald Dowd of West Springfield, MA with its 1996 Irishman of the Year Award. It is a privilege to take this opportunity to pay tribute to Don for his commitment and dedication to the people of Massachusetts and the Nation.

The Irishman of the Year Award was established in 1986 by the Friends of the Kennedy Library to pay tribute to unsung leaders of Irish heritage. This award honors individuals for their outstanding contributions to their communities and it honors President Kennedy's great love for his Irish heritage and his belief that ''each one of us can make a difference and all of us must try.''

Few have done more for their community or for Massachusetts than Don Dowd. Don is currently vice president and Northeast manager of government affairs for the Coca-Cola Co. He also serves as a member of the Board of Directors of the New England Council, the Adopt-A-Student Program for Cathedral High School in Boston, the Armed Services YMCA in Charlestown, and the board of trustees of the Eastern States Exposition in West Springfield. Don's commitment to his community and our Commonwealth is further exemplified by his work with the Massachusetts Chapter of the Special Olympics and his work with the New England Governors' Conference.

Don eminently deserves this year's Irishman of the Year Award. Massachusetts is proud of Don's outstanding leadership, and we are proud of his friendship as well. I commend him for his many achievements, and I wish him continued success in the years ahead.

ADVANCE NOTICE OF PROPOSED RULEMAKING

Mr. THURMOND. Mr. President, pursuant to section 304(b) of the Congressional Accountability Act of 1995 (2 U.S.C. 1384(b)), an advance notice of proposed rulemaking was submitted by the Office of Compliance, U.S. Congress. This advance notice seeks comment on a number of regulatory issues arising under section 220 of the Congressional Accountability Act. Section 220 applies to covered congressional employees and employing offices the rights, protections, and responsibilities established under chapter 71 of title V, United States Code, related to Federal service labor-management relations.

Section 304 requires this notice to be printed in the CONGRESSIONAL RECORD; therefore, I ask unanimous consent that the notice be printed in the RECORD.

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

OFFICE OF COMPLIANCE—THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995: EXTENSION OF RIGHTS, PROTECTIONS AND RESPONSIBILITIES UNDER CHAPTER 71 OF TITLE 5, UNITED STATES CODE, RELATING TO FEDERAL SERVICE LABOR-MANAGEMENT RELATIONS

ADVANCE NOTICE OF PROPOSED RULEMAKING

Summary: The Board of Directors of the Office of Compliance (''Board'') invites comments from employing offices, covered employees and other interested persons on matters arising in the issuance of regulations under section 220 (d) and (e) of the Congressional Accountability Act of 1995 (''CAA'' or ''Act'') Pub. L. 104–1, 109 Stat. 3.

The provisions of section 220 are generally effective October 1, 1996. 2 U.S.C. section 1351. Section 220(d) of the Act directs the Board to issue regulations to implement section 220. The Act further provides that, as to covered employees of certain specified employing offices, the rights and protections of section 220 will be effective on the effective date of Board regulations authorized under section 220(e). 2 U.S.C. section 1351(f). Section 304 of the CAA prescribes the procedure applicable to the issuance of substantive regulations by the Board.

The Board issues this Advance Notice of Proposed Rulemaking (ANPR) to solicit comments from interested individuals and groups in order to encourage and obtain participation and information as early as possible in the development of regulations. In particular, the Board invites and encourages commentors to address certain specific matters and to submit reporting background information and rationale as to what the regulatory guidance should be before proposed rules are promulgated under section 220 of the Act. In addition to receiving written comments, the Office will consult with interested parties in order to further its understanding of the need for and content of appropriate regulatory guidance.

Dates: Interested parties may submit comments within 30 days after the date of publication of this Advance Notice in the Congressional Record.

Addresses: Submit written comments (an original and 10 copies) to the Chair of the Board of Directors, Office of Compliance, Room LA 200, John Adams Building, 110 Second Street, S.E., Washington, DC 20540–1999. Those wishing to receive notification of receipt of comments are requested to include a self-addressed, stamped post card. Comments may also be transmitted by facsimile (''FAX'') machine to (202) 426–1913. This is not a toll-free call. Copies of comments submitted by the public will be available for review at the Law Library Reading Room, Room LM–201, Law Library of Congress, James Madison Memorial Building, Washington, DC, Monday through Friday, between the hours of 9:30 a.m. and 4:00 p.m.

For Further Information Contact: Executive Director, Office of Compliance at (202) 724–9250. This notice is also available in the following formats: large print, braille, audio tape, and electronic file on computer disk. Requests for this notice in an alternative format should be made to Mr. Russell Jackson, Director, Service Department, Office of the Sergeant at Arms and Doorkeeper of the Senate, 202–224–2705.

Background

The Congressional Accountability Act of 1995 applies the rights and protections of eleven federal labor and employment law statutes to covered Congressional employees

and employing offices. The Board of Directors of the Office of Compliance established under the CAA invites comments before promulgating proposed rules under section 220 of that Act, the section which applies to covered Congressional employees and employing offices the rights, protections and responsibilities established under chapter 71 of title 5, United States Code, relating to Federal service labor-management relations (''chapter 71'').

Section 220(d) authorizes the Board to issue regulations to implement section 220 and further states that such regulations ''shall be the same as substantive regulations promulgated by the Federal Labor Relations Authority [''FLRA''] to implement . . . [the referenced statutory provisions] . . . except to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section; or . . . as the Board deems necessary to avoid a conflict of interest or appearance of a conflict of interest.''

Section 220(e) further authorizes the Board to issue regulations ''on the manner and extent to which the requirements and exemptions of chapter 71 . . . should apply'' to covered employees who are employed in offices listed in paragraph 2 of that subsection and provides that such regulations shall, ''to the greatest extent practicable, be consistent with the provisions and purposes of chapter 71 . . . and of this Act, and shall be the same as substantive regulations issued by the [FLRA] under such chapter, except . . . [for good cause] . . . and that the Board shall exclude from coverage under [section 220] any covered employees who are employed in offices listed in paragraph (2) [of section 220(e)] if the Board determines that such exclusion is required because of (i) a conflict of interest or appearance of a conflict of interest; or (ii) Congress' constitutional responsibilities.''

The provisions of section 220 are effective October 1, 1996, except that, ''[w]ith respect to the offices listed in subsection (e)(2), to the covered employees of such offices, and to representatives of such employees, [the provisions of section 220] shall be effective on the effective date of regulations under subsection (e).''

In order to promulgate regulations that properly fulfill the directions and intent of these statutory provisions, the Board needs comprehensive information and comment on a wide range of matters and issues. The Board has determined that, before publishing proposed regulations for notice and comment, it will provide all interested parties and persons with this opportunity to submit comments, with supporting data, authorities and argument, as to the content of and bases for any proposed regulations. The Board wishes to emphasize, as it did in the development of the regulations issued to implement sections 202, 203, 204 and 205 of the CAA, that commentors who propose a modification of the regulations promulgated by the FLRA, based upon an assertion of ''good cause,'' should provide specific and detailed information and rationale necessary to meet the statutory requirements for good cause to depart from the FLRA's regulations. It is not enough for commentors simply to propose a revision to the FLRA's regulations or to request guidance on an issue, rather, if commentors desire a change in the FLRA's regulations, commentors must explain the legal and factual basis for the suggested change. Similarly, commentors are urged to provide information with sufficient specificity and detail to support (1) any proposed modification of the FLRA's regulations based upon an asserted conflict of interest or appearance of a conflict of interest, (2) any claim that the manner and extent of the application of the requirements and exemptions of chapter 71 should differ for certain employees or covered employing offices, or (3) exclusion of any covered employees from coverage of section 220 because of an asserted conflict of interest or appearance thereof, or because of Congress' constitutional responsibilities. The Board must have these explanations and information if it is to be able to evaluate proposed regulations and make proposed regulatory changes. Failure to provide such information and authorities will greatly impede, if not prevent, adoption of proposals by commentors.

So that it may make more fully informed decisions regarding the promulgation and issuance of regulations, in addition to inviting and encouraging comments on all relevant matters, the Board specifically requests comments on the following issues:

I. Regulations Promulgated by the Federal labor Relations Authority

As noted above, except as otherwise specified, section 220 (d) and (e) of the CAA, among other things, directs the Board to issue regulations that are ''the same as substantive regulations promulgated by the Federal Labor Relations Authority to implement the [applicable] statutory provisions'' (emphasis added).

The Board has reviewed the body of regulations promulgated by the FLRA and published at 5 C.F.R. sections 2411–2416 (Subchapter B), 2420–2430 (Subchapter C), and 2470–2472 (Subchapter D), as amended, effective March 15, 1996 (See Vol. 60 Federal Register 67288, December 29, 1995) Subchapter B of the FLRA regulations treats the implementation and applicability of the Freedom of Information Act, the Privacy Act and the Sunshine Act in the FLRA's processes; internal matters including delegations of authority, FLRA employee conduct and anti-discrimination policies; and procedural issues such as ex parte communications and subpoenas of FLRA personnel. As the regulations contained in Subchapter B of the FLRA's regulations do not appear to have been ''promulgated to implement the statutory provisions'' applied by section 220, it is the Board's preliminary view that they should not be proposed for adoption under the CAA.

With respect to the rest of the FLRA's regulations, section 2420.1, ''Purpose and scope'', states in pertinent part that ''the regulations contained in this subchapter [Subchapter C relating to the FLRA and the General Counsel of the FLRA] are designed to implement the provisions of chapter 71 . . . They prescribe the procedures, basic principles or criteria under which the [FLRA] or the General Counsel of the [FLRA], as applicable, will'' carry out their functions, resolve issues and otherwise administer chapter 71. Section 2470.1 in turn provides that the ''regulations contained in this Subchapter [D] are intended to implement the provisions of section 7119 of title 5 . . . They prescribe procedures and methods which the Federal Service Impasses Panel may utilize in the resolution of negotiation impasses . . .'' Thus, a review of Subchapters C and D reveals that certain of the regulations relate to processes that implement chapter 71, while others relate to principles or criteria for making decisions that implement chapter 71. Thus, with respect to all of these provisions, there is a question as to which, if any, are ''substantive regulations'' within the meaning of section 220(d) and (e) of the Act.

When promulgating regulations to implement section 203 of the CAA, the Board noted that, under principles of administrative law, a distinction is generally made between ''substantive'' regulations and ''interpretive'' regulations or guidelines. ''Substantive'' regulations are issued by a regulatory body pursuant to statutory authority and implement the underlying statute. Such rules have the force and effect of law. The Board also notes that the term ''substantive,'' when describing regulations, might be used to distinguish such regulations from those that are ''procedural'' in nature or content. In this regard, section 304 of the CAA sets forth the procedures applicable to the issuance of ''substantive'' regulations. In contrast, section 303 of the CAA sets forth different procedures for the issuance of ''procedural rules.'' Both sections 303 and 304 require adherence to the principles and procedures set forth in section 553 of title 5, United States Code, and provide for the publication of a general notice of proposed rulemaking in accordance with section 553(b) of title 5, United States Code (to be published in the Congressional Record instead of the Federal Register) and a comment period of at least 30 days. In light of these statutory provisions, the use of the phrase ''substance regulations,'' in the context of sections 220 and 304 of the CAA, could be intended to further distinguish such regulations from the purely procedural regulations to be issued under section 303 of the Act.

The Board invites comment on the meaning of the term ''substantive regulations'' under sections 220 and 304 of the CAA.

The Board further invites comment on which of the regulations promulgated by the FLRA should be considered substantive regulations within the meaning of section 220 of the CAA, and specifically invites comment on whether, and if so, to what extent the Board should propose the adoption of the regulations set forth in 5 C.F.R. sections 2411–2416.

II. Modifications of FLRA Regulations under Section 220(d) of the CAA

As noted above, section 220(d) provides that the Board shall issue regulations that are the same as substantive regulations of the FLRA ''except to the extent that the Board may determine, *for good cause shown* and stated together with the regulations, that a modification of such regulations would be *more effective for the implementation of the rights and protections* under this section'' (emphasis added). Section 220(d) also provides that the Board may modify the FLRA's substantive regulations ''as the Board deems necessary to avoid a conflict of interest or appearance of a conflict of interest.'' Thus, there is an issue as to what modifications, if any, should be made to the FLRA's regulations pursuant to these authorities.

Commentors who, based upon an assertion of ''good cause,'' propose modifications of any identified substantive regulations promulgated by the FLRA should state, with specificity and detail, how such modifications would be ''more effective'' for the implementation of the rights and protections applied under the CAA. Commentors are reminded that proposed modifications for good cause must meet the statutory requirements quoted above; commentors are also reminded that any proposed modifications in regulations should be supported by appropriate legal and factual materials.

Similarly, the Board further requests commentors to identify, where applicable, why a proposed modification of the FLRA regulations is necessary to avoid a conflict of interest or an appearance of a conflict of interest. In this regard, commentors should not only fully and specifically describe the

conflict of interest or appearance thereof that they believe would exist were the pertinent FLRA regulations not modified, but also explain the necessity for avoiding the asserted conflict or appearance of conflict and how any proposed modification would avoid the identified concerns. Indeed, commentors should explain how they interpret this statutory provision and, in doing so, identify the interpretive materials upon which they are relying.

In addition, the Board requests that commentors identify any provisions within Subchapters C and D of the FLRA's regulations which, although promulgated to implement chapter 71, were not in the commentors' view promulgated to implement a statutory provision of chapter 71 that was incorporated by section 220 into the CAA or are otherwise inconsistent with the provisions of the CAA. Also, commentors are requested to suggest technical changes in nomenclature or other matters that may be deemed appropriate.

The Board invites comment on whether and to what extent it should, pursuant to section 220(d) of the CAA, modify the substantive regulations promulgated by the FLRA.

III. Questions arising under section 220(e)

A. The Manner and Extent of the Application of Chapter 71 to Specific Employees

Section 220(e)(1) provides that the ''Board shall issue regulations pursuant to section 304 on the manner and extent to which the requirements and exemptions of chapter 71 . . . should apply to covered employees who are employed in offices listed in paragraph (2).'' Section 220(e) further states that the ''regulations shall, to the greatest extent practicable, be consistent with the provisions and purposes of chapter 71 and shall be the same as substantive regulations issued by the [FLRA] under such chapter,'' except for ''good cause.'' The offices referred to in section 220(e)(2) include:

(A) the personal office of any Member of the House of Representatives or of any Senator;

(B) a standing, select, special, permanent, temporary, or other committee of the Senate or other committee of the Senate or House of Representatives, or a joint committee of Congress;

(C) the Office of the vice President (as President of the Senate), the Office of the President pro tempore of the Senate, the Office of the Majority Leader of the Senate, the Office of the Minority Leader of the Senate, the Office of the Majority Whip of the Senate, the Office of the Minority Whip of the Senate, the Conference of the Majority of the Senate, the Conference of the Minority of the Senate, the Office of the Secretary of the Conference of the Majority of the Senate, the Office of the Secretary of the Conference of the Minority of the Senate, the Office of the Secretary for the Majority of the Senate, the Office of the Secretary for the Minority of the Senate, the Majority Policy Committee of the Senate, the Minority Policy Committee of the Senate, and the following offices within the Office of the Secretary of the Senate: Offices of the Parliamentarian, Bill Clerk, Legislative Clerk, Journal Clerk, Executive Clerk, Enrolling Clerk, Official Reporters of Debate, Daily Digest, Printing Services, Captioning Services, and Senate Chief Counsel for Employment.

(D) the Office of the Speaker of the House of Representatives, the Office of the Majority Leader of the House of Representatives, the Office of the Minority Leader of the House of Representatives, the Offices of the Chief Deputy Majority Whips, the Offices of the Chief Deputy Minority Whips and the following offices within the Office of the Clerk of the House of Representatives: Offices of Legislative Operations, Official Reporters of Debate, Official Reporters to Committees, Printing Services, and Legislative Information;

(E) the Office of the Legislative Counsel of the Senate, the Office of the Senate Legal Counsel, the Office of the Legislative Counsel of the House of Representatives, the Office of the General Counsel of the House of Representatives, the Office of the Parliamentarian of the House of Representatives, and the Office of the Law Revision Counsel;

(F) the offices of the caucus or party organization;

(G) the Congressional Budget Office, the Office of Technology Assessment, and the Office of Compliance; and

(H) such other offices that perform comparable functions which are identified under regulations of the Board.

These statutory provisions raise a number of interpretive and factual questions that must be considered in the rulemaking process.

Although section 220(e)(1)(A) directs that any regulations issued by the Board on the manner and extent of application of chapter 71's requirements and exemptions shall generally be the same as the FLRA's substantive regulations, the regulations promulgated by the FLRA only generally govern the manner in which chapter 71 is implemented. The specific application of both the requirements of chapter 71 and the exemptions delineated in sections 7103 and 7112 of that chapter has been developed through the case precedents of the FLRA and the courts; the FLRA regulations generally do not set forth, with any specificity, the manner and extent of the application of chapter 71's requirements and exemptions. An initial question arises as to whether and to what extent the regulations promulgated by the FLRA should be modified for application to covered employees of the offices identified in section 220(e)(2) so as to specify in greater detail the manner and the extent of chapter 71's application. In addressing this question, commentors are reminded that any suggested modifications of the FLRA's regulations should be supported with a detailed explanation of the factual and legal reasons that demonstrate how such modification would meet the ''good cause'' standard of the CAA (see Section II, supra.).

In addition, the Board notes that section 220(e) further requires that any regulations issued on the manner and extent of chapter 71's application to employees in the referenced offices shall, to the greatest extent practicable, be consistent with the provisions and purposes of chapter 71. In the latter regard, Section 7101 of chapter 71 sets forth the following ''Findings and purpose''.

(a) The Congress finds that—

(1) experience in both private and public employment indicates that the statutory protection of the right of employees to organize, bargain collectively, and participate through labor organizations of their own choosing in decisions which affect them—

(A) safeguards the public interest,

(B) contributes to the effective conduct of public business, and

(C) facilitates and encourages the amicable settlements of disputes between employees and their employers involving conditions of employment; and

(2) the public interest demands the highest standards of employee performance and the continued development and implementation of modern and progressive work practices to facilitate and improve employee performance and the efficient accomplishment of the operations of the Government Therefore, labor organizations and collective bargaining in the civil service are in the public interest.

(b) It is the purpose of this chapter to prescribe certain rights and obligations of the employees of the Federal Government and to establish procedures which are designed to meet the special requirements and needs of the Government. The provisions of this chapter should be interpreted in a manner consistent with the requirement of an effective and efficient Government.

There thus is immediately a question whether and to what extent these findings and purposes apply in interpreting section 220 of the CAA, and, if these findings and purposes do not apply, the question arises as to how the Board should define the phrase ''provisions and purposes of chapter 71.''

The Board invites comment on whether and to what extent it should, pursuant to section 220(e)(1)(A), modify the regulations promulgated by the FLRA for application to covered employees of the offices identified in section 220(e)(2). Commentors are reminded that any suggested modifications of the FLRA's regulations should be supported with a detailed explanation of the factual and legal reasons that demonstrate how such modification would meet the ''good cause'' standard of the CAA, as well as an explanation of how such proposed modifications are ''to the greatest extent practicable consistent with the provisions and purposes of chapter 71.''

The Board further invites comment on what regulations should be issued under section 220(e)(1)(A) concerning the manner and extent to which the requirements and exemptions of chapter 71 should apply to covered employees who are employed in the offices identified in section 220(e)(2). Commentors are requested to state on what basis they believe the Board has authority to issue such regulations, and to set forth fully and precisely the content of and necessity for any proposed regulations, as well as an explanation of how any such proposed regulations are ''to the greatest extent practicable consistent with the provisions and purposes of chapter 71.''

B. Exclusion from Coverage

Section 220(e)(1)(B) provides ''that the Board shall exclude from coverage [under section 220] any covered employees who are employed in offices listed in paragraph (2) if the Board determines that such exclusion is required because of—

(i) a conflict of interest or appearance of a conflict of interest; or

(ii) Congress' constitutional responsibilities.''

The referenced offices are set forth above. The Board seeks comment on several questions.

Under section 7103 of chapter 71, managerial and supervisory employees are excluded by law from coverage under section 220 of the CAA, and, pursuant to section 7112, other individuals such as confidential employees, employees engaged in personnel work, certain employees who conduct internal investigations and employees engaged in intelligence or national security work are precluded from inclusion in bargaining units. In addition, section 7120 of chapter 71 provides that chapter 71 ''does not authorize participation in the management of a labor organization or acting as a representative of a labor organization by an employee if the participation or activity would result in a conflict or apparent conflict of interest or would otherwise be incompatible with law or with the official duties of the employee.'' The issue presented is which additional employees, if any, shall be excluded from coverage under section 220 based upon factors other than those already set forth under the provisions of chapter 71, as applied by the CAA.

The Board reiterates that any proposed exclusion should be supported with detailed and precise information and rationale sufficient to establish that exclusion is warranted under section 220(e)(1(B) of the Act. For example, commentors should provide comprehensive and specific descriptions of job functions and responsibilities that they believe require exclusion of covered employees from coverage and explain precisely why the participation in an employee organization of an individual who had such tasks and responsibilities would interfere with Congress' constitutional responsibilities or present a conflict of interest. In the absence of such information and rationale, it will be difficult for the Board to determine whether covered employees in the specified offices should be excluded from enjoying the rights and protections of section 220, except as otherwise required by law or provided under any regulations issued pursuant to section 220(e)(1)(A).

The Board invites comment on the following specific questions:

1. What are the constitutional responsibilities of Congress that would require exclusion of employees from coverage under section 220 of the CAA? Similarly, what would constitute a conflict of interest or appearance of conflict that would require exclusion of employees from coverage under section 220 of the CAA?

2. Should determinations as to exclusion from coverage under section 220 be made on an office-wide basis or should they be based on performance of specified duties and functions in the referenced office?

3. In each individual office referenced in section 220(e)(2), what are the particular duties and functions of the specific positions that shall be excluded from coverage? What is the legal basis under the CAA for exclusion?

4. What exclusions, if any, are required under paragraph 220(e)(2)(H)? What are the ''comparable functions'' of any office so identified? What are the bases for exclusion of the specified office or of covered employees in the offices?

The Board reiterates that, in answering these questions, commentors should provide detailed legal and factual support for their proposals. Generalities and conclusory assertions will not suffice. Detailed information and authorities that address specific duties and functions of employees and offices, in rigorous and complete detail, are necessary to enable the Board to make appropriate determinations pursuant to the CAA's mandate.

GOODBYE TO THE HUNTSVILLE NEWS

Mr. HEFLIN. Mr. President, Huntsville, AL's morning newspaper, the Huntsville News, will publish its last edition on Friday, March 15, 1996. The News was founded 32 years ago by local business people as a weekly, but became a daily paper within only a few months. In 1968, it was sold by the owners to Advance Publications, which also owns Huntsville's afternoon paper, the Huntsville Times.

The Huntsville News published its first edition on January 8, 1964. It introduced itself to its Rocket City readers with the headline: ''New Communications Capsule Blasts Off.'' The original owners were James Cleary, a Huntsville attorney; John Higdon, the former manager of a local television station; and Thomas A. Barr, an electrical engineer. The paper was printed on its own press, an offset press which was one of the most modern in the business. Less than 2 months after it began publishing, it went to a twice-weekly schedule, and in August 1964, it became a 6-day daily, publishing every day except Sunday.

Stoney Jackson was the first editor of the News. At one time, he was a contestant on ''The $64,000 Question'' television quiz show, and became famous when he revealed cheating on the famous game show. Other editors were Sid Thomas, Hollice Smith, Dave Langford, Tom Lankford, and Lee Woodward, who has been editor since 1977. Ironically, Woodward, who first came to work for the paper in 1972, had already planned his retirement for this March before the announcement about the News.

Before he joined the News, Woodward, a native of Arab, AL, had worked for the Huntsville Times, the News Courier, Alabama Courier, and Limestone Democrat, all three newspapers published in Athens, where he grew up. He had also worked at the Gadsden Times. He is now serving as president of the Alabama Press Association and has been on the Alabama Newspaper Advertising Service Board of Directors. Altogether, he has enjoyed 42 years in the newspaper business.

I want to congratulate everyone who has been involved with the publication of the Huntsville News over the last 32 years, particularly the current editor, Lee Woodward, who has performed superbly in an exceedingly difficult position. The newspaper has been an authoritative source of information and insight into the issues and news of the day, and its loss is an extremely sad one for the Huntsville area. Its sharp writing, lucid clarity, and professional objectivity each morning will be sorely missed by its many readers. It has performed its mission well and leaves a tremendous journalistic legacy to the citizens of this vibrant area.

TRIBUTE TO MAYOR RALPH SEARS

Mr. HEFLIN. Mr. President, longtime Montevallo, AL mayor Ralph Sears passed away on February 14, 1996 at the age of 73. A native of Nebraska, the young World War II veteran had come to Montevallo in 1948 to teach broadcasting courses at Alabama College, now the University of Montevallo. It was said that he had a golden voice, and he originally was lured to the south to teach a year or so and then move on. Thankfully for Montevallo, he never got around to moving on. Instead, he went on to serve for 16 years as a member of the city council and then for 24 years as mayor.

During his nearly half-century in his adopted city, Ralph Sears and his wife, Marcia, raised three children; opened radio station WBYE, located between Calera and Montevallo; and bought and published two weekly newspapers, one of which was the Shelby County Reporter.

As mayor, he came to be seen as an uncommon friend to his constituents. He accomplished things which had a direct impact on their daily lives. He saw that tall horse-and-buggy curbs and crumbling sidewalks were replaced by lower curbs, handicap ramps, flowering trees in planters, and litter cans. He oversaw the building of a 40-acre park with ball fields, playgrounds, picnic tables, walking trail, gazebo, recreation building, and Scout hut. He worked with black citizens to devise a district voting system that assured their representation on the council years before a Federal court decision ordered municipal governments to take such action. Mayor Sears was also credited with constructing a sewage treatment plant and modern fire station.

He spent some fairly exciting times in the Pacific theatre during World War II. He served in Tokyo and in the Philippines with General Douglas MacArther. He and Marcia would customarily travel around the world, to wherever news was breaking or about to break. They celebrated Alaska's statehood in Juneau; visited South Africa on the brink of revolution in 1986; and saw the other side of the Iron Curtain before glasnost turned it into rust.

Mayor Sears was active in the World Council of Mayors; past chairman of the Shelby County Mayors Association; and president of the Montevallo Rotary Club, Chamber of Commerce, and board of Shelby Youth Services.

Ralph Sears was truly an institution in Montevallo; he was involved in the city's educational, religious, news media, and, of course, its governing bodies. He was a gentleman's gentleman who believed deeply in the principles set forth in the U.S. Constitution. He was an honest, fair, and moral person—a progressive and a visionary who believed the American way was the right way.

At the time of his death, one of the projects he was working on was the establishment of a section of Montevallo as an Alabama Village. The State and the University of Montevallo are trying to create a community similar to Jamestown in Williamsburg, VA, and the city has committed funds to buy 115 acres for the project. Hopefully, this village will some day stand as a monument to his life and work.

I extend my sincerest condolences to the Sears family in the wake of its tremendous loss. His legacy is one that will last for many, many decades into the future.

TRIBUTE TO CIVIC LEADER HARRY MOORE RHETT, JR.

Mr. HEFLIN. Mr. President, Harry Moore Rhett, Jr., a long-time community leader and member of one of Huntsville, Alabama's most prominent families, died on February 3, 1996 at his antebellum home in Huntsville.

During his long career, Rhett served as chairman of the city of Huntsville Gas Utility Board; chairman of the city of Huntsville Water Utility Board; chairman of the Huntsville Hospital Foundation; chairman of the Randolph School Board of Trustees; and chairman of the board of governors of the Heritage Club.

In addition, he had served as president of the Huntsville-Madison County Chamber of Commerce; the Huntsville Rotary Club; the Huntsville Industrial Expansion Committee; and the Twickenham Historic Preservation District Association. He was chairman of the board of control of Huntsville Hospital; the Madison County Board of Registrars; and the Marshall Space Flight Center Community Advisory Committee.

It is difficult to imagine any citizen serving his community with more energy, pride, and dedication than did Harry Rhett, Jr. His devotion to his community was total and unwavering.

As an avid athlete, hunter, and sportsman, he was the founder and master of the Mooreland Hunt, a local fox-hunting group. He was a graduate of Culver Military Academy; Washington and Lee University; and Harvard University business school. He served as an army officer in Europe during World War II.

Harry Rhett, Jr. was one of those rare individuals who truly embodied the unique ideals upon which our country was founded. He achieved great financial and personal success, yet served with humility and a spirit of generosity. His efforts and work contributed significantly to the tremendous growth of the Huntsville area during his life-time.

I extend my sincerest condolences to the Rhett family in the wake of its tremendous loss. I hope they, like most citizens of this area, will find solace in continuing to enjoy the fruits of Harry's labor, which are all around them, for many, many years to come.

HONORING THE EATONS FOR CELEBRATING THEIR 50TH WEDDING ANNIVERSARY

Mr. ASHCROFT. Mr. President, these are trying times for the family in America. Unfortunately, too many broken homes have become part of our national culture. It is tragic that nearly half of all couples married today will see their union dissolve into divorce. The effects of divorce on families and particularly the children of broken families are devastating. In such an era, I believe it is both instructive and important to honor those who have taken the commitment of ''til death us do part'' seriously and have successfully demonstrated the timeless principles of love, honor, and fidelity, to build a strong family. These qualities make our country strong.

For these important reasons, I rise today to honor the Ernest and Margie Eaton of Clinton, MO, who on March 3 celebrated their 50th wedding anniversary. My wife, Janet, and I look forward to the day we can celebrate a similar milestone. Ernest and Margie's commitment to the principles and values of their marriage deserves to be saluted and recognized. I wish them and their family all the best as they celebrate this substantial marker on their journey together.

THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, the Federal debt now exceeds $5 trillion. Twenty years ago, in 1976, the Federal debt stood at $629 billion, after 200 years of America's existence, including two world wars. After all of that, the total Federal debt, I repeat, was $629 billion.

Then the big spenders really went to work and the interest on the debt really began to take off—and, presto, during the past 20 years the Federal debt has soared into the stratosphere, increasing by more than $4 trillion in 2 decades—from 1976 to 1996.

So, Mr. President, as of the close of business yesterday, March 5, 1996, the Federal debt stood—down-to-the-penny—at $5,016,462,295,493.85. On a per capita basis, every man, woman, and child in America owes $19,040.91 as his or her share of that debt.

This enormous debt is a festering, escalating burden on all citizens and especially it is jeopardizing the liberty of our children and grandchildren. As Jefferson once warned, ''to preserve [our] independence, we must not let our leaders load us with perpetual debt. We must make our election between economy and liberty, or profusion and servitude.'' Isn't it about time that Congress heeded the wise words of the author of the Declaration of Independence?

MS. BARBARA BALDWIN

Mr. PELL. Mr. President, last week Rhode Islanders learned some sad news. We learned that one of our community's leading and most respected activists is leaving our State for a new position in Tennessee. We will miss Barbara Baldwin, the Executive Director of Planned Parenthood of Rhode Island for the last 9 years, when she leaves Rhode Island at the end of May.

It is often said that everyone in Rhode Island knows everyone else in Rhode Island. That's almost true—we are a small State and it is relatively easy to get to know people who become active in the State and in their communities. But Barbara made an immediate mark on Rhode Island when she arrived here in 1987. And since then she had led Planned Parenthood with dignity, serenity, courage, and energy. She is totally dedicated to ensuring quality health care to women, and is wholly committed to preserving reproductive rights.

Barbara has also been an important political adviser and friend to me over these last 9 years, and to many other government officials and politicians. But mostly, she has been a leader for the women of Rhode Island, and has gained the respect of both those who share her views and those who don't.

Rhode Islanders will miss Barbara, and we wish her well in her move to Tennessee. But we want her to know that the door to our State will always be open to her, and we hope that some day she will return.

CONGRATULATIONS TO PRESIDENT SOARES UPON HIS RETIREMENT

Mr. PELL. Mr. President, as President Soares, one of Portugal's greatest modern leaders, prepares to retire, I would like to offer my personal congratulations. President Soares is a good friend who has my admiration for all he has done to make Portugal a vibrant and democratic part of Europe. During the dark days of Portugal's authoritarian regime, President Soares demonstrated an enormous amount of courage. He was an active opponent of that rule—and for that he paid dearly. I particularly remember that when those dark days ended in 1974, President Soares returned to Portugal to help lead the new government. I followed his career closely in the ensuing years—when he served as foreign minister twice and prime minister three times before becoming President in 1986. I have deep regard for President Soares' leadership in the 1980's in preparing Portugal for entry into the European Community, and in more recent years, in ensuring that Portugal remains firmly planted in the European Union and NATO.

I have a huge respect for Portugal and her people, and have been fortunate to work with President Soares over the years. My State of Rhode Island has a large and vibrant Portuguese community.

Portugal is an important ally. Our two countries share a commitment to democracy, freedom, and peace—values which are important not only as we confront a changing Europe—but as we approach challenges in the Middle East and Africa. Portugal is a great friend of the United States, and it is in the spirit of this friendship that I pay tribute to President Soares, and wish him well in his retirement.

HOW MUCH FOREIGN OIL BEING CONSUMED BY UNITED STATES? HERE'S WEEKLY BOXSCORE

Mr. HELMS. Mr. President, the American Petroleum Institute reports that, for the week ending March 1, the United States imported 6,329,000 barrels of oil each day, 3 percent more—169,000 barrels more—than the 6,160,000 barrels imported during the same period 1 year ago.

Americans now rely on foreign oil for more than 50 percent of their needs. There is no sign that this upward trend will abate.

Anybody else interested in restoring domestic production of oil—by U.S.

producers using American workers? The political primary season has forced the political and media establishment to take seriously American's deep-felt concern about economic insecurity and loss of jobs to foreign competition. It's about time they caught on. All it takes is a trip through North Carolina to see the scores of textile mills closed due to foreign competition to understand why Americans have a legitimate fear of losing their job or see their hard earned wages fall.

Politicians had better ponder the economic calamity that will surely occur in America if and when foreign producers shut off our supply, or double the already enormous cost of imported oil flowing into the United States.

TRIBUTE TO TRUDY VINCENT

Mr. BRADLEY. Mr. President, I rise to offer my warmest thanks, respect, and heartfelt congratulations to my legislative director, Trudy Vincent, who will leave my staff at the end of this week. For 3 years, in her second tour of duty in my office, Trudy has been the anchor of my legislative work, and deserves much of the credit for the legislative accomplishments of my office since 1993.

Although Trudy will be leaving my staff, she will not be leaving the Senate, and my office's loss is the gain of my colleague Senator BINGAMAN of New Mexico, who will undoubtedly grow to depend upon her much as I have.

Like many of the most gifted and successful of the staff members who serve this institution, Trudy first came here as a fellow through an academic program, having first pursued and succeeded in another demanding field. In her case, Trudy first attained a doctorate in psychology, then joined my office in 1987 as a legislative fellow, working on innovative education and health initiatives.

When her first tour of duty in my office ended after a year, Trudy joined the staff of her home State Senator, Senator MIKULSKI, rose to legislative director, and returned to my staff as legislative director in 1993. I have found her good sense, her wide knowledge, her broad network of friends and professional contacts, and her sense of humor to be of invaluable help in all that I do for the people of New Jersey and the Nation.

The most important attribute a Senator or legislative staffer can possess, I have found, is persistence and dedication. You have to be entrepreneurial, always looking for opportunities to move a good idea forward and never giving up when things look bleak. Trudy exemplifies these qualities. Her persistence and dedication has helped us move forward most of my urban initiatives of 1993, the funding for the high school student exchange with the republics of the former Soviet Union, student loan reform, several nominations, and very soon, I hope it will lead to final passage of my bill to prohibit new mothers from being discharged from the hospital before they or their babies are ready.

In addition to these qualities, there is an intangible between a Senator and a staff member. It is related to loyalty and knowledge, but it also is something more. It is the phenomenon of being confident that the staff member knows how to further the Senator's goals in a way that is consistent with the Senator's values and style. I've always felt that way about Trudy. I could truly leave it to her and know that it would be done as I would want it done. I guess I'm saying that at the core of a Senator-staff relation is trust. That's clearly the way it's been between us, for which I am lucky and very grateful.

I want finally to thank Trudy again, express my appreciation for all her long hours and hard work, and wish her all the best fortune as she continues to contribute to the workings of this democratic institution after I leave.

The PRESIDING OFFICER (Mr. DEWINE). The Senator from Utah.

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

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

ADJOURNMENT

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate now stand in adjournment for 1 minute, and that when the Senate reconvenes its morning hour be deemed to have expired.

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

Thereupon, the Senate adjourned until 11:12 a.m.; whereupon, the Senate at 11:13 a.m. reassembled when called to order by the Presiding Officer [Mr. DEWINE].

Mr. BENNETT addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

WHITEWATER DEVELOPMENT CORP. AND RELATED MATTERS—MOTION TO PROCEED

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of calendar No. 341, Senate Resolution 227 regarding the Special Committee on Whitewater.

The PRESIDING OFFICER. Is there objection?

Mr. SARBANES. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BENNETT. Mr. President, I now move to proceed to calendar 341, Senate Resolution 227.

The PRESIDING OFFICER. The question is on the motion.

Is there further debate?

Mr. MACK addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida.

Mr. MACK. Mr. President, we are here today primarily because the White House has not been dealing with the special committee in good faith. I know that there are those who would accuse this committee of conducting a political witch hunt in an election year. But I submit that there are legitimate and powerful reasons to be investigating Whitewater Development Corp. and all of the related matters.

At the outset, it should be made clear that the main reason this committee needs additional time is the abject failure of this administration to cooperate. Contrary to all of their public statements, I believe the White House has been actively engaged in a coverup. They have repeatedly refused to turn over relevant evidence and have often failed to remember key facts under oath.

To give just one example, Bruce Lindsey was asked on numerous occasions whether he had produced all relevant documents to the committee, and he insisted under oath that he had. In particular, the committee asked about any notes he might have taken during the November 5, 1994, meeting of the Whitewater defense team. That is the same meeting where William Kennedy took notes, and we almost had to go to court to obtain them. Last Friday—that is the very date the special committee's funding was set to expire—he turned over his clearly marked notes of the November 5 Whitewater defense team meeting.

The American people deserve better than that. Again, this is only one example—where Bruce Lindsey was asked over and over again whether he had taken notes during that November 5 meeting, and we were told over and over again that he had not. On the day this committee's funding expired, they turned over these notes of the meeting.

In my opinion, the White House has done everything in its power to hide the truth. That is why we are here asking for additional funds to continue the committee's work.

Mr. President, I suspect that over the next several hours we obviously will hear from both sides of the aisle on this. But on our side of the aisle, I expect that most of our Members who participated in these hearings will probably do as I have done; that is, to focus my attention on some specific areas where I focused my attention during the committee hearings. So my comments now will be somewhat focused on the behavior of the White House officials immediately after Vincent Foster's death.

The death of White House Deputy Counsel Vincent W. Foster, Jr., on July 20, 1993, marked the first time since Secretary of Defense James Forrestal died in 1949 that such a high-ranking

U.S. official took his own life. Mr. Foster was a close friend of both the President and Mrs. Clinton, and provided legal counsel to them on a number of sensitive personal matters, including Whitewater. Given Mr. Foster's sensitive position within the administration and his close personal friendship with the Clinton's, there were legitimate questions to be asked about the way he died.

The reason I raise this is because I have a feeling that those who may have just casually been observing or watching these hearings may have asked the question, What is all the concern about how the White House handled the review of documents in Vince Foster's office? I have already indicated that he was a personal friend of the Clintons, but there are questions that would be raised about any suicide of an individual in this kind of position.

Questions, for example, could be: Was there blackmail involved? Was he a victim of a crime that had something to do with his position? Could he have been the subject of extortion? Was our national security compromised in any way? Officials would certainly be concerned with finding out the answers to these questions as soon as possible.

In the days following his death, White House officials—in particular, members of the White House counsel's office—searched the contents of Mr. Foster's office and at the same time prevented law enforcement officials from conducting a similar search. In doing this and later covering it up, they have come to look like the guiltiest bunch of people I have ever seen.

Section (1)(b)(1) of Senate Resolution 120 authorizes the committee to inquire ''whether improper conduct occurred regarding the way in which White House officials handled documents in the office of White House Deputy Counsel Vincent Foster following his death.''

Pursuant to this directive, the committee conducted 69 depositions and held 17 days of public hearings to investigate the actions of White House officials in the week following Mr. Foster's death. The committee's investigation revealed, among other things, the following facts.

Fact: Foster's office was never sealed the night of his death despite four separate official requests.

Fact: High-ranking White House officials searched it without supervision.

Fact: Maggie Williams was seen by an unbiased witness carrying a stack of documents out of Foster's office.

Fact: Nussbaum made an agreement for Justice Department officials to conduct a search of Foster's office.

Fact: Nussbaum told Stephen Neuwirth that the First Lady and Susan Thomases was concerned with the Justice officials having unfettered access to Foster's office.

Fact: A flurry of phone calls occurred at critical times—17 separate contacts in a 48-hour period among Hillary Clinton, Maggie Williams, Susan Thomases, and Nussbaum.

Fact: After those calls, Nussbaum reneged on the deal with the Department of Justice investigators. He insisted on searching the office himself.

Fact: Once the investigators left the scene, a real search occurred with Maggie Williams' help, and afterwards she took documents to the residence.

Mr. President, I am going to go back through those various facts that I have raised, and again I am focusing on a very, very small portion and limited area of this whole debate. The area that I will be focusing on again is the night of Foster's death and the few days following that death.

Seven different persons recalled four separate requests to White House officials to seal Vincent Foster's office on the evening of his death. This was not done until the next morning. Hillary Rodham Clinton called Maggie Williams, her chief of staff, at 10:13 p.m. immediately upon hearing of Mr. Foster's death on July 20, 1993. Right after talking with Mrs. Clinton, Ms. Williams proceeded to the White House to Mr. Foster's office. White House Counsel Bernie Nussbaum and Deputy Director of the White House Office of Administration, Patsy Thomasson, met her there and conducted a late-night search of Mr. Foster's office without law enforcement supervision.

Mrs. Clinton then called Susan Thomases, a close personal friend, in New York at 11:19 p.m. Secret Service officer Henry O'Neill testified that on the night of Mr. Foster's death, he saw Ms. Williams remove file folders 3 to 5 inches thick from the White House counsel's suite and place them in her office.

Now, why would this Secret Service individual lie about that? This could constitute obstruction of justice, particularly if the billing records were in those files. If this is true, there could be two possible separate counts, the first against Maggie Williams for knowingly taking relevant documents out of Foster's office with the intent to hide them from investigators, and the second for turning them over to someone else, possibly the Clintons, who then intentionally withheld them from us in violation of numerous document requests and subpoenas.

This is one of the central questions which the committee must resolve.

After searching Mr. Foster's office on the night of his death, Ms. Williams called Mrs. Clinton in Little Rock at 12:56 a.m. on July 21, 1993, and talked with her for 11 minutes. Again, this is 12:56 a.m., middle of the night. Once that call was concluded, only 3 minutes later, at 1:10 a.m., after her conversation with Mrs. Clinton, Ms. Williams called Ms. Thomases in New York and they talked for 20 minutes.

I wish to note here that when we first spoke to Ms. Williams, she categorically denied talking to Ms. Thomases that night. Imagine, that was a 20-minute conversation that took place at 1:10 in the morning and Ms. Williams categorically denied talking to Ms. Thomases. When the committee asked her for her phone records to prove her claim, she and her lawyer stated they were not available from the phone company. We asked the phone company for the records and, voila, 1 week later, we had them.

Susan Thomases, a New York lawyer, is a close personal friend of President and Mrs. Clinton. She has known the President for 25 years and Mrs. Clinton for almost 20 years. She was an adviser to the Clinton 1992 Presidential campaign and remained in the close circle of confidants to the Clintons after the election. One article referred to Ms. Thomases as the ''blunt force instrument'' of enforcement for the First Lady. She was the one who got things done in a crunch. As my colleague, Senator BENNETT, described her during the hearings, she was the ''go-to'' guy on the Clinton team. If the First Lady wanted to make sure that her people got to Foster's files before outside law enforcement, Susan Thomases was just the person to get the job done.

Department of Justice officials testified that they agreed with Mr. Nussbaum on July 21, 1993, that they would jointly review documents in Mr. Foster's office. Let me just say that again. There was an agreement between the Justice Department and Bernie Nussbaum as to how the documents in Mr. Foster's office would be reviewed.

Then there is a flurry of phone calls that occurs at what I would call critical times. We then begin a period of time in which a multitude of calls took place involving Thomases, Williams, and the First Lady. I believe the purpose of these calls might have been to make sure that the agreement Bernie Nussbaum had made with the Justice Department concerning the search of Foster's office was not kept.

Call No. 1. At 6:44 a.m.—fairly early in the morning. I am trying to think about how many phone calls I have actually placed at 6:44 a.m. Anyway, 6:44 a.m. Arkansas time on July 22, Maggie Williams called Mrs. Clinton—this is the day following—called Mrs. Clinton at her mother's house in Little Rock, and they talked for 7 minutes. Ms. Williams initially did not tell the special committee about her early-morning phone call to the Rodham residence.

After obtaining her residential telephone records documenting the call, the special committee voted unanimously to call Ms. Williams back for further testimony. When presented with these records, Ms. Williams testified, ''If I was calling the residence, it is likely that I was trying to reach Mrs. Clinton. If it was 6:44 in Arkansas, there's a possibility that she was not up. I don't remember who I talked to, but I don't find it unusual that the chief of staff to the First Lady might want to call her early in the morning for a number of reasons.''

Maggie Williams said, ''I don't recall'' or ''I don't remember'' so many

times I lost count. According to one New York paper, as of last month, all of the Whitewater witnesses combined said this a total of 797 times during the hearings alone.

Call No. 2. This is a call that takes place now 6 minutes after the call that Maggie Williams forgot or just did not mention to the committee until we had records of the call. But 6 minutes after she apparently was willing to wake up the First Lady 6:44 Arkansas time, 6 minutes later Mrs. Clinton called the Mansion on O Street, a small hotel where Susan Thomases stayed in Washington, DC. The call lasted 3 minutes. Oddly enough, Ms. Thomases did not remember this call again until after the committee was provided with her phone records.

Call No. 3. Upon ending her conversation with Mrs. Clinton, Susan Thomases immediately paged Bernie Nussbaum at the White House, leaving her number at the Mansion on O Street. When Mr. Nussbaum answered the page, they talked about the upcoming review of documents in Mr. Foster's office. Ms. Thomases actually told the committee that these two phone calls had nothing to do with one another. After obtaining records documenting that she talked with Mrs. Clinton for 3 minutes immediately prior to paging Mr. Nussbaum, the special committee voted unanimously to call Ms. Thomases back for further testimony.

She maintained, however, that she called Nussbaum, because again, ''I was worried about my friend Bernie, and I was just about to go into a very, very busy day in my work, and I wanted to make sure that I got to talk to Bernie that day since I had not been lucky enough to speak with him the day before.''

I will come back to the busy day she was having later. At this point I will say that she was busy all right, but not with her private law practice.

Mr. Nussbaum has a different recollection of his conversations with Ms. Thomases. On July 22 he testified that Ms. Thomases initiated the discussion about the procedures that he intended to employ in reviewing documents in Mr. Foster's office.

''The conversation on the 22d''—this is a quote now— ''The conversation on the 22d was that she asked me what was going on with respect to the examination of Mr. Foster's office.'' ''She said * * * people were concerned or disagreeing * * * whether a correct procedure was being followed, * * * whether it was proper to give people access to the office at all.''

According to Mr. Nussbaum, Ms. Thomases did not specify who these ''people'' were to whom she was referring, nor did Mr. Nussbaum understand who they were. Mr. Nussbaum testified he resisted Ms. Thomases' overture, but he said, ''Susan * * * I'm having discussions with various people,'' which, by the way, we determined those various people were Hillary Clinton, Bill Clinton and Maggie Williams. Again quoting—''Susan * * * I'm having discussions with various people. As far as the White House is concerned, I will make a decision as to how this is going to be conducted.''

He did decide to renege on his deal with the Department of Justice, but only after more phone calls from Maggie Williams and Susan Thomases. We have independent corroboration from Steve Neuwirth. Steve Neuwirth, a member of the White House counsel staff, testified under oath that Bernie Nussbaum told him Susan Thomases and the First Lady were concerned about giving the officials from Justice ''unfettered access'' to Foster's office.

While the Justice Department officials were kept waiting outside, Nussbaum continued his discussions, as more phone calls ensued, presumably about how to search the office.

Call No. 4. We are back again to this series of phone calls I was describing a little earlier. This is the fourth phone call. This is 8:25 in the morning of July 22. Thomases called the Rodham residence and spoke for 4 minutes.

Call No. 5. At 9 a.m., Thomases called Maggie Williams and left the message ''call when you get in the office.''

Call No. 6. 10:48 a.m., Thomases calls Chief of Staff McLarty's offices, spoke with someone for 3 minutes.

A meeting involving numerous members of the White House staff was going on in McLarty's office at this time to decide how to handle the search of Foster's office. In the meantime, the officials from the Justice Department, Park Police, and other agencies were waiting around for the search to begin.

Call No. 7. 11:04 a.m., Thomases called Maggie Williams, spoke for 6 minutes.

Call No. 8. This is occurring 1 minute after the conclusion of the previous call—Thomases calls Chief of Staff McLarty's office, spoke with someone for 3 minutes.

Call No. 9, just a couple minutes later, Thomases calls Chief of Staff McLarty's office again; spoke with someone for 1 minute.

Call No. 10. 11:37 a.m., Thomases called Maggie Williams, spoke for 11 minutes. Three minutes after that call was completed, Thomases called Maggie Williams and spoke for 4 minutes. Do not forget, this is all taking place during the time that Ms. Thomases said she was going to be very, very busy on conference calls related to her private legal practice.

When we asked Ms. Williams about all these calls to her office from Susan Thomases, she denied talking to her, and told us it could have been anybody else in her office, could have been an intern, a volunteer, or another staffer. Her refusal to take responsibility for the calls resulted in 32 different staffers having to be interviewed about who might have spoken to Susan Thomases that day, and all said they do not remember talking to her.

By doing this, Maggie Williams asked the committee to believe that Susan Thomases regularly calls unpaid interns at the White House just to chat. Her testimony to the committee was frankly typical of her whole approach to the process. In my opinion, both Maggie Williams and Susan Thomases are openly contemptuous of the committee's work. Their attitude toward this inquiry has never been one of cooperation, but rather blatant hostility.

Their behavior, coupled with the documentary evidence we have acquired, lead me to no other reasonable conclusion than that Maggie Williams and Susan Thomases were involved or influenced the decision to breach the agreement with the Department of Justice. Their behavior, and what I believe to be the reasons behind it, are frankly an insult, not just to us, but to the credibility and integrity of the Presidency.

Call No. 12. At 12:47 p.m., Capricia, an individual who is Hillary Clinton's personal assistant, paged Maggie Williams from the Rodham residence.

Call No. 13. 12:55 p.m., Maggie Williams called the Rodham residence and spoke for 1 minute. The pressure on Nussbaum must have been too great. He broke his agreement with the Justice Department and conducted the search essentially unsupervised. After learning of Nussbaum's reversal, David Margolis, one of the seasoned DOJ officials sent over for the search, told Nussbaum, that he was making a big mistake.

Once he heard this news, Philip Heymann, the Deputy Attorney General, later asked, ''Bernie, are you hiding something?''

Call No. 14. At 1:25 p.m., the White House phone call to Rodham residence. Conversation for 6 minutes. Was this to tell Mrs. Clinton the deal with the Justice Department had been reneged upon?

Then we move to the search which takes place in Foster's office from approximately 1 p.m. to 3 p.m. The Department of Justice officials again are kept at bay.

Call No. 15. 3:05 p.m., Bill Burton, McLarty's deputy, called Maggie Williams and left a message. He had been asked by Nussbaum, after the review of Foster's office, to locate Maggie Williams. This signals the attempt by Nussbaum, through his deputy, to get the real search of the office underway, but only with Ms. Williams' help.

Call No. 16. 3:08 p.m., Thomases called Maggie Williams. Spoke for 10 minutes.

Call No. 17. 3:25 p.m., Steve Neuwirth called Ms. Williams and left a message. They are still trying to find Ms. Williams.

Call No. 18. It occurred somewhere between 4 and 4:30 p.m. Bernie Nussbaum personally called Maggie Williams to summon her to Foster's office. They searched the office for about half an hour.

Call No. 19. Somewhere between 4:30 and 5 p.m. Maggie Williams phoned Hillary Clinton.

Call No. 20. 5:13 p.m., Thomases called Maggie Williams. Spoke for 9 minutes, 30 seconds.

Then Maggie Williams takes the documents to the residence. Although the public was initially told by the White House spokesperson that all the Clintons personal documents were immediately turned over to their lawyers after Foster's death, once again, we later learned this was simply untrue.

Tom Castleton, a White House employee, spoke against his own interest and told us Maggie Williams asked him to take boxes of documents from Foster's office to the residence on July 22, 1993, so the First Lady and the President could review them.

I want to go back to this point again. This is Maggie Williams who again says that this did not occur. We have got testimony under oath from Tom Castleton that when he and Maggie Williams were taking these documents to the third floor of the White House, that Maggie Williams told Tom Castleton that the reason they were doing this is so that the First Lady and the President could review them.

What I see is a day that begins and ends with Maggie Williams, Susan Thomases and Hillary Clinton conversing. I think Maggie Williams started the day at 6:44 talking with the First Lady about the need to keep law enforcement out of Foster's office and to get certain documents into a safe place.

She ended the day with a conversation with Thomases and a conversation with Hillary Clinton to let them know—mission accomplished. Bernie Nussbaum was able to control the document review. Nothing was divulged to the Department of Justice investigators. The sensitive documents of the First Lady were whisked away to the private quarters where months later Carolyn Huber discovered critical billing records which had Foster's handwriting all over them.

Hubbell even told us he had last seen them in Foster's possession. I believe those records may have been among the files Maggie Williams took out of Foster's office.

The first time we talked to Ms. Williams and Ms. Thomases, we only had a record of 12 of these phone calls. They denied talking to each other, except maybe once or twice, during this period. We received the phone records in three separate installments and, in the end, we see their testimony was nothing but deception.

There were 17 separate contacts in a 48-hour period among Hillary Clinton, Maggie Williams, Susan Thomases and Bernie Nussbaum, which I believe were related to how to handle the documents in Foster's office. Thomases was on the phone to the White House for 28 out of 58 minutes when Nussbaum was trying to decide how to handle the search of Foster's office.

Again, this was on the day that, in her own words, again I quote, ''I was just about to go into a very, very busy day in my own work.'' It now appears that her work was, in fact, the First Lady's work.

But that is not all. There is more deception about the suicide note and the documents removed from Foster's office. I want to reiterate, I have picked out one small segment of the investigation of the testimony that we reviewed, and it certainly ought to become obvious to people, as they listen to this, the lack of cooperation that we received from the witnesses, the lack of cooperation that we received from the White House. As I said earlier, I believe that the White House was actively involved in trying to cover up.

I am moving now to July 27, 1993. It is an important day. This is the day that the suicide note was turned over. Vince Foster's suicide note had been found the previous day. It was only turned over to the Park Police after a meeting with Janet Reno where she instructed the White House to do so. Attorney General Reno was very strong and decisive in her direction to the White House. I am paraphrasing, but basically the impression she left was, ''Why did you waste my time? Why did I have to come to the White House to tell you to turn these documents over?''

I raise the question, Why were the documents not turned over the same day they were found? If you think about it for a moment, what possible reason could the White House have for keeping that note overnight, 30 hours? Why?

In retrospect, it is stunning that the White House did not turn it over to the Park Police right away. Obviously, as we can see by their handling of the note, they had no real intention of cooperating. Prior to the note being turned over to the Justice Department or Park Police, Hillary Clinton and a horde of other White House officials saw it. From what it sounded like, there were a large number of people—again, what I am referring to is from the testimony. The note was found, taken to Nussbaum's office, and people were coming in and reviewing this note. The people who, in fact, had seen the note were asked to testify about that note and who else was in the room, who else saw the note.

Oddly enough, everyone who was later interviewed by the FBI about the circumstances of finding the note forgot about the First Lady having seen it. Only during our second round of hearings did we learn about this important fact.

As for the documents that Tom Castleton and Maggie Williams took up to the residence on the 22d, they were turned over to Bob Barnett, the Clinton's personal attorney, on this day, on the 27th. Susan Thomases has testified she did not recall seeing Mrs. Clinton on July 27 and that she was not involved in Ms. Williams' transfer of Whitewater files from the White House residence to Clinton's personal lawyer, Mr. Bob Barnett, this despite records showing that Susan Thomases entered the residence at the same time as Mr. Barnett.

Thomases spent 6 hours there, yet she does not remember anything about being in the White House that day. I mean, they are really asking us to stretch our willingness to understand how this could happen.

I want to go over that point again because I find this really—6 hours she was in the White House. It would be one thing if somehow or another she just happened to either bump into Maggie Williams or bump into Bob Barnett and forgot it, but to, in essence, have forgotten anything about the 6 hours at the White House, I just find that very, very, very hard to believe.

As recently as January 9, 1996, we received another phone record of a message from Mrs. Clinton to Susan Thomases from July 27, 1993 at 1:30 p.m., asking Thomases to please call Hillary. Ms. Thomases was in Washington, DC on that day when she would not normally have been in town, and she had received a message from Mrs. Clinton's scheduler the day before. This is also the first time Ms. Thomases saw the First Lady after Vince Foster committed suicide.

So that is two personal requests by the First Lady to speak to her, but Thomases has no memory of the occasion. Ironically enough, she was able to tell the committee in some detail the specific reasons why she happened to be in Washington on Tuesday instead of on Wednesday but has absolutely no memory of a White House visit when there. This type of memory loss is, first, unbelievable and, second, I believe a purposeful attempt to avoid giving the committee information that it is entitled to.

What I have gone over is just, again, one small portion of the body of evidence this committee has uncovered.

Here are some other items which form my view of the situation and explain why I have arrived at the conclusion that this White House has engaged in an attempt to completely stonewall the committee and the American public.

Unethical Treasury/White House contacts led to the resignation of Altman and Hanson and Steiner, saying he lied to his diary. You may recall that from earlier hearings we had. These contacts were a systematic effort to gain confidential information from Government sources and ultimately influence the criminal and civil investigations of Madison.

The President's refusal to turn over vital notes under the guise of attorney-client privilege—this kind of coordination among White House staff and personal lawyers resulted in a multimember Clinton defense team at taxpayers' expense.

Now we understand why they did not want to turn over those notes, because they contain phrases such as ''vacuum Rose law files.''

The coverup has now reached the third floor of the White House residence. It is difficult to construct a scenario where whoever left billing records on that table is not guilty of a felony. It is the most secure room in the world. Are we supposed to believe, as my colleague from North Carolina indicated during the hearing, that the butler did it?

Hillary Clinton has publicly floated the possibility that construction workers may have placed those billing records in the book room. After committee investigation, we now know that workers are under constant Secret Service supervision and they would be fired if they moved anything around.

The White House has seriously delayed document production from key White House players in the Whitewater legal defense team: Gearan, Ickes and Waldman—and, as I said earlier, just last week, Lindsey.

Even when documents were turned over, there were redactions which were just plain wrong. The notes Mr. Gearan produced to us of a series of meetings of the Whitewater legal defense team were so heavily redacted that the committee insisted on a review of the complete notes. As it turns out, the White House chose to redact highly relevant statements.

For example, one redacted portion—and I guess maybe I ought to stop for a minute, because some people may not understand what ''redaction'' means. It would be, for example, if I were to take this page and make the determination that there were some things on here that were not relevant; I would just white them out and white out everything on the page I thought was irrelevant, leaving only, let us say, a note on here that says, ''Quality, not quantity of evidence'' that is important.

So, for example, one of the redactions said that ''the First Lady was adamantly opposed to the appointment of a special counsel.'' What I am saying to you is, when we first got the document, a lot of information that we believed was relevant was whited out, redacted. We could not see it. It was only after we demanded to see it, after they said to us, ''Do not worry, there is nothing else of any relevance on this document to what you are investigating.'' This one redacted portion said, ''The First Lady was adamantly opposed to the appointment of a special counsel.''

I think that is relevant and it is another example of the White House's efforts to keep us from moving forward. I know that the White House, as well as Members on the other side of the aisle, keep hammering on the fact that over 40,000 pages of documents have been produced. But it is not the quantity of documents that matter. They could produce a million pages but deliberately withhold one key page. By telling us to be satisfied with what they have already given us, it is like telling us we can have everything but the 18-minute gap in the 4,000 plus hours of Watergate tapes. Plain and simple, in my opinion, this amounts to contempt of the Senate and obstruction of justice.

We in the Senate have a serious responsibility to investigate abuses of power in the executive branch. It is one of our constitutional obligations and is a responsibility which the people of Florida expect me to carry out.

The obligation of the legislative branch to hold the executive branch accountable goes back to the beginning of our American heritage. The Founding Fathers had this very role in mind when they debated ratification of the Constitution. In Federalist Paper No. 51, James Madison explained the need for checks and balances among the branches of Government.

> If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: You must first enable the government to control the governed; and in the next place oblige it to control itself.

The special committee's work is an attempt to ensure that we are controlling government in the way our Founding Fathers envisioned. We owe it to the American people. This is their Government, and we are accountable to them.

Now, the failure of Madison Guaranty cost the taxpayers $60 million. I have attended hearings day after day and heard some amazing incidences of wrongdoing, only to turn around and hear administration apologists proclaim, ''So what.'' This is my reaction to the ''so what'' response. In other words, what they are saying is, ''You have not proved anybody guilty of anything. There is no smoking gun. So what.'' It is like saying that if somebody takes a gun and shoots at somebody and misses, no harm was done. I think, in fact, there is harm that has been done; and it has, in fact, been uncovered.

To those who insist that nothing wrong was done, I suggest you look to the results obtained so far from the independent counsel's work: Nine guilty pleas and indictments against seven others. That tells me that the issues we are pursuing are important.

In fact, in the most recent round of indictments, the President's 1990 gubernatorial campaign is specifically mentioned as the direct beneficiary of criminal behavior.

It is also interesting to note that the work of this committee has helped, not hindered or duplicated, the work of the independent counsel. The Albany Times Union observed that without the public demand in our hearings for the First Lady's billing records, the special prosecutor might still be waiting for them.

The public has a right to know the truth about this administration. On February 25, the Washington Post ran an editorial favoring an extension of the special committee. The main reason stated for needing additional time was the failure of the White House to cooperate. This is what the Washington Post said: ''Clinton officials have done their share to extend the committee's life.''

A January 25 editorial in the New York Times said, ''Given the White House's failure to address many unanswered questions, there is . . . a strong public interest in keeping the committee alive.''

One Florida newspaper, the St. Petersburg Times said, ''Forget election year politics. The American people deserve to know whether the Clinton administration is guilty of misusing its power and orchestrating a coverup. For that reason—and that reason alone—the Senate Whitewater hearings should go on.''

Further, they cited the most important and most democratic reason to continue these hearings was, ''Ordinary citizens need to learn what all this Whitewater talk is about. Americans deserve a President they can trust, someone who embraces questions about integrity instead of running from them. If the answers make Clinton's campaigning more difficult, so be it.''

Wrongdoing should not go unpunished just because it was discovered during an election year. ''The search for answers cannot stop now.''

I agree wholeheartedly with the St. Petersburg Times. This committee's work must continue in order to preserve the future integrity of the office of the President. The Presidency of the United States is an office which should be looked to as a beacon of trust. Our President should be honest and forthright, and so should his staff. Our duty is to ensure that the President upholds this basic standard, abides by the laws of the land, and avoids any abuse of his sacred office.

Apologists for the administration's behavior have complained this investigation is costing taxpayers too much money. I agree with my colleague, again, from North Carolina, who said, ''You cannot put a price tag on the integrity of the Presidency.''

For those of my colleagues who may still be deciding how to vote on this matter, I suggest they ask themselves a few basic questions. Have all the White House staffers been forthcoming, candid, helpful, and informative in their testimony and conduct? Did the career employees of key agencies who contradicted White House staff lie when they told us of White House interference? Has the President fulfilled his pledge to cooperate fully with the committee? If you answer one or more of these questions with a no, do as I will, and support the resolution so that we might finally learn the truth.

Thank you, Mr. President. I yield the floor.

Mr. SARBANES addressed the Chair.

The PRESIDING OFFICER (Mr. ASHCROFT). The Senator from Maryland is recognized.

Mr. SARBANES. Mr. President, the issue before us is a resolution that has

been reported from the Rules Committee, introduced by Senator D'AMATO, the chairman of the Special Whitewater Committee, which would indefinitely extend the special committee and provide another $600,000 over and above the almost million dollars that was provided last year for it to continue its work.

The distinguished minority leader, Senator DASCHLE, has proposed that the committee's work continue until the 3rd of April with an additional $185,000. The question is really whether the life of this committee ought to be given an indefinite extension throughout the 1996 Presidential election year.

I am going to retrace the history of our inquiry with respect to this particular issue, because I am very frank to say that I think the indefinite extension of the work of this committee will only result in politicizing the committee. It will be increasingly perceived by the public as an investigation being conducted for political purposes.

Now, that was recognized last year when the resolution establishing the committee was first passed. Last May—on May 17—the Senate adopted Senate Resolution 120, which provided for the establishment of the Special Committee To Investigate the Whitewater Development Corporation and Related Matters. That resolution, which provided $950,000—almost $1 million to carry out that investigation—provided that the funding would expire on February 29, 1996.

The reason it provided that was that from the beginning the intent was to carry out this inquiry in a fair, thorough, and impartial manner, and complete it before the country enters into the Presidential campaign. Therefore, Resolution 120, by authorizing funding only through February 29, accomplished this objective. In fact, the resolution states that the purposes of the committee are ''to expedite the thorough conduct of this investigation, study and hearings'' and ''to engender a high degree of confidence on the part of the public regarding the conduct of such investigation, study and hearings.''

In fact, Chairman D'AMATO, before the Rules Committee, stated when funding for the inquiry was being sought, ''We wanted to keep it out of that political arena, and that is why we decided to come forward with the one-year request.''

So it is very important to understand that at the time the resolution was adopted there was a concern about this inquiry becoming a partisan political endeavor. It was very clear that to avoid that it was decided not to extend the inquiry well into the Presidential election year. In fact, the resolution provided that the committee should report to the Senate in mid-January, evaluating its progress and the status of the investigation. When that report was made, regrettably the majority took the position they needed an unlimited extension of the inquiry—unlimited. In other words, it could go throughout 1996.

The minority took the position—and this was back in mid-January—that the committee should complete its investigation by the date contained in the resolution; namely, the 29th of February. We argued in that report, ''It is well within the ability of the committee to complete its investigation by the February 29th date provided for in the resolution. The committee should undertake a schedule for the next 6 weeks that will enable it to meet that objective.''

In fact, the Senate leadership had announced that the Senate would not be in regular voting sessions from the period of mid-January until near the end of February, and without any competing legislative business, it was our view that the committee could devote full attention of this investigation, hold an intense series of hearings and complete its inquiry on schedule—on schedule—and within budget as provided for in Senate Resolution 120 which this body adopted last May on a vote of 96–3.

It was possible for the committee to have met 4 or 5 days a week, a pace the committee has on previous instances followed. This very same committee has followed that pace on other occasions. That would have given the committee the opportunity to do the Arkansas phase of the inquiry, part of which remained to be completed, the committee having largely completed the work on the Foster papers phase and the Washington phase.

Now, between July and August of last year, between July 18 and August 10, at a time when the Senate was in session and Members were handling extensive legislative business, this special committee held 13 days of public hearings and examined 34 witnesses. That is a period of 3 weeks last summer, this committee, working hard, held 13 days of public hearings and examined 34 witnesses. The Iran-Contra committee, which I will turn to in a bit to make some other contrasts, held 21 days of hearings back in 1987 between July 7 and August 6 in order to complete its work.

Now, there is an important reason not to carry this matter well into a Presidential election year. By authorizing the funding only through February 29, Senate Resolution 120 stated that the purpose was to engender a high degree of confidence on the part of the public regarding the conduct of such investigation, study and hearings. Extending the life of the committee beyond that date, and in particular extending it for an indefinite period of time would undermine this objective. Inevitably, in my judgment, it would diminish public confidence in the impartiality of this inquiry.

Now, regrettably, an intensification of the hearing schedule was not pursued through January and February. So we came to the end of February and the majority, now led by Chairman D'AMATO, has proposed an unlimited extension of time to continue the Senate investigation. That proposal was reported out of both the Banking Committee and the Rules Committee on a straight partisan vote, in contrast to the vote on Senate Resolution 120 last May.

The minority proposed an alternative. We took the position in mid-January that this inquiry could be finished by the end of February, pursuant to Senate Resolution 120, but the kind of hearing schedule that would have been necessary to accomplish that was regrettably never adopted. In fact, we have a situation in which in the 2-month period, we saw opportunities to conduct hearings simply pass by. In January, we held one hearing this week, two hearings this week, two this week, two that week. So we held seven hearings in the entire month of January. January—seven hearings.

I remind Senators that last summer this very same committee in the period between July 18 and August 10, a period of 3 weeks, held 13 days of public hearings, 13 days of public hearings. The Iran-Contra committee, in a month, held 21 days of public hearings. Mr. President, seven hearings in the month of January; the pace in February was the same. The month of February we held eight hearings. All of these opportunities to hold hearings on all these other days did not take place, and in the last 2 weeks we held 1 day of hearings out of nine possibilities. So we came to the end of February not having intensified the hearing schedule, and Chairman D'AMATO and the majority now propose an indefinite extension of the hearing schedule.

Additional funding, $600,000, which, of course, would bring Senate expenditures on the investigation of Whitewater matters to $2 million—$400,000 in the previous Congress, $950,000 thus far by this committee, and an additional $600,000. Now, of course, that does not take into account the money spent by the independent counsel, which is now understood to be above $25 million, and increasing at about the rate of $1 million a month; or the money spent by the RTC on a civil investigation carried out by the Pillsbury Madison firm, which comes in at just under $4 million. We have no firm figure on the amount spent by House committees looking into the Whitewater matter, nor a figure for the money spent by Federal agencies assisting with or responding to these investigations. In any event, it is very clear that the amount spent in total, including all of these various sources, is over $30 million.

Senator DASCHLE wrote to Senator DOLE on the 23d of January, at the time the report was filed, in which the minority argued very strongly that the committee should undertake an intensified hearing schedule in the final 6 weeks, to complete its investigation by the February 29 date, and said in his letter, and I am quoting Senator DASCHLE now:

It is well within the special committee's ability to complete its inquiry by February 29. The committee can and should adopt a hearing schedule over the next 6 weeks that will enable it to meet the Senate's designated timetable.

As I indicated, no serious effort to intensify the hearing schedule in order to meet the February 29th deadline occurred. In fact, in the last week no hearing whatever was held. In the week before, only one hearing was held. In other weeks, more hearings were held, two hearings, maybe three hearings, but often with witnesses who had little new to contribute to the investigation.

Senator DASCHLE has put forth an alternative proposal in an effort, really, to demonstrate reasonableness, with respect to the work of the committee, and that is to provide an additional 5 weeks, until April 3, for the special committee to complete its hearing schedule, and until May 10 for the committee to complete its final report and to pay for this extra time by additional funding of $185,000.

In my view, 5 weeks of additional hearings should be more than adequate to complete the so-called Arkansas phase of this investigation, a phase which concerns events that occurred in Arkansas some 10 years ago, events which have been widely reported on since the 1992 Presidential campaign, about which much is already known.

So, in an effort to reach an understanding, Senator DASCHLE said we felt that you could have completed your work by the deadline, by February 29, as was enacted by the Senate last May when they passed the resolution establishing the committee. That represented the judgment and the consensus of this body in passing that resolution 96 to 3. And when we reached the mid-January point, it was clearly stressed that an intensified schedule would enable the committee to complete its work on time and within budget. That did not happen. We did not get that intensification of schedule. Now we come, having passed the 29th of February, with Chairman D'AMATO and the majority arguing that they now want an indefinite extension of this inquiry.

I think the proposal put forth by the minority leader, Senator DASCHLE, is an eminently reasonable one. Regrettably, it was rejected in the Banking Committee on a straight party-line vote and rejected again in the Rules Committee by a straight party-line vote. In other words, the Democratic position was, we are willing to provide a limited extension in order to finish up the things that you assert are not yet done and will provide a limited amount of time. We do not want to, in effect, commit $600,000, but we will commit $185,000.

Let me compare and contrast the procedure that has been followed with respect to this resolution and the question of its extension with what occurred on the Iran-Contra hearings which took place in 1987, namely the year preceding a Presidential election year, just as 1995 precedes a Presidential election year. In considering a resolution with respect to Iran-Contra, Senator DOLE took the very strong position that the inquiry ought not to extend into the Presidential election year.

In fact, in early 1987, when Congress was considering establishing a special committee on Iran-Contra, some advocated that it have a long timeframe, extending into 1988, in order to complete its work. There was a conflict between some Democrats in the House and Senate who wanted no time limitations placed on the committee, and Republican Members, led by Senator DOLE, who wanted the hearings completed within 2 or 3 months. And, of course, it was pointed out at the time, and escaped no one's attention, that an investigation that spilled into 1988 would only place the Republicans in a defensive posture during the Presidential election year.

Senator INOUYE, who was selected to chair the special committee, and Congressman HAMILTON, who was selected as its vice chairman, recommended at the time rejecting the opportunity to prolong, and thereby exploit for political purposes, President Reagan's difficulties. They determined, in fact, that 10 months would provide enough time to carry out the inquiry, and that was the requirement under which the Iran-Contra Committee moved forward. In fact, during the Senate debate on the resolution to establish a select committee on Iran-Contra, Senator DOLE noted the good-faith effort of these two congressional leaders to have the committee complete its work in a timely manner.

He stated:

> I am heartened by what I understand to be the strong commitment of both the chairman and vice chairman to avoid fishing expeditions and to keep the committee focused on the real issues here.

And the time period then was shortened from what many had been proposing in order to expedite and complete work on the matter and not carry it into the 1988 election year. Senator DOLE argued during floor debate that the country had many other matters to deal with, and stated:

> With all these policy decisions facing us, the Senate—and the country, for that matter—cannot afford to be consumed by the Iranian arms sales affair.

So the Senate, when it passed the resolution, established a termination date well before the end of 1987. The termination date in our resolution was in February 1996. But it was recognized that that was to avoid going further into a Presidential election year. In doing that, Senator DOLE said:

> There is still a national agenda that needs to be pursued. There are a number of issues that must be addressed, and the American people are concerned about the Iran-Contra matter. But they are also concerned about the budget, about the trade bill, about health care, and a whole host of issues that we will have to address in this Chamber.

He went on to say:

> The problems of the past, as important as they are, are not as important as the future. And, further, if we get bogged down in finger pointing, in tearing down the President and the administration, we are just not going to be up to the challenges ahead, and all of us—all Americans—will be the losers.

I want to compare these two ways of proceeding because it was debated at the time of Iran-Contra, and recognized some push to extend it into 1988 and into the Presidential election year. That was very strongly opposed by Senator DOLE, and by his colleagues. In the end, Senator INOUYE and Representative HAMILTON turned down the opportunity to prolong the inquiry into the election year and extend it for political purposes.

This Senate last May took, in effect, the same position by establishing the February 29, 1996 date. We have now reached that date. And we find the majority asking for an unlimited extension of this inquiry after we have been through a period in which neither in January nor in February did the committee embark upon an intense hearing schedule in order to finish its work by the cutoff date.

As I have indicated, we had hearings only 8 days in the month of February, a month when the Senate was not in session. And, therefore, when it was possible to really devote all day every day to this issue, there were no hearings in the last week in February—only one hearing in the next to the last week. And in the month of January, once again, many days without any hearings by the special committee, 7 days of hearings out of the entire month, 8 days in February. That is a total of 15 days over 2 months.

As I indicated earlier, this very committee last summer in the latter part of July and the first part of August—over a 3-week period—held 13 days of hearings. But let us compare it with Iran-Contra because that was a situation in which the Democrats controlled the Congress. There was a Republican administration.

The question then was, what was fair in terms of carrying out this inquiry, and how far should it extend into the Presidential election year? And the Democrats took the position that they were not going to extend it into the Presidential election year. They were going to try to keep politics out of the inquiry. Obviously, the further it goes into a Presidential election year, the more politics will come into the inquiry. And there is just no doubt about that, and the more the public's confidence in the impartiality of the inquiry will be eroded.

In 1987, in order to meet this schedule, the Iran-Contra committee held 21 days of hearings between July 7 and August 6. It met literally every Monday through Friday with three exceptions over a 5-week period.

So there was an intense set of hearings in order to carry through on the undertaking that had been made to finish up its work in a timely fashion and

avoid keeping the matter out of the 1988 Presidential election year—21 days of hearings with only three open days during that period so it could complete its hearing work within the timeframe set forth in the resolution which established it; 21 days of hearings.

Contrast that—the undertaking made by the Democratic Congress then dealing with a Republican administration to honor the effort to keep it out of the election year and out of the political context and not to have it turn into a partisan endeavor. Contrast this hearing schedule—21 days of hearings in a 1-month period—with a hearing schedule that has been pursued by this committee over the last 2 months. There were only 8 days of hearings in February, and only 7 days of hearings in January for a total of 15; 15 days over 2 months when Iran-Contra had 21 days in a month and finished up its work to honor the undertaking not to project it into a political year.

My own view is that the committee could and should have finished its work by the 29th of February as it was charged to do by the resolution that was adopted by this body last May. I think that was well within the ability of the committee. It did not happen. We are now confronted with a situation in which Chairman D'AMATO and his colleagues seek an unlimited extension of the work of the committee.

Senator DASCHLE indicated on the 23d of January that he thought the committee could complete its work by February 29. Now he has prepared and has offered an alternative in an effort to accommodate providing some additional time and funding for the committee to carry on its work.

In other words, we felt the committee should have finished by February 29. They did not follow a schedule in order to do that. The question is, what now? Senator DASCHLE, in an effort to accommodate, proposed providing additional weeks of hearings, until April 3 to complete a hearing schedule, until May 10 to complete a final report, and funding to carry out this work of $185,000 as contrasted with the $600,000 that Chairman D'AMATO is seeking for an indefinite extension of the work of the committee. In other words, an extension that can go throughout 1996 and obviously right into the Presidential campaign—an extension which, in my judgment, by prolonging the investigation well into a Presidential election year, will contribute to a public perception that the investigation is being conducted for political purposes.

It needs to be understood, of course, that the independent counsel's inquiry will continue. The independent counsel operates under, in effect, his own statute. He has unlimited funding. So that inquiry will go on as long as the independent counsel deems that it should go on. Judge Walsh, as we know, went on many, many years with respect to Iran-Contra and, in fact, continued his work after the hearings were concluded.

These hearings have never been related to the work of the independent counsel because the independent counsel is on a separate track. As we saw in Iran-Contra, those hearings ended in the latter part of 1987, but the independent counsel continued his work. Of course the work of the current independent counsel, Kenneth Starr, will go forward. He was given broad authority by a special panel of Federal judges to investigate Whitewater. He has a staff that eclipses anything that is available to any other inquiry that is now going on—we understand 30 attorneys and over 100 FBI and IRS agents; and the Independent Counsel Reauthorization Act sets no cap on the cost of his investigation, which has been over $25 million thus far.

So, in fact, many have raised the point: Let the independent counsel do the inquiry, on the premise that that is a less political arena than hearings conducted here in the Congress, particularly hearings that go into the election year itself, so you have politicians looking at politicians in a political year, and that is almost certain to guarantee a political endeavor.

Now, in addition, it is important to realize that the RTC-commissioned report, the comprehensive report by an independent law firm, Pillsbury, Madison & Sutro, headed by a former Republican U.S. attorney, Jay Stephens, that report has now been made public. It cost almost $4 million. And the conclusion transmitted to the RTC was that they found no basis on which the RTC should bring any actions, civil actions, with respect to the various matters which they investigated.

That represents a very thorough and comprehensive review.

Let me turn for a moment to the argument about requiring an open-ended extension in order to get more material. It is my understanding that the White House has now provided all material requested with the exception of those further requests made to it by the special committee over the last 2 or 3 weeks.

A great to-do is made about material that has been provided 2 weeks ago, a month ago, in early January. But the important thing to remember is that that material was provided; so it was made available to the committee. People raise a lot of commotion about the fact that Mr. Gearan's notes were not provided earlier on. Well, they were provided. He has an explanation as to why they were not provided earlier on. In any event, the committee got them, reviewed them, and held a hearing with Mr. Gearan, an all-day hearing, in which we went over those notes. The same thing is true of the notes with respect to Mr. Ickes.

On March 6, today, Jane Sherburne, the special counsel to the President, sent a letter to Chairman D'AMATO and to me as the ranking member in which she states the following, and I am quoting the letter:

Since the issuance of the Special Committee subpoena on October 30, 1995, the White House has received some 30 new requests from the Chairman. This letter summarizes the status of our response to those requests.

We have provided responses to every request with the exception of two new requests for e-mail made by the Chairman in February after we reached what we had understood was the Committee's finalized e-mail request memorialized in my letter to the Committee on January 23, 1996. One of these additional e-mail requests relates to the discovery of copies of Rose Law Firm billing records which were provided to the committee on January 5, 1996, 2 weeks before the Committee staff finalized its e-mail request.

The other outstanding e-mail request relates to the period January 3 through January 12, 1994. This request was first made on February 16, 1996, but without the necessary detail to conduct the retrieval process. The detail was later provided by staff orally.

As you are aware, the Executive Office of the President already has incurred over $138,000 in out-of-pocket costs for the e-mail described in my January 23, 1996, letter. Although we retrieved and reviewed 10 boxes of e-mails, this effort produced nothing of use to the committee's inquiry. Nonetheless, we are undertaking to respond to the new requests and hope to provide you with the results shortly.

Those are additional requests that were made. The original e-mail requests—well, the original request was so broad that no one really reasonably could be expected to respond to it, and after extended discussions, we were able to reach an agreement to focus those e-mail requests and to narrow them down, and they now have all been provided.

In addition, the White House undertook to verify that all documents provided to the counsel's office by White House staff beginning in March 1994 had been reviewed and produced to the committee as responsive. They also undertook to verify that all relevant White House files of certain former White House officials that may contain responsive material had been reviewed. So they undertook to go back and scrub down the files as a consequence of a couple of these late-arriving requests.

As a consequence of that work, some additional material—not much—has been provided to the committee. Most of them are copies or duplicates of matters that had previously been produced to the committee.

But that material has also now been received by the committee. So the committee now has all of this material in hand, which seems to me argues very strongly for an approach as the one contained in that put forth by the minority leader, by Senator DASCHLE, which would provide the committee an extension of 5 weeks from the termination date in order to complete its inquiry, some additional time in order to do its report, and would really serve to keep this matter out of the election year.

There has been no counterresponse to that proposal of the distinguished minority leader, Senator DASCHLE. I mean, the original proposition put forward by Chairman D'AMATO was an indefinite extension and $600,000. Senator

DASCHLE and his colleagues on this side of the aisle indicated that that was unacceptable because it would really politicize this inquiry even further in an election year and guarantee that it would turn into a partisan political endeavor.

The Democrats did not seek to do that with Iran-Contra in 1987, and I am frank to say I do not think the Republicans should seek to do that with Whitewater in 1996.

The leader, faced with this proposal for an unlimited extension, offered what I think was a very reasonable proposal. That is for an extension until the 3d of April for hearings and until the 10th of May for the report. That has not elicited any response from my colleagues on the other side other than simply to press forward with their original proposal, which was for an indefinite extension and an additional $600,000.

As we have indicated, Mr. President, we do not think that is necessary or required. We believe an indefinite proposal would make this inquiry simply a partisan political endeavor. We note that while the original resolution was passed by a very overwhelming bipartisan vote of 96 to 3, the proposal for an unlimited extension is moving along simply on the basis of a straight party vote.

We do not believe that is the way this matter should be handled. I urge my colleagues on the other side to look again at the proposal put forth by the minority leader, which I think represents a very reasonable proposition.

I yield the floor.

Mr. BENNETT addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, I have several observations and reactions to the statement by the Senator from Maryland, who has done his usual thorough job of examining a whole series of issues. But if I may, Mr. President, without being disrespectful of my colleague, I would like to say that those issues are not particularly significant or relevant to what we are talking about here. I was not in the Senate when the Senate discussed Iran-Contra or the October Surprise or Watergate or any of the other hearings that he has discussed in such detail.

The issue before us is not whether or not those hearings were conducted well or badly, whether they were conducted in a speedy and expeditious manner or whether they were dragged out. The issue is whether or not this committee deserves more time to do its work. For that reason, I will not really debate with the Senator from Maryland anything regarding Iran-Contra or October Surprise or any other such issue.

The committee clearly needs more time to conclude its work. That is a given. The proposal offered to the Senate by the distinguished Democratic leader very specifically demonstrates a recognition of the fact that the committee needs more time. So I do not think that question is at issue.

The only question at issue before us is, how much time do we need? To me, the answer to that is very simple—as much time as it takes to get the facts. It is not that complicated. I know my colleague from Florida spoke for 45 minutes, close to an hour. My colleague from Maryland has spoken for the same period of time.

To me, the issue is very simple—how much time will it take to get the facts? Not how much time has elapsed or how many witnesses we have heard or how many documents have been furnished or how much time was taken in another controversy that took place years ago. How much time do we need to get the facts?

In an effort to try to come to that point, Mr. President, I turn to the press. I will quote briefly from three editorials. They have been quoted extensively before. They have been put in the RECORD. So I will simply summarize some of them on the point that I have tried to make.

The Washington Post on the 25th of February, after examining many of the outstanding issues says this in conclusion:

> Who knows where this all will lead? The committee clearly needs time to sift through these late-arriving papers as well as interview witnesses now unavailable because they are key figures in the Whitewater-related trials. So like it or not, the Senate committee is unlikely to go off into the sunset at month's end when its mandate expires. Clinton officials have done their share to extend the committee's life.

That summarizes it for me, Mr. President. Why do we need more time? Because Clinton officials have not been as forthcoming as they should have been. The committee clearly needs time for two reasons. One, to sift through these late-arriving papers. Why are they late arriving? Again, ask President Clinton and his staff. The committee has been asking for them for months. One, to sift through these late-arriving papers, and, two, interview witnesses who are now unavailable because they are key figures in the Whitewater-related trials. Very straightforward. All right.

The New York Times, making comment in the aftermath of the Iowa and New Hampshire primaries says:

> The excitement of Iowa, New Hampshire has diverted attention from the Senate Whitewater committee and its investigation into the Rose Law Firm's migrating files.

I think that is an interesting phrase, the law firm's ''migrating files.''

> Naturally this pleases the White House—

Referring to the lack of focus on this—

> Naturally this pleases the White House and its allies, who hope to use the interregnum to let their 'so what' arguments take root. David Kendall, the Clinton's private attorney, says the curious paper trail is just one of the meaningless mysteries of Whitewater.

Then the Times says:

> There are mysteries here, but they are not meaningless.

Then it goes on again through that which has been covered so many times. I do not feel the necessity of covering it one more time. But the Times concludes:

> Perhaps the files will also show that there was no coverup associated with moving and storing these files.

And this sentence—I love it, because it summarizes what we are talking about.

> Inanimate objects do not move themselves. It is pointless to ask Senators and the independent prosecutors to fold their inquiry on the basis of the facts that have emerged so far. To do so would be a dereliction of their duties.

I love the way this is written. The ''migrating files,'' ''inanimate objects do not move themselves.''

Another newspaper, USA Today, offered these comments in an editorial. It leads off with this statement:

> This week author Hillary Rodham Clinton was supposed to inform the nation about the truths kids can tell us. Instead, the nation is confronted with questions about whether the First Lady is telling the whole truth about her role in two scandals, Whitewater and Travelgate, and whether she and her husband can stop acting like children when asked about it.

It then goes on to list a series of questions. Again, they have been talked about at great length here on the floor. I see no point in asking them again just for the sake of asking them.

But I like the conclusion, again, out of this editorial, after renewing all of these questions. It says:

> Mrs. Clinton and the President have raised these questions, not Republicans.

I would like to repeat that for emphasis, Mr. President:

> Mrs. Clinton and the President have raised these questions, not Republicans. They've created the impression they may be covering something up by being less than thorough in responding to legitimate demands for information. This is not the first time Mrs. Clinton has run into such a problem. She never fully explained profits from the 1970's commodities trades. Concerns linger that the profits came from wealthy friends seeking political favors.

And then the conclusion, with which I heartily agree:

> Rather than pointing fingers at the investigators, the Clintons need to offer some apologies, plus the whole truth of what went on with Madison, Whitewater and the travel office. Nothing less will do.

That is the end of that editorial.

So, Mr. President, I could go on for a significant period of time and review what we found out in the committee, rehearse the various things that were said, comment once again on the inconsistencies and all of the rest of that. I do not see that it serves much purpose. The issue is very clear: How much more time does the committee need?

I believe that the offer made by the Democratic leader is for an insufficient amount of time. The argument is made that the request made by the chairman of the committee for no firm date is too much time. I hope both sides can sit down and say somewhere between the offer made by the Democratic leader and the request for an open-ended

inquiry made by the chairman, we can find a date that can satisfy the two requirements, which are sufficient time to sift through the late-arriving documents and enough time for us to hear from the witnesses who are currently unavailable.

To me, it is not that hard to figure out. I hope that we can arrive at that point instead of tying up the Senate in endless rehashing of issues that, as I say, in my view, are not relevant.

I go back to the New York Times for the final summary of that when the New York Times said editorially, for the Democrats to filibuster this request will look like silly stonewalling.

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

Mr. SARBANES addressed the Chair.

Mr. BENNETT. I withdraw the request.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. Mr. President, I always enjoy the opportunity for an exchange with my distinguished colleague from Utah. I listened carefully as he quoted from the Washington Post editorial headed ''Extend the Whitewater Committee.'' The Post then, in a subsequent editorial headed ''Extend, But With Limits,'' said:

> . . . but the Senate should require the committee to complete its work and produce a final report by a fixed date.

It then goes on to say, and this may, in effect, get into the area that the Senator was perhaps suggesting in his comments because I listened very carefully and as I made the point myself, the proposal we had from the other side was an unlimited extension.

Mr. BENNETT. Yes.

Mr. SARBANES. The distinguished Democratic leader said, ''Well, we can't agree to an unlimited extension, but we are prepared to offer carrying it forward.'' We have heard nothing back with respect to that. So that is the play on this issue.

This editorial said:

> Democrats want to keep the committee on a short leash by extending hearings to April 3rd with a final report to follow by May 10th. A limited extension makes sense, but an unreasonably short deadline does not. Five weeks may not be enough time for the committee to do a credible job. Instead, the Senate should give the committee more running room, but aim for ending the entire proceeding before summer when the campaign season really heats up. That would argue for permitting the probe to continue through April or early May.

And, of course, we had suggested April 3.

I know the Senator has quoted some editorials that say go on with this thing. There are other editorials, of course, which take just the opposite point of view.

Mr. BENNETT. Mr. President, may I respond to that very quickly?

The PRESIDING OFFICER. The Senator from Maryland has the floor. Does the Senator yield?

Mr. SARBANES. I certainly yield to my colleague.

Mr. BENNETT. I have to leave the floor, and I thank my colleague from Maryland for his courtesy. I simply say, Mr. President, that subsequent editorial that the Senator from Maryland quoted is in exactly the vein of what I am talking about, that I find the Democratic leader's proposal to be too short a leash, but this Senator would not object if we met the two objectives called for of enough time to sift through the late-arriving papers and the ability to interview witnesses who are currently unavailable. My only objection to the proposal made by the Democratic leader is that it does not provide for meeting those two.

So I say to the Senator from Maryland, Mr. President, that this Senator would be willing to have some kind of agreement along the lines that he is now talking about. My objection is to the cutoff date in the proposal made by the Democratic leader which I think is too short a leash.

Mr. SARBANES. Mr. President, let me point out that there are other editorial comments around the country which actually think this should end right now, period.

The Sacramento Bee on March 2 had an editorial, ''Enough of Whitewater.'' Let me quote a couple of paragraphs:

> Senator Alfonse D'Amato, the chairman of the Senate Whitewater committee and chairman of Senator Bob Dole's Presidential campaign in New York, wants to extend his hearings indefinitely, or at least one presumes until after the November elections. The committee's authorization and funding ran out Thursday, and the Democrats, in part for related political reasons, want to shut the committee hearings down. In this case, the Democrats have the best of the argument by a country mile. With every passing day, the hearings have looked more like a fishing expedition in the Dead Sea.

I ask unanimous consent that the entire text of that editorial be printed in the RECORD.

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

[From the Sacramento Bee, Mar. 2, 1996]

ENOUGH OF WHITEWATER

Sen. Alfonse D'Amato, the chairman of the Senate Whitewater Committee and chairman of Sen. Bob Dole's presidential campaign in New York, wants to extend his hearings indefinitely—or least, one presumes, until after the November elections. The committee's authorization and funding ran out Thursday and the Democrats, in part for related political reasons, want to shut the committee hearing down.

In this case, the Democrats have the best of the argument by a country mile. With every passing day, the hearings have looked more like a fishing expedition in the Dead Sea.

Given the fact that D'Amato's mighty and costly labors have so far caught little but crabs; that there is a special prosecutor going over the same ground; that there have already been nearly 20 months of Senate hearings, first under the Democrats, then under the Republicans; that a couple of House committees have held their own hearings; and that an armada of journalists has covered the ground for more than three years, you'd think that whatever Whitewater is had been covered to death.

Thursday, the Democrats, though in the minority, managed to use parliamentary devices to block the indefinite extension that D'Amato asked for. They're willing, they said, to accept a five-week extension to wrap up the hearings, then another six weeks to allow the committee to write a report. That, said D'Amato, sends ''the unmistakable message that (the Democrats) want to prevent the American people from learning the full facts about Whitewater.''

In fact, it ought to be plenty. Even if every charge were true, the political cronyism and favoritism allegedly bestowed in connection with the Whitewater development while Bill Clinton was governor of Arkansas—and so far only alleged—would be of no interest to any congressional committee were it not for the fact that Clinton is present. Similar shenanigans—and worse—occur routinely in state after state. Why isn't D'Amato investigating Lamar Alexander, who benefited richly from business cronies during his days as governor of Tennessee and as president of its state university?

There may well have been attempts in the Clinton White House to cover up the dealings among the Clinton, the Whitewater development company and the failed Arkansas savings and loan that helped to bankroll it. There was certainly a great deal of stonewalling and evasive behavior. But Kenneth Starr, the special prosecutor, has been sparing no effort to investigate both that and related matters. What is it that D'Amato can credibly establish that Starr can't.

Mr. SARBANES. Mr. President, finally an editorial in the Atlanta Constitution which calls for bringing this inquiry to an end. It goes on to point out, ''one, that a recent Resolution Trust Corporation investigation found no hint of impropriety by the Clintons regarding their Whitewater involvement.''

It goes on to say:

> The first couple is still under investigation by Independent Counsel, Kenneth Starr, a former Reagan Justice Department official, who can be expected to scrutinize the Clinton's legal and business affairs rigorously. Any additional sleuthing by Senator D'Amato would be a waste of taxpayers' money.

I ask unanimous consent that that editorial be printed in the RECORD as well.

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

[From the Atlanta Constitution, Feb. 15, 1996]

TAKE D'AMATO OFF CLINTONS' CASE

The Senate's Watergate hearings of 1973–74 were momentous, delving into White House abuses of power and leading to the resignation of a disgraced president and the imprisonment of many of his aides. They lasted 279 days.

Next week, Sen. Alfonse D'Amato (R-N.Y.) and his fellow Whitewater investigators will surpass that mark (today is the 275th day), and they have nothing anywhere near conclusive to show for their labors. To put matters in context, all they have to ponder is a fairly obscure 1980s real estate and banking scandal in Arkansas.

With a Feb. 29 expiration date for his special panel staring him in the face, D'Amato has the effrontery to ask the Senate for more time and money to continue drilling dry investigative holes. Specifically, he wants open-ended authority and another

$600,000. That's on top of the $950,000 his committee has spent so far, plus $400,000 that was devoted to a Senate Banking Committee inquiry into Whitewater in 1994.

The partisan motives behind D'Amato's request couldn't be more obvious. Here he is, a chief political strategist for the leading Republican contender for the presidency, Bob Dole, seeking to legitimize the committee's hectoring of President and Mrs. Clinton well into the campaign season.

If the panel could demonstrate a glimmer of a hot new lead connecting the Clintons to the Arkansas scams, D'Amato's appeal for an extension might have merit. Invariably, though, the committee's supposed revelations have evaporated for want of substance. Witnesses who testified in the past are being summoned back, often to go over familiar ground. Chelsea Clinton's former nanny had to appear again this week, for heaven's sake.

This is not to let the Clintons off the hook. They might have allayed suspicions about themselves long ago if they had promptly produced documentation of their Arkansas business and legal dealings. But lawyerly reticence, however politically unwise, by no means indicates guilt. Remember that a recent Resolution Trust Corp. investigation found no hint of impropriety by the Clintons regarding their Whitewater involvement.

The first couple is still under investigation by independent counsel Kenneth Starr, a former Reagan Justice Department official who can be expected to scrutinize the Clintons' legal and business affairs rigorously. Any additional sleuthing by D'Amato would be a waste of taxpayers' money.

Mr. SARBANES. Mr. President, the Greensboro, NC, News and Record had an editorial headed ''Whitewater Hearing Needs To Wind Down.'' Let me just quote a couple of paragraphs from that:

A legitimate probe is becoming a partisan sledgehammer.

Let me repeat that:

A legitimate probe is becoming a partisan sledgehammer. The Senate Whitewater hearings, led since last July by Senator Al D'Amato (R–NY), have served their purpose. It's time to wrap this thing up before the election season.

Then they end that editorial with this comment:

Let the GOP use the fruits of D'Amato's labors as they will in the coming campaign, but don't let the opposition party run a smear campaign at public expense.

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

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

WHITEWATER HEARING NEEDS TO WIND DOWN

A legitimate probe is becoming a partisan sledgehammer.

The Senate Whitewater hearings led since last July by Sen. Al D'Amato, R–N.Y., have served their purpose. It's time to wrap this thing up before the election season.

The committee has documented the Clinton's various relationships with a bankrupt Arkansas savings and loan and related enterprises. It has developed evidence of a damage control campaign run from the White House. And it has revealed a mean and petty episode involving the White House travel office. The portrait of Arkansas politics curing the '80s is not a pretty one.

All of this—including the mysterious, belated appearance in the White House of documents that had been subpoenaed by the committee months earlier—will surely be politically damaging to the Clintons. D'Amato's committee should sum up its findings, publish them for all to see, and go on to something else. The committee has done its work, sometimes more than once.

Still, D'Amato and company haven't had enough. The New York senator wants his mandate, which has already eaten up $1 million of your money, extended indefinitely. He has asked for another $600,000.

Republicans charge that it has been the White House's desultory compliance with the committee's requests that has slowed its work, necessitating the extension of this expensive and fruitless exercise. But that argument is becoming tedious.

The committee has already subpoenaed everybody and every document in sight. The committee's thoroughness is not in question. The committee's excesses are. They have begun to eat into its credibility.

Senator D'Amato tries to explain away his obvious conflict of interest by making the laughable argument that his role as New York chairman of the Bob Dole campaign has no connection to his use of the Senate committee. Here's what's happending.

D'Amato is carrying on Dole's campaign in the Senate with repetitious hearings that highlight testimony from the White House staff, then outside the Senate chambers with press conferences. Covering Whitewater once in 1995 was a legitimate Senate inquiry. Rehashing it in 1996, an election year, is exploiting the forum to damage the president.

What began as only a partly political exercise has over the months become blatantly that, thanks to D'Amato and his North Carolina ally, Sen. Lauch Faircloth.

The committee had good reason to look into the Clintons' role in the Madison Guaranty Savings & Loan mess and related matters. But the panel majority, and especially the chairman, have turned a search for the truth into a partisan vendetta against the Clintons. Not even a casual observer of these proceedings could miss the contempt that the committee chairman has for the president and his wife. Allowing these hearings to go on indefinitely would be giving D'Amato—and by extension the legislative branch—a license to harass the executive.

There's no reason to let the Clintons off the hook. An independent counsel is plowing the same ground—including the serious allegations that the White House may have attempted to obstruct justice and that Clinton exercised undue influence over savings and loan regulators while governor of Arkansas. There is no need for taxpayers to pay for this work twice and then again, particularly not when the Senate committee has so obviously become an arm of the Republican campaign to unseat the President.

Let the GOP use the fruits of D'Amato's labor as it will in the coming campaign. But don't let the opposition party run its smear campaign at public expense.

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

Mr. FAIRCLOTH. Mr. President, it would appear that we are going into not a debate on the issues here, but a debate on who can find the best editorials. I say to the Senator from Maryland that he read from the Greensboro, NC, News and Record. I have found, over the few years that I have been in the Senate, when I get an unfavorable editorial in the News and Record, I finally did something right. But since we are going into the editorials, I will read one from USA Today. I am quoting from the last four paragraphs:

Why did it take so long to find the papers? Subpoenas for Travelgate and Whitewater documents are many months old. Failure to provide them quickly warranted legal action. The statute of limitations for filing suits against Madison lawyers lapsed just days before the bills were produced. How could the White House have missed them? Mrs. Clinton and the President have raised questions, not Republicans. They have created the impression they may be covering up something by being less than thorough in responding to legitimate demands for information. This is not the first time Mrs. Clinton has run into such a problem. She never fully explained profits from a 1970 commodity trade—

And they are being kind to her when they say ''never fully explained.'' She never even slightly explained.

Concerns linger that the profits came from wealthy friends seeking political favors. There has never been any explanation of that. Rather than pointing fingers at the investigators, the Clintons need to offer some apologies, plus the whole truth about what went on with Madison, Whitewater, and the travel office. Nothing less will do.

Now, that is from USA Today, January 10, 1996.

Mr. President, we have been through this charade with the administration for more than 2 years now. It is time that it ends, and the length and amount of time that we have expended in these investigations is brought on not by the Republicans on the committee, but by the delay of the White House in providing subpoenaed information. That is simply the reason we are here today asking to extend the length of the resolution.

Mr. President, the central issue in this debate is this: Will the U.S. Senate, for the first time in my memory, take the affirmative step of refusing to investigate a scandal of public corruption? That is very simply what we are talking about doing with the filibuster here today—it is that the Senate is saying, ''We are not going to investigate these people. We do not want to get into it.''

The length of the investigation is irrelevant. As I said, the delays have come about not by the investigating committee, but by the White House itself. It has been nothing more than an attempt to wear it out, to use it up, to exhaust the people, to exhaust the money, to hope it would go away, and the length and time set for the investigation would lapse.

Just a few weeks ago, we received key documents from Mark Gearan. We received new documents from Harold Ickes, the White House Deputy Chief of Staff. And even just this week, still documents are coming in from White House lawyers. If the legal staff and the White House do not know where their notes and papers are, maybe that explains some of the confusion we see coming out of the White House. What do they know if they do not know where their notes and papers are?

Last December, on the Senate floor, we voted for a resolution to subpoena William Kennedy's notes from a November 5, 1993, meeting concerning Whitewater. The full Senate voted a subpoena. And last Friday, Bruce

Lindsey admitted that he, too, had notes from this meeting. Last Friday. That is 2 years and 3 or 4 months. He brought those notes forward for one reason, which is that he believes this investigation is going to go on and he has a fear of obstructing justice. Can you imagine someone of that rank at the White House telling the committee that he did not take notes and then find them after the deadline has expired? We are asked to believe that. Furthermore, the accidental discovery of documents always seems to occur on Friday afternoon after the news deadline. This is when Bruce Lindsey turned over his documents. This is when the First Lady's billing records were released. I do not think a committee of the U.S. Senate should be treated with the disrespect the White House has shown this committee.

The cost of the investigation is not small, but I have asked, ''Can we put a price on the integrity of the White House?'' Mr. President, it is worth discussing how we arrived at this point? It is worth reviewing how Whitewater became a congressional issue, because it tells us something about the failure of the savings and loan industry and also tells us a lot about the ethics of Bill and Hillary Clinton?

In February 1989, Madison Guaranty Savings Loan failed. The failure cost American taxpayers an estimated $60 million at that time. I see figures today that it is over $70 million. But, whatever, it was a lot of taxpayer dollars. In fact, the entire savings and loan crisis cost the American taxpayers $150 billion—an unbelievably staggering amount of money. The Banking Committee has every right—and, in fact, a duty—to review the cause of the crisis. Is there any question that the American people, who are paying this bill—they are paying the $60 or $70 million Madison lost, and they and their children and grandchildren are going to pay the $150 billion, and they have a right to know where the money went and how it happened.

While Madison was a small institution, its failure was one of the worst in the Nation. When it failed, the cost to the taxpayers was 50 percent of the assets of the institution—50 percent.

In Arkansas, 80 percent of the State-chartered S&L's failed while Bill Clinton was Governor. Jim McDougal took over Madison from 1982 to 1986. In 4 short years, the assets grew from $6 million to $123 million. Now, if we will back up and look at what assets mean, that means he borrowed $117 million more in a period of 4 years. He borrowed $117 million that wound up being guaranteed by the taxpayers of this country. In 4 years, he borrowed $117 million that the taxpayers of this country wound up paying off for him. Part of that money, a good bit of it, went to Whitewater Development.

He increased his loans to insiders. That is what Bill and Hillary certainly would have been, since they were his partners in a real estate deal. He increased his loans to insiders. When he took it, the insider loans were $500,000. Four years later, he had increased his loans to insiders, which were Bill and Hillary Clinton, the President and First Lady, to $17 million. Whitewater was one of the ventures that caused Madison to fail.

Furthermore, the claims that the Clintons lost money is false. They never had any of their money at risk. You cannot lose money you did not have. It was a sweetheart deal for the new Governor, tracking and congruent with the commodity trade in which Hillary Clinton earned $100,000. Do you know how she earned $100,000 in the most speculative business in the world? She read the Wall Street Journal. After she earned $100,000, without explanation, in this brilliant, brilliant trade, worked by a commodity broker named Red Bone who was investigated for everything, she quit. No more commodity trades. If she possessed the skill to turn $1,000 into $100,000 in that length of time by being First Lady, she is wasting the most valuable and potential money-making asset this Nation has ever known.

The Pillsbury report that has been referred to many times by Senators in the minority showed that the taxpayers of this country lost far more money on Whitewater than the Clintons. To me, that alone is a scandal.

Furthermore, there are reports in today's Washington Post that Mrs. Clinton herself was much more involved in Whitewater than we believed, that she was fully aware that the McDougals had put more money into the deal than the Clintons did. Again, we have two Yale-educated attorneys that today tell us they were oblivious to the whole affair, that they did not understand it. It is almost beyond the concept of most of us on the committee to see two of the ''smartest lawyers''—said her press people or somebody; we were clearly often told Mrs. Clinton was one of the 100 smartest lawyers in the Nation, and he certainly was at Oxford—could not buy 300 acres of cheap Arkansas land without a national scandal. The two smartest lawyers in the country could not buy 300 acres of cheap Arkansas land without creating a national scandal.

Why? Because it was not a clean legal deal. That is why you could not buy it without a scandal. Madison Guaranty was a high-flier savings and loan. It has been called the personal piggy bank for the political elite in Arkansas. I called it a calabash or a pot of money that the politicians were dipping in and taking out. I do not often agree with the editorial pages of the New York Times, but they have called the Whitewater hearings a stew of evasion and memory lapses. They do not often get it correct, but they did that time.

Mr. President, the central issue in Whitewater has been whether Madison received favorable treatment from Arkansas savings and loan regulators because of Jim McDougal's close ties to President Clinton. Essentially, the question is this: Did the losses to the taxpayers increase because Jim McDougal pressed his case with State regulators, which President Clinton, then Governor Clinton, Bill Clinton, had appointed?

The notes from Gearan's meeting, from the meeting he was in, suggested the White House wanted to send somebody down to Little Rock to get the story straight with Beverly Bassett Schaffer, the State savings and loan regulator. Get the story straight. The folks we were talking about, if we send them—and I do not remember the initials—but if we send CP, HL, and CB, it will come out. We cannot send them. Maybe we could get somebody from New York to go. They probably would not be recognized very quickly in Little Rock. Maybe we can get somebody from here or there to go. If we send our people, they will be recognized; it will get out.

Well, if it were an honest, clean trip, what was there to get out? Why not go down and talk to Ms. Schaffer and say, ''Here is what we are here for. Tell us the truth.'' That was not the purpose of the trip. The purpose of the trip was to get the story to match.

Had the American public been given the real picture in the wake of the savings and loan crisis, I think they would have reacted very differently to the inside quid pro quo way of doing business in Arkansas and Little Rock, particularly since the American taxpayers paid for the lax regulations. We will be paying for this into the whole next century.

Mr. President, Whitewater extends even farther than Madison Guaranty. It involves a small business investment corporation called Capital Management Services. This company was run by a man named David Hale. It, too, served as a personal bank for the politically connected in Arkansas. Its purpose was to make loans to the disadvantaged, but that turned out to be the rule-making politicians of Little Rock. Regrettably, the American taxpayers paid over $3 million for the failure of Capital Management.

Mr. President, it is a fact that Capital Management made a $300,000 loan to Whitewater. Now, inside the beltway of Washington and in the vernacular of the Congress, $300,000 would not even be a blip on the screen. To the average American, $300,000 is an enormous amount of money.

Now, Capital Management made a $300,000 loan to Whitewater. That is far more than anybody had put into it in real money. We have strong evidence that President Clinton asked this loan be made. I think time will tell that David Hale is telling the truth when he says that Bill Clinton pressured him to make this loan to help benefit Whitewater. If it is not true that Bill Clinton pressured David Hale to make this loan, then we need to—and I hope

the Democrats would be pushing to extend these hearings so we can bring David Hale to the hearings and let him clear Bill Clinton's name.

If it is true, if it is true that the President, now President Clinton, pressured him, then that needs to be brought to the light and let the public see it.

Here again, the American taxpayers have paid to subsidize President and Mrs. Clinton's failed real estate venture in Arkansas. Again, our Whitewater hearings have uncovered that the White House was aware of the Hale investigation from the very beginning. They had testimony from a career SBA official that the SBA briefed Mike McLarty in May 1993, about the SBA investigation of David Hale. They briefed McLarty about the SBA investigation of David Hale, the man who said he was pressured by then-Governor and now President Bill Clinton to make the loan.

That is essentially what these hearings are about, the loss of taxpayer money in Madison, Whitewater, and Capital Management. We have never had Mr. Hale as a witness. We need him as a witness and we need to wait until the legal proceedings going on in Little Rock are over and bring him as a witness.

Mr. President, on another issue, Vince Foster's death and the handling of his papers on the eve of his death has raised the most questions with the committee. We know for a fact that the First Lady spoke with her assistant, Maggie Williams, before Maggie Williams went to the White House and Vince Foster's office. In fact, she spoke to her in almost record time that you could drive from Maggie Williams' house to get in Vince Foster's office. And we know by the telephone records when she left her home and we know by the Secret Service records when the alarm went off in Vince Foster's office and she went in. And she did it in almost record time.

We asked her before the committee, why did she go to the White House? And the explanation was a somewhat vague, that she was out riding and had to be somewhere. Well, she was somewhere, in Vince Foster's office.

We know that they spoke later in the evening, immediately upon Maggie Williams' return from the White House. We know that she called, Mrs. Clinton called her. She went to the White House. We know she went to the White House, she went to Vince Foster's office, she went directly back home, and she called the First Lady. That we know.

Then, in the morning, 1 a.m., Maggie Williams was talking to Susan Thomases. We have the sworn testimony of uniformed Secret Service Officer Henry O'Neill, who saw Maggie Williams remove documents from Vince Foster's office on the night of his death. All of this is undisputed fact.

Within the last few weeks we have gathered more information that I think gives credence to the notion that files were indeed removed on the night of Mr. Foster's death. First, two files relating to the Madison Guaranty were sent back to the Rose Law Firm by David Kendall. They had to have come out of Vince Foster's office. Yet these files were never part of the box that Maggie Williams said she took from Foster's office 2 days after his death. These documents were reviewed and cataloged by Bob Barnett, the Clinton's other attorney. The two Madison files never appeared there.

Mr. President, what we have seen is massive inconsistency and confusion. It has gone on and on and on. The truth, as I use a poor simile, is that getting information out of the White House was akin to eating ice cream with a knitting needle. And that is about what it has been, a little bit here and a little bit there. But never enough to satisfy.

This is the way it has gone on since the beginning of the hearings and unbelievable stories we have been asked to believe. We can go back to the Maggie Williams/Susan Thomases flurry of telephone calls, and also to Mrs. Clinton's explanation of them.

Maggie Williams: I do not know why I went to the White House. I could not possibly have taken anything out. Yet she met a uniformed 18-year veteran of the Secret Service in a 5-foot hall, and neither of them are small people. He had no reason to tell it wrong. She immediately calls Mrs. Clinton from her home phone when she gets back to her house, and she went directly back to her house. There were many calls to Susan Thomases and Mrs. Clinton over a very short period of time. And the explanation we have for these calls is this one: They were commiserating with each other. They were making sure everybody was all right. They were checking to see if the bereaved were comfortable.

Mrs. Clinton herself said that these calls were commiserating and there was a lot of sobbing going on on those calls that night.

I find that extremely difficult to believe, and if I am wrong I would be delighted to be corrected by the facts. But we find no calls from Mrs. Clinton to Mrs. Foster or the children. The telephone records have not indicated those calls existed, and so far they have not been brought forward. I believe the documents that Maggie Williams delivered that night are the now-famous missing billing records. I fully believe that Maggie Williams had them in her arms that night. Certainly everybody agrees that Vince Foster's handwriting was all over these billing records—in the original writing, not copies. The records were copies but his handwriting was the original. It was all over them.

Many have said, Well, what is it in the billing records that is significant?

There are two very important significances. One of them is that they were subpoenaed by a Senate investigating committee, they were subpoenaed by an independent counsel, and whoever knew where they were should have brought them forward regardless of what they said. They were subpoenaed papers.

But the significance—another significance is the work on the Castle Grande project is important. That was the one project that RTC said: There may be legal liability for the Rose Law Firm. Is it any wonder that they stayed hidden until after the statute of limitation had expired?

The First Lady had over 14 calls with Seth Ward, according to her billing records. Seth Ward was the Castle Grande man. This was a known sham deal identified by the RTC as a sham deal. Is it reasonable to think that one of the 100 smartest lawyers in the country could have had 14 telephone calls with a client doing a sham deal and not suspect it or known it was wrong? I think she knew well what she was doing. She had to know. That is why the documents did not turn up.

Castle Grande cost the American taxpayers $4 million. The RTC tried to collect some of the money. But Mrs. Clinton had disguised work on this issue. No wonder they were so concerned about the statute of limitations expiring in 1994 but extended until the end of 1995. This is what sparked the meeting that we saw in 1994.

Mr. President, in conclusion, we still have key witnesses to call, witnesses that know where the bodies are buried, witnesses that will talk and can talk, but they are tied up in a trial in Little Rock now. We need to get them here. Jim McDougal, Susan McDougal, and David Hale. Can you imagine if we held Iran-Contra hearings without Ollie North or John Poindexter or Bud McFarland? What would the hearings show? Can you imagine if the Republicans wanted to end these hearings and had wanted to end them? The media would have crucified us. It would not have happened.

To conclude, here are some of the questions that need answers. These we need answered before we conclude the hearings.

Who placed Mrs. Clinton's subpoenaed records in the White House book room? Nobody has given me any argument that the White House book room and Mrs. Clinton's private adjoining office are the two most secure rooms in the world. If they are not, they should be, because that is where the President spends his private time.

Were those records in Vince Foster's office the night he died? If so, who removed them? And where were they stored for 2 years?

Clearly, the records did not walk out of Vince Foster's office. They were walked out, and whoever walked them out knows where they carried them and where they were hidden for 2 years.

Did White House officials lie to investigators about what went on in the hours and days after Vince Foster's death? Did the White House response

team obstruct justice by attempting to control the scope of the investigation? Did the White House Whitewater response team obstruct justice by attempting to tamper with a witness? Did then-Governor Clinton pressure a local judge to make an illegal loan to his business partner? These we can answer if we get the people here.

Why did the Clinton business partner pay most of the Clintons' share of Whitewater Development Corps. bills? What motivated his generosity? Was the administration involved in any action which prevented, impeded, or obstructed the administration of justice? If so, who directed it, who carried it out, and what was done? Why cannot the American people get the answers to these questions?

If there is nothing to hide, which has been contended by the Democratic side and the White House, why not bring forth the facts, bring forth the documents and stop letting them out little by little by little? Nothing would clear the name of the Clintons quicker than to bring forth all of the facts, bring the people in from Little Rock, and conclude the hearings.

Would we be literally facing a filibuster if there were nothing to hide? If there is not, let us end the filibuster, and let us get on with the investigation.

Mr. President, I think it is time that we get on with the investigation. I agree with the Democrats: We need to bring it to a conclusion, but we need to complete our work before we bring it to conclusion.

Mr. President, I see my colleague and friend from California is on the floor. So at this time I will yield the floor.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I thank my friend for yielding the floor at this time.

Mr. President, what I would like to do in the beginning of my remarks is to correct the record on a couple of matters that the Senator from North Carolina raised. First of all, the statute of limitations on the Castle Grande transactions had not expired when the Rose Law Firm billing records were found in the White House in early January 1996. In fact, by a agreement between the RTC and the Rose Law Firm, the statute of limitations had been extended until March 1, 1996.

So, Mr. President, we could have a disagreement on whether we ought to continue these hearings, but let us not get on the floor of the Senate and say things that are not true. It is simply wrong to suggest that the documents were discovered because the statute of limitations had expired when, in fact, the statute of limitations had not expired.

Second, Mr. President, I think it is very important when colleagues stand up and make comments that there be a basis for those comments.

I am happy to yield to my friend for a question.

Mr. FAIRCLOTH. I am very much aware, and we all are, that the statute of limitations was not applicable to the First Lady's business. But as a member of a Rose Law Firm, as the attorney involved, and as a billing attorney involved in this—and she was the billing attorney on Castle Grande—she would certainly have a responsibility, maybe not a personal financial responsibility, but she very much would be involved in the proceedings.

Mrs. BOXER. If I might reclaim my time, I think my friend is not contradicting what I said. I will repeat what I said.

The statute of limitations had been extended until March 1, 1996, and it is wrong to suggest that the documents were discovered because the statute of limitations had expired. That is the only point I am making to my friend. I think it is important we not stand up here and say the statute had expired.

I am going to have to take back my time and tell my friend he is going to have to seek time on his own only because of a pressing appointment in my office. I need to make this statement and finish it, if I might.

I am glad to yield to my friend, but I hope he would have a question.

Mr. FAIRCLOTH. My question is in answer to the statement. Mrs. Clinton's attorney, Mr. Kendall, said it was a legal question whether it involved the Rose Law Firm or Mrs. Clinton personally. I yield the floor.

Mrs. BOXER. I would just restate that whether it did or did not is not my point. My point is a statement was made here that the statute had expired, and the implication is that, if there was something wrong in the billing records, the First Lady and the Rose Law Firm would be off the hook. The statute did not expire. In fact, we know the billing records were turned over, and actually underscored what the First Lady had said, that the time she put into that is minimum.

That is the first point I want to correct, Mr. President.

Second, I want to quote from the Madison Guaranty Savings and Loan and Whitewater Development Co. supplemental report written by Pillsbury, Madison & Sutro. And we know part of that firm is Jay Stephens, who has strong ties to the Republican Party. This is what they found. I am going to state this and quote directly from the report.

> There is no basis to assert that the Clintons knew anything of substance about the McDougals' advances to Whitewater, the source of funds used to make those advances, or the source of the funds used to make payments on the bank debt.

That is on page 77.

On page 78, quoting from an investigative report that cost about $3 million—excuse me, I stand corrected, $4 million—page 78:

> There is no basis to charge the Clintons with any kind of primary liability for fraud or intentional misconduct. The investigation has revealed no evidence to support any such claim, nor would the records support any claim of secondary derivative liability for the possible misdeeds of others.

Page 78. ''It is recommended''—and this is very important, I say to my colleagues—''it is recommended that no further resources be expended on the Whitewater part of the investigation.''

Now, this is an objective report, paid for by the taxpayers, done by the firm of Pillsbury, Madison & Sutro, a great law firm, including Jay Stephens, known for his ties to Republicans, and what do they say?

> It is recommended that no further resources be expended on the Whitewater part of the investigation into Madison Guaranty.

So what are we doing in the Senate? Ignoring this, ignoring this and moving on with an investigation of a Senate select committee. I think we ought to start listening to people who are objective on this, who have no political ax to grind. As a matter of fact, people thought in the beginning, when Pillsbury, Madison & Sutro got that: My God, this is going to be political.

Well, it turned out that the Clintons have been cleared.

Now, I know that annoys a lot of my Republican friends, and I feel sorry for them, that this is the biggest thing in their lives, some of them. But I have to tell you there are other things in the lives of the American people that have to be addressed by this Senate. And I have to tell you, these attacks on the First Lady of the United States, these personal attacks, these personal attacks on the President of the United States border, in my opinion, on being unpatriotic. It is my personal opinion. But that is up to each individual Senator. And clearly it is up to the people of the country to decide.

I have to say, listening to these attacks, when my colleague says he believes David Hale, well, that is his right. This is a man who has already pleaded guilty to two felonies, as I understand it. And not only that, but we have word that the State is prosecuting him as well. And this is the individual that is quoted in this Chamber to prove that our First Lady and our President are not good human beings. Well, again, it is every Senator's right to call it the way he sees it, but I think the American people see right through this. And who are they going to believe? A man who has already stated that he committed two felonies or Pillsbury, Madison & Sutro, which says in their report: Let us spend no more time on this investigation. The Clintons are not guilty of anything.

Now, I supported every single vote here to move this investigation forward. I voted to set up the special committee. I voted to extend the special committee. I had nothing but support for those two resolutions. We reached across party lines. We worked together. We shaped resolutions that were not political. But I say it is time to step back and wind this thing down.

I have to tell you, the offer that we Democrats have made is extremely

generous in terms of the time and the allocation of funds we have recommended. Let me prove that point. We have already heard from 121 witnesses, some of them two and three times, mind you. They are brought back. They have to pay for attorneys. Some of them do not have means to do it. Some of them will be paying that off for decades, if ever. But we have done it.

We have met for 230 hours of hearings. I want you to keep that number in mind—230 hours of actual hearings. Now, the Democratic leader and ranking member, Senator SARBANES, and all of us are saying, let us have an additional 5 weeks of hearings, almost $200,000 more, recommending also that there be 4 weeks allocated in addition to write a report, and our Republican colleagues say it is not enough. It is not enough.

Why? Why? This is their latest reason. Because they cannot get up here and say we want to keep investigating, keep the story alive because it hurts the First Lady and it hurts the President. You cannot say that. But this is what they say. In the court, there is a hearing. There is a trial in court, and we need to call those people. We need to wait.

Let me quote from a letter signed by our ranking member, Senator SARBANES, and our chairman, Al D'AMATO, that was written in October 1995. This is signed by both.

The special committee does not intend to seek the testimony of any defendant in the pending action brought by your office.

This is to Ken Starr.

Nor will it extend to expand upon the grants of immunity provided to persons by your office. Indeed, Senate Resolution 120 expressly provides the special committee may not immunize a witness if the independent counsel informs the committee in writing that immunizing that witness would interfere with the independent counsel's ability to prosecute.

So, in writing, our chairman said he had no intention of calling any witnesses. Now, the big reason we have to wait is we have to call the same people who are going before this jury.

Now, let me say something. And this was brought out by our ranking member, Senator SARBANES, but it bears repeating. I wish to say to my Republican friends, this is America. We do not have trials in secret in this country. Every one of these people involved in the trial, all the people who Senator FAIRCLOTH says he wants to hear from, they are going to be in that courtroom and we are going to hear from them. But, no, that is not enough. We want to play prosecutor. You know, this is not ''L.A. Law.'' This is the Senate of the United States of America. We are legislators, not prosecutors. That is why we have the independent counsel.

And by the way, does the independent counsel have any limits to his investigation? The answer is no. He has, as I understand it, 100 FBI agents on this matter and 30 lawyers; unlimited sums of money. But we are going to play prosecutor. Maybe some of them are jealous; they want to be prosecutors. Well, they ought to do that and not be Senators. That is fair. But do not turn this Senate into a group of prosecutors because that is not our role. That is why we have the independent counsel. Take the politics out of this thing. So we have had 230 hours of hearings, and now we are offering another 5 weeks.

Now, let me say this to anyone who is listening. I sat down with my pen and figured out how many hours of hearings we could have under the Democratic proposal. Let us say we worked 8 hours a day, taking an hour for lunch like most Americans, 8 hours a day, and held those hearings 5 days a week. Most Americans work 5 days a week. I think it is a sound idea myself. We could hear from so many witnesses. We could hear from 100 witnesses, maybe more.

As I figure it, we would have 175 hours of additional hearings. They have only had 230. They could have another 175 hours. What happens if we decide to work 10 hours a day? Just work a little harder, take an hour for lunch, a 10-hour day. We could have another 250 hours of hearings under the Democratic proposal.

We have only had 230. So we could just do as much as we have done, plus. If my Republican friends are so anxious to work on this, let us get to work. Let us go. Let us get your witnesses, let us line them up, an hour at a time. Let us do our work.

But, no, as the ranking member has pointed out, there are some weeks they have one witness. They harangue them for 9 hours—and I mean harangue—to no avail, by the way. So if we are really serious, the Democratic alternative has offered them more hours than they have already spent. So let us stop saying that we want to close it down. By the way, some Members on my side do want to close it down. They do not want any more hours. I happen to believe let us close it down in an orderly fashion. So I am supporting this additional 5 weeks, with 4 weeks to write a report.

I just cannot understand why my Republican friends do not want to take this, if they are serious about saying they want to get their work done. They want to hear from these witnesses in the jury trial. We can listen in, just as all Americans can, and read all the reports about the trial and get the information we need. If we feel we need to take more action legislatively because we found out new information, we can do that.

By the way, I also point out we do have a Senate Banking Committee that can meet any day of the week. Why do we need to hire all these special lawyers they bring in? They go on television every night and report, move their careers up the line. At what cost? At what cost? We have very good people on staff. We can do some of this in the Senate Banking Committee.

So we are legislators, not prosecutors. The Democratic alternative gives you more hours than you have already expended on this matter. The only reasonable conclusion I think the American people can draw is that that is not their interest. Their interest is in dragging this out until election day—until election day.

I have to tell you something. It is not working for them. From a political standpoint, if I were being political, I would just let them go right ahead, because the American people are disgusted. They are watching this, and they are saying, ''This is incredible. These people are meeting back here in Washington, and what are they doing? Nothing to make our lives better, nothing to make our lives better. As a matter of fact, spending $600,000''—which is the proposal of the Republicans—''which could be better spent either on deficit reduction or restoring some of the cuts to education they so happily made here.''

Teachers are being laid off all over who teach reading to children, because of the actions of this Senate. They could not find the money for education. But boy, oh, boy, they find it pretty easy for this.

I have a Superfund site in San Bernardino, CA, where a poison plume is moving down into the water supply. That cannot be cleaned up because the Republicans, who control this body and the other body, do not even have the budget passed. I am on the Budget Committee. We are supposed to be working on the next budget. They do not even have the current budget passed.

But, oh, no, we have to talk about Whitewater. We need $600,000, not to restore some of these cuts, not to reduce the deficit, not to clean up Superfund sites, not to raise the minimum wage. You do not even need money to do that; you just need time on the floor to vote on it. It is at a 40-year low. People try to live on it. They cannot take time for that.

I mean, it is just amazing to me. So politically, as far as I am concerned, when people look at this Congress, they are saying, ''We didn't expect this kind of change. We didn't expect a whole breakdown in the budget process. They can't even get their act together to pass the debt.'' Hurting our ratings because we cannot even do our job. But they have a lot of time for Whitewater.

So maybe I should not be here complaining about it. Maybe, politically speaking, it will help, help change who is in control around here. But be that as it may, I have to say what I think. What I think is that this offer from the Democrats to extend these hearings for 5 weeks, another 4 weeks to write a report, if we got our act together and worked 8, 10 hours a day, we could just have well over 100 witnesses and wrap this up and get on to the work and keep this out of the political arena.

People want job training, education. They want pension protection. They

want health insurance that is portable. We have a great bipartisan bill. Why is that not up here? The Kassebaum-Kennedy bill will protect our people from getting their insurance canceled because of a preexisting condition. It would allow them to take that health insurance with them.

I ask you, what is more important for our people, standing up and berating the President and the First Lady on something that happened years and years ago, where the special counsel has all the resources he needs to bring justice, or doing the work of the U.S. Senate? I am absolutely amazed that, after all the bipartisanship we have had on that committee over so many years, our ranking member and our chairman cannot agree when we have offered hours and hours of hearings to them.

It is extraordinary to me. I think this issue of the trial is a false issue. Again, this is not going to be a secret trial. So, Mr. President, I am clearly distraught that this is the priority of the U.S. Senate.

Mr. President, I ask unanimous consent that I may speak for 3 minutes on a different subject. Then I will yield the floor.

The PRESIDING OFFICER. Is there objection? Hearing none, so ordered.

Mrs. BOXER. Thank you so much, Mr. President.

VIOLENCE BY TERRORISTS IN ISRAEL

Mrs. BOXER. Mr. President, I rise to discuss the recent violence in Israel and to express my profound hope that these cowardly terrorist attacks will not destroy the peace process that so many have worked so hard to cultivate.

In the past week, the extremist, terrorist organization Hamas has sponsored four deadly bombings, killing more than 60 people and wounding more than 200 innocent, innocent people. These vile and disgusting acts clearly targeted at innocent civilians on public buses and on busy streets must be condemned.

It is hard to imagine the kind of deranged mind that could contemplate such appallingly evil deeds. As the President said very eloquently yesterday, he cannot even imagine an adult who could teach a child to hate so much.

The most recent attack, which occurred this past Sunday, killed 14 Israelis, including 3 children dressed in their costume for the Purim festivals.

Purim is among the most joyous holidays for the Jewish people. It commemorates how the children of Israel overcame a genocidal plot thousands of years ago. Purim reminds us that in the end, good triumphs over evil and reminds us that the Jewish people have an indomitable spirit of survival. The Persians could not destroy the Jewish people thousands of years ago. The Nazis failed 50 years ago. And Hamas will fail, too.

The United States of America stands shoulder to shoulder with Israel during this crisis. Their battle against these evildoers will be the battle of all civilized people everywhere.

An all-out war on terrorism must and should be waged. But the Hamas terrorists want one thing more than anything else, Mr. President—to scuttle the peace process. We must not allow them to win. We must defeat the terrorists and ensure a lasting peace.

PLO President Yasser Arafat can and must do much more. His recent statements condemning these attacks unconditionally have been good, but his actions must now follow his words. Only he has the power, the position, and the influence to gain control over Hamas.

My heart goes out to the victims of this violence and to all the good people of the Middle East who pray and work for peace.

I thank you very much, Mr. President, and I yield the floor. 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. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

WHITEWATER DEVELOPMENT CORP. AND RELATED MATTERS—MOTION TO PROCEED

The Senate continued with the consideration of the motion.

Mr. HATCH. Mr. President, I have heard just about all the whining about Whitewater that I can stand. To be honest with you, if this was a Republican President, what has already been uncovered would be front-page headlines all over the country everyday.

The fact is, it is a mess, and it does not take any brains for people to realize that if you set a short time limit, people are literally not going to comply with that time limit.

We have had more than ample proof that that has been the case here—more than ample proof. The fact of the matter is, we have had documents dribbling in at the last minute 2½ years since there has been a subpoena for them. There is no excuse for it. To hear our friends on the other side on this issue, it is outrageous what they are saying, and to act like this is not the Senate's business is also outrageous. There may not be anything more important for the Senate to do than to do its job in this area.

Now, I have to say, I hope personally that the President and the First Lady do not have any difficulties in the end, but there are a lot of unanswered questions. There are a lot of things that any logically minded person or fair-minded person would have to conclude create some difficulties for anybody, let alone the President and the First Lady.

It is one thing to stand up and defend your party and your party's President—I have done it myself, and I do not have any problem with that at all; in fact, I commend my friends on the other side for doing it—but it is another thing to act like this is not important business or that we should not be doing this; that there are other things more important. Of course, there are other things that are also important, but not more important, and we should be doing all of them. And I agree with some of the criticism that has been given with regard to some of the things that need to be done.

We have done a lot, but a lot has been vetoed. There is a lot tied up in conferences today. There is a lot that is not being done because of party warfare here. I have never seen more filibusters used in my whole 20 years in the Senate than I have seen in the last couple of years. Almost everything, even inconsequential bills. Why? Because they want to stop any momentum of the Contract With America. That is legitimate. I am not going to cry about that, but I do not believe you use filibusters on just about everything. To me that is wrong.

So I rise today to express my support for the extension of the Special Committee on Whitewater and Related Matters. As chairman of the Judiciary Committee, I see it as my duty to defend the separation of powers and the constitutional prerogatives of the executive branch. These are important things, and I have to say, in some ways, I resent some of the comments that indicate these are not important things. I guess they are not important because it is a Democratic President who is being investigated at this time. Boy, they were sure important when Republican Presidents were in office. You could not stop anything from going on, and you had both Houses of Congress controlled by Democrats in most of those cases.

We are talking about the separation of powers and the constitutional prerogatives of the executive branch. After giving this issue careful thought, however, I have decided that the special committee's investigation into Whitewater must continue. This issue transcends the claims of partisanship and goes to the very constitutional authority of Congress to investigate wrongdoing at the highest levels of Government.

Congress has the constitutional obligation to see that public officials have not misused their office, and we have a duty to bring these matters to the public eye so that the American people can be confident that their Government is operated in a fair, just, and honest way.

We must provide the special committee with more time in order to demonstrate that delaying tactics of a White House, whether Democrat or Republican, will not be permitted to frustrate a legitimate congressional investigation.

For example, I was dismayed that we received more notes from the White House relevant to this investigation just last week. Now, I am happy that we received these notes—more notes—that are responsive to the special committee's requests. I am just concerned about the delay in the response.

Last Thursday, the special committee's resolution expired. In light of the fact that information keeps trickling out of the White House, I can see no other way than to extend the committee's investigation until the most pressing questions are answered. We cannot be expected to wrap up our investigation when we are still receiving important information from the White House and awaiting the availability of key Arkansas witnesses currently involved in related court proceedings in that State.

The special committee must be given time to conduct a fair, careful and thorough investigation so that the Congress can be confident that all of the issues surrounding the Whitewater scandal have been fully aired and examined. Some have requested that a time limit be put on the extension of the Whitewater committee. That might not be a bad idea under certain circumstances. Unfortunately, however, we cannot agree to any time limits until the criminal trials have been completed.

Some have thought that the reason the Democrats have suggested 5 weeks is because that is how long the criminal trials will take. At that point, it will be over and you cannot get some of the witnesses who really have to come before the committee.

Many of the witnesses who will testify in the criminal trials may also need to come before the Whitewater committee. We cannot agree to any time limit that would preclude the Whitewater committee from completing its work or we will get into the same debate 5 weeks from now. If we set that time limit, I guarantee you we will be in this same debate 5 weeks from now because there will be further delays, further obfuscation, further finding of documents at the last minute. At least that has been the situation up to now.

As long as doubt concerning Whitewater continues, the President and the First Lady will not enjoy the full trust of the American people. This scandal is not just bad politics, it is bad for the future of our Nation.

I believe we do need more time to further examine whether White House officials attempted to interfere improperly with the Justice Department's investigation. During January 1994, Mr. Mark Gearan, then director of communications at the White House, took detailed notes of a series of meetings on Whitewater with senior White House personnel. I am concerned that, despite White House denials, attempts were made both to influence the appointment of a special prosecutor or independent counsel and to affect the testimony of some of the key witnesses in that case.

I am particularly concerned that attempts were made to influence the appointment of an independent counsel. We have only begun efforts, the needed efforts to investigate these problems.

Mr. Gearan's notes indicate several White House officials, including Mr. Ickes, argued that an independent counsel should not be sought. Now, I can see that. But from what I am able to glean from these notes, I presume the reason White House officials opposed an independent counsel's appointment was that an independent counsel could not be ''controlled.'' That is what the notes say.

For example, in the January 5 meeting, Mr. Gearan's notes record Bernie Nussbaum as saying that the independent counsel is ''subject to no control.''

During the January 7 meeting, Mr. Gearan's notes say, ''We cannot affect the scope of the prosecutor.''

I think a fair reading of these statements is that the high-level White House officials were concerned about the appointment of an independent counsel, because they could not exercise control over his or her investigation. According to Mr. Gearan's notes, Mr. Ickes stated that neither the President nor the staff could speak to the First Lady about appointing a special counsel.

This suggests to me that the First Lady was making the final decision about whether a special counsel should be appointed. It certainly is not proper for the possible subject of an investigation to have input as to whether or not a special counsel should be appointed. We need more time to study this very worrisome possibility.

Mr. Gearan's notes of January 8 indicate that Mr. Ickes said that Mr. Kendall, the Clintons' personal lawyer, attempted to talk to Alan Carver who was supervising Donald McKay's investigation into Whitewater at the time. In fact, according to Mr. Gearan's notes, Mr. Ickes called Mr. Carver a ''bad'' guy, a guy who would not talk to Mr. Kendall without FBI agents present.

Then, according to Gearan's notes:

> Mr. Ickes went so far as to say, ''That guy is f. . . us blue.''

Was the Department of Justice getting too close to the truth? How could Mr. Carver and Mr. Mackay be a problem if they were only doing their jobs to carefully investigate Whitewater? During the same time as the White House meetings, Attorney General Janet Reno was considering whether to appoint a special prosecutor to investigate Whitewater. At that time, the independent counsel statute had lapsed and the Attorney General chose Robert Fiske on January 20 to be her special prosecutor.

Unlike the independent counsel, the special prosecutor was under the control of the Justice Department and, ultimately, the President. Less than 2 weeks after these White House meetings, during which time the benefit of an apathetic special counsel was discussed at length, Janet Reno chose Robert Fiske as the special prosecutor, a man who many consider had failed to investigate fully the events surrounding Whitewater. I read some of his depositions. They were not detailed. They were not carefully done. I know Mr. Fiske. I have a high regard for him as an attorney, but in this particular matter I do not think he was doing the job that needed to be done.

We have learned that Webster Hubbell kept Whitewater documents of the Rose Law Firm in his basement after the election. Some of these may have been in Vince Foster's office when he died. We need to investigate whether at the time of these White House meetings Mr. Hubbell continued to have the documents in his basement while serving as an Associate Attorney General of the United States and was perhaps privy to discussions in the Justice Department concerning whether to appoint an independent counsel.

Another area that disturbs me is the effort to contact Ms. Beverly Bassett Schaffer. According to evidence collected to date, Mr. Ickes was deeply concerned about Ms. Schaffer's testimony. She had been the acting securities commissioner. He wanted a checkered story to make sure it would support President and Mrs. Clinton's version of the events surrounding Whitewater. Mr. Ickes even said he could not send any prominent members of the White House to speak with her because the press, or others, might get wind of what was going on. Mr. Ickes said that if these steps were not taken, ''We are done.''

I hate to read anything sinister into that statement, but an argument could be made that Mr. Ickes was worried that if he could not successfully manipulate Ms. Schaffer's testimony, serious consequences could result. I am gravely concerned about any discussion by White House officials to influence the workings of the Justice Department, particularly when it conducts ongoing criminal investigations into the White House.

Earlier, when I questioned Ms. Sherburne and Mr. Gearan about the notes, I became concerned that officials at the White House were trying to influence the story of an important witness—Ms. Schaffer—in this investigation. Ms. Sherburne agreed the notes could be read that way. That was in response to my questions—that, yes, they could be read that way.

The possibility that White House officials might attempt to influence or tamper with the ongoing actions of the President and his aides raises questions about the integrity and fairness of the administration of justice in our Nation. I cannot believe that anybody in good conscience could oppose a continuation of this committee's investigation until we start getting answers to the many troubling questions that have been raised.

Putting aside these problems, there are many other unanswered questions that have been raised by the committee's investigation that would require further investigation. Now, this is my Whitewater top 10 questions list. It is, by no means, exhaustive. It is just 10 I think ought to be answered.

First: How did the First Lady's billing records from the Rose Law Firm mysteriously appear in the personal quarters of the White House long after they had been subpoenaed?

Second: Who brought Madison Guaranty into the Rose Law Firm as a client, and who had primary responsibility for that account?

Third: Did the First Lady attempt to benefit from her relationship with her husband, then-Governor Clinton, in representing Madison Guaranty before Arkansas regulators, including Beverly Bassett Schaffer, who was the Arkansas State Securities Commissioner?

Fourth: Did the First Lady attempt to persuade Beverly Bassett Schaffer to approve a highly unusual deal that would have allowed Madison to stay afloat longer than it did?

Fifth: What was the First Lady's role in the Castle Grande deal? Did she assist Madison in what the RTC concluded was a sham transaction to conceal Madison's true ownership interest in the problem?

Sixth: Have the President and the First Lady's lawyers attempted to impede the investigations into Whitewater by the special prosecutor and the Senate special committee?

Seventh: Did the First Lady, her aides, or Bernard Nussbaum prevent Justice Department investigators from searching Vincent Foster's office after his death?

Eighth: Was there a effort to interfere with the investigation of Whitewater, as suggested by Mr. Gearan's notes?

Ninth: Who ordered the firing of Billy Dale in the White House travel office? What was their motive? Was there some connection with Whitewater? Was there some connection with something that was inappropriate or wrong? Certainly, there appears to be, and that needs to be cleared up. I hope there was nothing wrong, but there appears to be so.

Tenth: Were Rose Law Firm records purposely removed from the firm and/or destroyed?

Before these hearings began, the American public had been told there had been full disclosure. We now know that this is not true.

Before these hearings began, the American people were told Hillary Clinton did not work on Whitewater or Castle Grande. We now know that is not true. On Whitewater, she billed 53 hours, had 68 telephone conversations, and 33 conferences. You could go on and on. On Castle Grande, she billed more than any other partner in the law firm, as I understand it. I think it was 14½ hours. She had a number of conversations with Seth Ward, who was used as a straw man to circumvent the law in what regulators have called a sham transaction.

Before these hearings began, the American public had been told that there had been full disclosure. It is clear there had not been. We know that is not true. It is only because of these hearings that we know that.

These hearings have been very important, regardless of the outcome. It is our constitutional responsibility to follow through and conclude them in a satisfactory, fair, and decent manner.

Before these hearings began, as I said, the American people were told Hillary Clinton did not work on the Whitewater and Castle Grande cases. We now know that is not true. We know that. The hearings proved it.

Before these hearings began, we were told there was no interference with the Justice Department's investigation into Vince Foster's death. We now know, as a result of these hearings, that is not true.

You could go on and on. Given this history of deception, delay, and obfuscation, should the Senate take the administration's word on these matters? To permit us to close the book on this scandal, the Senate must approve the extension of the Whitewater committee operations. The American people demand no less from their elected officials. The counsel is pursuing the criminal aspects of this case, and it is important that the Congress fulfill its constitutional duty to conduct oversight at the executive branch and inform the American people of its findings. We have had suggestions that we ought to take 5 weeks and work 8 to 10 hours a day and we will solve this problem.

I have to tell you that since this committee has been established, committee counsel has been working a lot more than 10 hours a day every day. You cannot have hearings every day because it takes time to do the depositions and prepare, get documents together and go through them, and it takes time to put them together in a cohesive way. To prepare the questions, it takes time for each Senator. These hearings have to be planned and done in a reasonable, orderly, credible way.

I also can guarantee you that the minority's attorneys have been working full time on these matters because they are serious, because there are thousands of documents, because there are questions that are unanswered, because we have to get to the bottom of this.

Again, I will repeat that I like President and Mrs. Clinton. I have worked rather closely with the President for these last 2 years. I do not think anybody in this body can deny that. I have tried to help him with judges and other appointments, and on legislation, and I think he would be the first to acknowledge that. I have been very friendly to the First Lady. I hope there is nothing that hurts either of them here. But it would hurt the Congress, the Senate, if we, once we have this charge, do not follow through and bring it to a conclusion in a fair, just, and orderly way. We are clearly not at a conclusion now, not with getting documents as late as last week, even after the commission of this special committee has expired.

So this is important stuff, and I know that my colleagues are tired of it on the other side. I do not blame them. I got tired of Iran-Contra and a number of issues that were, in many respects, worked to death.

This is something that until it is resolved and resolved in a fair, just, and reasonable way, I think you cannot count on the President and First Lady having the full trust and confidence of the American people. Hopefully, when this is all over, they can. If they cannot, it is another matter. But at least we ought to get this thing put to bed and put to bed right.

I agree with the distinguished chairman of the Banking Committee, you cannot put a 5-week delay on it. You do have to put up enough money to resolve these matters, to be able to investigate them fully. There are just countless documents, countless witnesses in this matter, and we have not even gotten into the hard-core issues of this matter. That cannot be done until the trial is over, which is estimated to take 5 or 6 weeks.

I know that my colleagues are not just simply choosing that timeframe so that they can avoid another set of hearings or mess up this investigation. On the other hand, I think they have to acknowledge that 5 weeks is not enough time and that, if you do put a time limit on it, there is a natural propensity on the part of those who have something to hide to make sure it is hidden until after it is too late to bring it up.

Frankly, I do not think we should do that. We owe it to the Senate, we owe it to the Constitution, we owe it to our own conscience to do it in the right way. I want the hearings to be fair. I think thus far they have been. I want to commend the distinguished chairman of the committee, Senator D'AMATO. Contrary to what many on the opposite side thought before these hearings began, I think he has conducted them in a fair and reasonable manner.

I also want to compliment the minority leader on the committee, Senator SARBANES. He is one of the more thoughtful, intelligent people in this body. We came to the Senate together. I have tremendous respect for him. I think he has conducted himself in the most exemplary of ways, and I have respect and admiration for the way he has done so. I think both of them have done a very good job. I think other members of the committee have done a good job as well.

It is apparent that it takes time. It is apparent it is a painful experience for all to go through, including those on the committee. It means reading thousands of documents and trying to stay

up with a very convoluted set of circumstances here that are very difficult for anyone. We simply have to go forward. I do not think it is right to delay this any longer. I think literally we should go forward. There should not be a filibuster on this matter.

In fact, of all things, I think there should be no filibuster on this motion to extend the time of the committee. Truthfully, I think the Rules Committee needs to get the resolution out and we need to vote on it, up or down, and let the chips fall where they may and go about doing our business in the best, most ethical, reasonable, and just way we possibly can.

In the meantime, I will be pushing to extend this committee because I think it is the right thing to do. I have raised a lot of questions that literally have not been answered as of this time. I yield the floor.

Mr. SARBANES. Mr. President, I see the distinguished Senator from Minnesota on the floor. I know he wishes to speak.

I want to take a couple of moments because there is one thing my distinguished colleague from Utah made reference to. He talked about the previous hearings and other Congresses when the Congress was Democratically controlled, and I think that is an important point. I just want to come back to revisit the Iran-Contra hearings on which the distinguished Senator from Utah served. As he will recall, at the outset of that, there were Democrats who wanted to extend those hearings into 1988, into the election year. Now, Senator INOUYE and Representative HAMILTON rejected that proposition and agreed, in response to a very strong representation by Senator DOLE for a specific date to end it, and then conducted hearings in a very intense manner in order to accomplish that.

Again, I want to make the contrast between the hearings schedule in Iran-Contra in order to meet its cutoff date, which involved 21 hearings between July 7 and August 6. In other words, we had hearings every weekday throughout that period from July 7 to August 6 except for 2 days—21 out of 23 days we held hearings. Contrast that pace, that effort to comply with a requirement that had been passed by the Senate, with what took place over the last 2 months, when this committee in January held only 7 days of hearings—in other words, all of the other days were open to hold hearings, and no hearings were held. The same thing happened in February, where we held only 8 days of hearings. In fact, this committee, over a 2-month period, without the Senate being in session—we had the opportunity to really meet continually—held only 15 days of hearings over a 2-month period; whereas the Iran-Contra Committee, to which my colleague made reference, held 21 days of hearings in a 23-day period.

I think this simply demonstrates the effort then in that Congress to keep this matter out of the political election year. It stands in marked contrast to what has transpired over the last 2 months.

The PRESIDING OFFICER (Mrs. HUTCHISON). The Senator from Minnesota.

Mr. WELLSTONE. I thank the Chair. I want to take a few minutes of this debate, but offer my thoughts within a somewhat different framework.

In a recent USA–CNN Gallup Poll of big issues facing Congress—and I am sure others have referred to this—virtually no one suggested Congress should be devoting time and resources to Whitewater—67 percent of the people said Congress should work on approving public education; 66 percent cited crime as a major concern; 64 percent said jobs and the economy; and 63 percent worried about health care.

Madam President, this Senate, the majority-led Senate, has not held even one hearing on better jobs and wages. We have not had one hearing on better jobs and wages. Only 3 hearings have been held on improving public education, and 12 on crime control, drugs, and terrorism. Madam President, the majority party did not hold even one Senate hearing on what was an unprecedented plan to slash Medicare.

The reason I mention this, Madam President, is that I think there is a disconnect between all of the time and all of the resources that have been devoted to this hearing versus what it is people are telling us in cafes and town meetings in our own States that they are really concerned about. I do not hear people talking to me about the Whitewater hearings, except they wonder why they go on and on and on and on, and they want to know how much more will be spent on them.

I do hear people talking to me, not in the language of left or right, not in the language of Democrats or Republicans. People say to me, ''Senator, am I going to have a pension when I retire? I am really worried. I am 67 years old, and I am really worried.'' ''Will there be Medicare?'' Or, ''Senator, I have Medicare but I have to pay for prescription drug costs. I have Parkinson's disease. My father had Parkinson's disease. I cannot afford the price of these drugs.'' Or, ''Senator, you know the story about AT&T? That is my story. I worked for a company for 30 years. I worked 5 days a week and more. I was skilled. I was middle management and a responsible wage earner. I gave that company everything I had. I did a good job. I thought if you did that, at age 50 or 55 you would not find yourself fired with nowhere to go, just spit out of the economy.''

Or people in cafes say, ''Senator, this is for all of us, regardless of party. Senator, we have three children. They are in their twenties and the problem is that they are not able to obtain jobs that pay decent wages with decent fringe benefits. We do not know what will happen with our kids.'' Or ''Senator, I have a small business going and I do not know if I can continue to make a go of it.'' These are the issues that people are talking about—basic economic opportunity issues, basic bread and butter issues, basic issues about how to sustain their families and communities.

Madam President, I raise this because I wanted today to focus on another one of these basic economic ''bread and butter'' issues, which is minimum wage. As the author of the only minimum wage legislation in the last Congress, I congratulate the minority leader, Senator DASCHLE, for his focus today on increasing the Federal minimum wage. Despite the increases that went into effect in 1990 and 1991, the current minimum wage is not a living wage. It is a poverty wage—$4.25 an hour. Should we not start talking about that on the floor of the U.S. Senate? A person working 52 weeks a year, 40 hours a week, works for a poverty wage. A person making a minimum wage earns just about $170 a week, and that is before taxes—income tax, Social Security tax, you name it.

Madam President, the principle that a minimum wage ought to be a living wage served this Nation well for 40 years. From the enactment of the first Federal minimum wage law in 1938, through the end of the 1970's, Congress addressed this issue six times.

Six times bipartisan majorities, with the support of both Republican and Democratic Presidents, reaffirmed our Nation's commitment to a fair minimum wage for working people in this country. But during the 1980's the real value of the minimum wage plummeted and, adjusted for inflation, the value of the minimum wage has fallen by nearly 50 cents since 1991 and it is now 27 percent lower than in 1979, using 1995 dollars. To put it in another context, we need to realize that the minimum wage would have had to have been raised to $5.75 an hour last year to have the same purchasing power it averaged in the 1970's.

When are we going to start talking about good education and good jobs? I said on the floor of the Senate before, real welfare reform would mean an increased minimum wage, good education, and a good job. If you want to reduce poverty: Good education, and a good job. If you want to reduce violence you have to focus, in addition to strong law enforcement, on a good education, and a good job. If you want to have a stable middle class, it is a good education and a good job. Do you want our Nation to do well economically? A good education, a good job. When are we going to focus on these issues, I ask my colleagues?

We go on and on and on and on with these hearings, and now they want to go on and on again. And we do not focus on the very issues about which people are coming up to us, back in our States, and saying to us, in as urgent and as eloquent a way as possible, ''Senators, please speak to the concerns and circumstances of our lives. We are worried about pensions. We are

worried about health care. We are worried about jobs. We are worried about being able to educate our children. We are worried about being able to reduce violence in our communities.'' When are we going to focus on that?

When are we going to talk about raising the minimum wage? Madam President, 75, 80 percent of the people in the country say we must do this. And contrary, Madam President, to popular misconception, the minimum wage is not just paid to teenagers who ''flip burgers'' in their spare time. Less than one in three minimum wage earners are teenagers. In fact, less than 50 percent of those who receive minimum wage are adults 25 years of age and over. And more important, 60 percent of the minimum wage earners in this country are women.

Madam President, we have talked about welfare reform. And, you know, I think it is true the best welfare reform is a job. But I think we ought to add to that and say the best welfare reform is a job that pays a living wage. Increasing the minimum wage will help in the welfare reform effort, because it is one means of making work pay.

I guess that the reason that I use this opportunity to talk about a minimum wage is that I want to point out the disconnect between all these hearings, all this money we have spent on Whitewater, and a Republican-led Senate that is not focusing on raising the minimum wage, not focusing on living wages, not focused on what we are going to do to make sure people keep their pensions, not focused on opportunity, not focused on how people are going to afford education for their children or for themselves.

People work hard in this country and they deserve to earn a living wage for their work. It is that simple. I would appreciate it if we would get some focus on this in this U.S. Senate. Pretty soon I am going to come to the floor with other Senators with an amendment so we can have a vote, so people can hold us accountable. Because people want to know what in the world we are doing as legislators to make a positive difference in their lives.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I was on Iran-Contra Committee. I have to admit it was a huge committee with a huge budget and all kinds of lawyers, and it had to be—I do not know how many people were on that committee, but it was both the House and the Senate. And every effort was put forth. And I have to say the White House cooperated fully. Outside of the documents that were shredded by Oliver North and his secretary, which were fully explained, there was complete cooperation. There was not obfuscation. There was not withholding of documents. There was not withholding of witnesses. There were not notes indicating that there were these type of things going on in the White House.

We have had to fight for everything we got here. I do not think anybody who watches those hearings seriously would conclude other than that there has been a lot of delay and a lot of obfuscation, a lot of failure to comply, a lot of failure to work with the committee.

There has been an effort to work with the committee, too. I do not want to fail to give people respect who have legitimately come forth. But this committee was created just 9 months ago on May 17, 1995. The Iran-Contra investigation lasted for more than a year.

The Joint Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition was established on January 6, 1987. The committee conducted hearings until August 1987. The committee was extended twice in 1987, from August to October and then from October to November. And the committee filed its report on November 17, 1987. On December 10, 1987, the House voted to extend its operation to March 1, 1988.

There is an important thing we ought to note here. The special committee is not really seeking a ''extension.'' That is, Resolution 120 will not expire and the committee will not cease to exist on March 1, 1987, if the new resolution is not adopted. All that the committee is asking for is additional funding so that the investigators and the attorneys can be paid.

By historical standards the Whitewater committee has not been an especially long-lived investigatory committee. The Truman Committee, also known as the Special Committee To Investigate the National Defense Program, was in existence for 8 years, from 1941 to 1948. During that time the committee held 432 hearings and examined 1,798 witnesses; I guess millions of documents.

The Joint Select Committee on the Conduct of the War, the Civil War that is, lasted for 3½ years, from 1861 to 1864, and the committee convened 272 times.

The Watergate Committee, also known as the Select Committee on Presidential Campaign Activity, was formed on February 7, 1973, and issued its final report on June 27, 1974.

The Senate spent 11 months investigating the so-called October Surprise. A subcommittee of the Committee on Foreign Relations appointed a special counsel on October 16, 1991. The special counsel's report was issued on November 19, 1992.

The allegations at issue in the October Surprise investigation were completely spurious—completely. Everybody acknowledges that today. Yet it took 11 months. I hope they are here, too, but it does not look that way. At least with what we have done so far, there are too many unanswered questions that have to be answered.

With respect to the central allegation on the October Surprise matter, that the Reagan campaign made a deal with the Khomeini regime to delay the release of the hostages until after the 1980 Presidential election, the special counsel concluded that:

> There is not sufficient credible evidence to support this allegation. The primary sources for this allegation have proven wholly unreliable. Their claims regarding alleged secret meetings are riddled with inconsistencies and have been contradicted by irrefutable documentary evidence as well as the testimony of vastly more credible witnesses.

Now, let me just say the $30 million figure is not the amount of money this committee has spent. The special committee thus far has spent $950,000. The special committee has been very productive. This committee has deposed 221 witnesses, had 41 hearing days and heard the testimony of 121 witnesses, with a staff of around 20. That is pretty productive. That does not indicate any wasting of time.

I commend both the chairman and the ranking member for having worked so hard along with other members of the committee. But what this committee has done compares favorably with the Iran-Contra Committee which conducted 250 depositions and 250 interviews, had 40 days of hearings, and heard the testimony of 28 witnesses. And they had a staff of 100.

What would be a waste of money would be to end the investigation now just when the investigation is starting to heat up and before the committee has received the White House e-mail and has fully investigated the withholding of the billing records.

Senator BYRD said the following during the Iran-Contra debate in response to a suggestion that the investigation would not be worth its costs. Senator BYRD said:

> May I say, if we are going to talk in terms of cost, this is the 200th anniversary of the Constitution of the United States, and there is no price tag on a constitutional system which has been around for 200 years and which has worked very well, and which will continue to work very well. Under our constitutional system, there is a doctrine that we speak of as checks and balances, and that is precisely what is being done here. The Congress has a constitutional responsibility of oversight, a constitutional responsibility of informing the people, a constitutional responsibility of legislating. Now before it can legislate it has to have hearings in order to conduct its oversight responsibilities. I am saying this for the RECORD. I am not telling the Senator anything he does not know. But its oversight responsibilities and its informing responsibilities which Woodrow Wilson said were as important if not more important than legislative responsibilities which are done mostly by committees. A problem has developed which we will not go into but which everybody has been reading about for quite some time, and it is incumbent upon all of us to try to see what the facts are. There is no price tag on that constitutional system. If there is one thing we can do in this 200th year of the writing of the Constitution it would be to reassure the faith of the American people in that constitutional and political system, and one way of doing it is to find out about all of these things that we have been hearing. And the way to do it is to go at it, put our hand at the plow and develop the facts.

Senator BYRD said that on January 6, 1987. I agree with Senator BYRD.

We are not at the end of these hearings. We are not at the end of this investigation. We are still receiving documents at the last minute. We have not had the cooperation that I think they had in Iran-Contra and in other hearings. And, frankly, there is no reason not to. We just plain ought to finish these and carry out our constitutional responsibility to the best of our ability to do so.

I hope that we can continue to do this. I think it is unseemly to deny the committee investigators and attorneys, the necessary requisite funds to be able to continue to do so, and to insist that 5 weeks is going to be adequate to do this job. I do not think that it will be; not the way we have been treated, sometimes getting documents that are 2 years old and longer.

I might say that the committee has been successful, too. Again, I will make this point. If this was a Republican President all hell would be breaking loose right now with what this committee has already uncovered. There is not misgiving about that. Everybody in America knows that. There is a double standard around here. There are some dramatic things that have been brought out. I think the committee has been successful. But it happens to be a Republican Senate investigation under a Democratic President and First Lady.

Again, I will just say that I hope there is nothing wrong. I hope there is no problem with either of them. I am hoping that is the case. But there are a lot of things that look terrible here.

I think it is simply not true to say that nothing has been found in the Whitewater investigation in general, or this committee in particular. One measure of what has been found is the number of Whitewater related indictments and convictions that have been obtained.

Here are some of the numbers. Nine people have been convicted and seven are currently under indictment. And the indictments are still coming. The two owners of the Perry County Bank were indicted just last week. Further, three senior officials—Bernie Nussbaum, Roger Altman, and Jean Hanson were forced to resign over their handling of Whitewater matters. Rightly or wrongly they had to resign.

Some of what the committee has learned include the following: A Secret Service agent saw Maggie Williams, the First Lady's chief of staff, abscond with numerous files from Vincent Foster's office the night of his death. She denies that. But what reason would the Secret Service agent have to lie?

You might ask that question the other way. Would Maggie Williams have any reason not to tell the truth? I think subsequent facts kind of indicate otherwise.

For instance, there was a flurry of early morning phone calls between the First Lady, Maggie Williams, her chief of staff, and Susan Thomases, her good, smart, sharp attorney friend on July 27, 1993. That is the First Lady's good, sharp attorney friend.

That same day, on July 27, 1993, Bernie Nussbaum reneged on a deal he had agreed to the day before to let career DOJ, Department of Justice attorneys review the documents in Vince Foster's office. Why did he do that after that short flurry of phone calls that all of a sudden neither Susan Thomases nor Maggie Williams can really explain because their memories had suddenly become short?

Notes taken during the November 35, 1993 meeting between White House officials and the Clinton's personal lawyers contain a reference to ''vacuum Rose Law files.'' While at the Rose Law Firm, Mrs. Clinton had a dozen or more conferences with Seth Ward in connection with the Castle Grande matter. That land deal which banking regulators have termed a sham cost the taxpayers $4 million.

I can tell you of a case in Utah where the president of the bank saved the bank. Throughout, the 100 percent stockholding owner of the bank bounced his checks and saved the bank, and yet he and the board of directors had to go through a tremendous and ill-advised litigation that cost them well over $1 million in legal fees before the Government finally admitted that the bank had broken even, and that they really had saved the bank and not caused the bank the problem. This was necessary in order to just get it off their backs.

You have a case of $4 million actually lost through what was considered a sham transaction, a fraud. And the taxpayers are stuck with it.

Mrs. Clinton also prepared an option agreement that was intended to be the way that Seth Ward would be compensated for acting as a straw man in this sham transaction called the Castle Grande transaction. Maybe none of this amounts to a smoking gun. But it is instructive to remember what Senator SARBANES said in connection with the Iran-Contra investigation upon which he also sat. He said that requiring a smoking gun ''sets a standard of certainty that is very rare that we are going to reach.''

To make a long story short, there is a lot of smoke here. There are a lot of unanswered questions. There has been a lot of obfuscation. There has been a lot of selective memory loss. There has been a lot of delays in giving documents. There has been a lot of ignoring subpoenas. And there have been a lot of explanations that just do not make sense in light of the notes and what is on those notes—like ''vacuum the Rose Law Firm files'' being treated as though they ought to clean them up. Let me tell you. There is a lot here. There is a lot here, and I do not think we should ignore it even though we should make every effort to be just and fair to everybody concerned.

I certainly will make every effort to do that and will insist that everybody else do likewise.

I yield the floor.

Mr. SARBANES addressed the Chair.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. SARBANES. Madam President, I really want to address this suggestion by my colleague from Utah of the double standard and his reference back to Iran-Contra because, if there is any double standard at work, I think it is very amply demonstrated with respect to this proposal now to extend indefinitely this inquiry.

Let me go back into that Iran-Contra matter because my colleague from Utah says, well, if this were a Democratically controlled Congress and a Republican administration, you would really be seeing things differently.

Now, in early 1987, when Congress was considering establishing a special committee on Iran-Contra, some Members advocated that it have a long timeframe extending right into the 1988 election. There was a conflict between some Democrats both in the House and Senate who wanted no time limitations placed on the committee and Republican Members who wanted the hearings completed within a matter of a few months. It was pointed out at the time, although it really escaped no one's attention, that an investigation that spilled into 1988 would be very political since that was a Presidential election year.

Senator DOLE was very strong in his comments about the necessity to have a fixed time for the conduct of that inquiry. Now, that is a Republican administration, a Democratic Congress. This is the double standard issue that my colleague raised. He said, and I quote him:

> If we get bogged down—

This is Senator DOLE—

> get bogged down in finger pointing; in tearing down the administration—we are just not going to be up to the challenges ahead. All of us—all Americans—will be the losers.

And he pressed repeatedly for an ending date for that inquiry.

Now, the Democratically controlled Congress responded to that representation, and both Senator INOUYE, who was selected to chair the special committee, and Congressman HAMILTON, who was selected as its vice chair, recommended rejecting the opportunity to prolong the hearings and to exploit President Reagan's difficulties for political purposes. In fact, they set a termination date, and Senator DOLE welcomed that. In fact, he said:

> I am heartened by what I understand to be the strong commitment of both the chairman and vice chairman to avoid fishing expeditions; and to keep the committee focused on the real issues here.

Now, if we do not want a double standard, I ask my Republican colleagues, why will they not respond now as the Democrats responded in 1987?

Senator DOLE went on to say:

> We ought to be able to shorten that time, expedite it and complete work on this matter. . .

In fact, that is what happened. As I indicated earlier, in order to complete

work, the Iran-Contra committee held 21 days of hearings in the last month in order to complete its work, a record that stands in marked contrast with what this committee has done. It has, over a 2-month period here at the end, instead of moving expeditiously in order to finish its work, held only 15 days of hearings. So if you want to talk about a double standard, there is the double standard. The double standard is the comparison between how the Democratically controlled Congress handled the Iran-Contra hearings in 1987 and how the Republican-controlled Senate is seeking to handle the Whitewater hearings in 1996.

Now, we agreed in the resolution that was passed last May by an overwhelming bipartisan vote that this inquiry should come to an end on February 29. It is my very strongly held view that, if the committee had intensified its hearings schedule comparable to what the Iran-Contra committee did in 1987 or comparable to the earlier intense effort that this very committee pursued last summer, we could have completed our work by February 29 as provided in the resolution. We could have completed it within the budget and a request for an indefinite extension and for another $600,000 would never have been necessary.

Regrettably, that kind of work schedule was not followed. In effect, we had a drawn-out procedure over 2 months when the committee could have been very hard at work, since the Senate was not in session, and we failed therefore to carry through all of the hearings that were being projected.

Now, I think the reason we failed is we did not intensify the hearing schedule, and, therefore, I think the responsibility for that rests upon those who were directing the hearings in terms of the schedule they laid out and its lack of intensity.

Nevertheless, Senator DASCHLE, in an effort to be accommodating and reasonable, indicated that he was willing to extend the hearings for another 5 weeks into early April in order for the committee to complete its matters. I regard that as a very reasonable proposal. It has not drawn a response from my Republican colleagues, who continue to adhere and insist upon their original position, which was an indefinite extension of this inquiry into a Presidential election year, thereby virtually guaranteeing that it is going to be a partisan political endeavor.

We worked hard to prevent it from being a partisan political endeavor when we established the committee and when we set the parameters of its work, including completion of its work by February 29 of this year—in other words, well before we got into the election year, barely into the primary period. We wanted to bring it to a close so it did not carry on and therefore raise in the public mind, I think, very legitimate questions that this matter was being pressed for political reasons.

Prolonging the investigation well into a Presidential election year, in my judgment, cannot help but contribute to a public perception that this investigation is being conducted for political purposes, and that is exactly what is happening. We are now getting editorials in newspapers across the country that are making exactly that point. The Greensboro, NC, paper editorialized:

> Whitewater Hearing Needs to Wind Down. A legitimate probe is becoming a partisan sledgehammer. The Senate Whitewater hearings, led since last July by Senator Al D'Amato, Republican of New York, have served their purpose. It's time to wrap this thing up before the election season.

The Sacramento Bee to the same effect, saying they now want to extend the hearings indefinitely, as they say, ''or at least one presumes until after the November election.''

They go on to make the point that the independent counsel, Kenneth Starr, will continue his work on any matters that can be left to him. In fact, it is only the independent counsel who can bring criminal charges in this matter in any event, not something that the Senate committee can do.

I think that Senator DASCHLE, the Democratic leader, has put forward a reasonable proposal. The committee ought to be able to conclude its work with a short extension of time. I think that is the path that we ought to follow and avoid pressing this matter throughout the election year and the creating the perception that it is being conducted for political purposes.

In fact, Chairman D'AMATO, when he went to the Rules Committee last year, stated that—I quote him—''We wanted to keep it out of that political arena, and that is why we decided to come forward with the 1-year request.'' That was the right approach then. It was reflected in the action taken by the full Senate.

The majority's proposal now for another $600,000 and an open-ended period of time will project this investigation into the election season, thereby inevitably diminishing public confidence in the impartiality of the inquiry. That is not the right approach. The time suggested by the minority leader should be more than adequate for the Arkansas phase of this investigation. It will save public money and it will complete the job. That is what we ought to be about.

The double standard—the double standard—is reflected in the difference in the position of my Republican colleagues with respect to the length of time for this inquiry and the position they took in 1987 with respect to the inquiry in Iran-Contra. It is also reflected in the fact that in 1987, the Democratic majority in the Congress agreed—agreed—to the representation by our Republican colleagues that we ought to have an end date and not prolong the matter into the political year. Senator INOUYE and Chairman HAMILTON agreed with that representation. That is the process that we followed.

My Republican colleagues refuse now to accede to the same process, thereby clearly applying a double standard to this matter. Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. DODD. Mr. President, may I inquire, are the managers controlling time, or may I seek time in my own right?

The PRESIDING OFFICER. There is no control of time.

Mr. DODD. I thank the Chair.

Mr. President, let me preface my remarks this afternoon, if I may, by acknowledging the very difficult decisions that Senators on both sides of the aisle have to make over the coming days—I hope it is days and not weeks—on this issue.

Let me also preface my remarks by, first of all, commending and thanking my colleague from Maryland who has been the ranking member of the Banking Committee and has handled the lion's share of the work on our side of the aisle over these past many months and demonstrated, I think, remarkable patience and a great sense of cooperation.

I do not know the exact number, but I think there has been only a handful of incidents in the last sets of hearings that we have had over the past year and a half where there has been any real disagreement at all between the majority and the minority, thanks to the leadership of the Senator from Maryland, cooperating and working with, I might say, of course the Senator from New York, the chairman of the committee. I think it is important for all our colleagues to know the tremendous amount of work that the Senator from Maryland has done.

Let me also say I appreciate the job of the Senator from New York. It is not an easy job to be chairman of a committee, particularly one that has the responsibilities as this committee has had over the past 270 days to try and sort out the various differences that exist.

But nonetheless, it will be, to some, a difficult decision. For others, I do not think it is that difficult a decision, given the amount of time we have spent.

Conducting a thorough Senate investigation is hard and painstaking work. Certainly I can appreciate the dilemma in which some of the people in the majority find themselves, particularly when there are those who come to them and say, ''Look, you must vote with us here regardless of what your own feelings may be on this issue. We have to have your vote. Stick with us on this.''

We have all at one time or another, I suppose, been confronted by those who

have asked us to ''stay with them,'' as the usual expression goes, even though our own views may be otherwise.

I am especially sensitive to that difficulty, because I well remember my own experience with the debate on a matter, not unlike the one before us this afternoon, involving President Bush's role in the so-called October Surprise of 1991 and 1992.

Some of my colleagues may remember there were allegations in late 1991 that President Bush, when he was Ronald Reagan's running mate in 1980, had had secret meetings with the Iranian Government to urge that Government not to release the American hostages until after the 1980 Presidential elections, thus avoiding the October Surprise that might have lifted President Carter to reelection. There was an enormous hue and cry in the media about those allegations, and a little bit of excitement among some of our colleagues who viewed this as an opportunity to do some damage to President Bush, as we went into the 1992 elections. There were many, many articles, many, many stories, many, many editorials, about those allegations.

Mr. President, I believed at the time that those allegations—after looking at the charges that were made and the information that was being offered to support those conclusions, I thought that the conspiracy theories that were being hatched by those who wanted to bring those hearings to bear were motivated principally, in my view at the time, by politics. For those reasons, Mr. President, I, along with others opposed that investigation. And I hope that some of my colleagues in the majority do so now, despite the pressures that I am sure members of the majority are getting today to vote for open-ended hearings with a $600,000 appropriation are getting—in fact, I know it is the case because a number of our colleagues have basically told me they think this is a waste of time and money. But this sense of staying together because we have 34 weeks to go before election day, and everybody sort of linking arms here, let us not let this get out of hand here. If anyone deviates or breaks ranks, of course, this falls apart. I know what that is like.

So as a result of several of us voting differently, those hearings did not go forward. They ended, much to the disappointment, I might say, of a number of our colleagues who felt we should have gone forward. The reason I raise that is not to suggest somehow that the Senator from Connecticut deserves any particular commendation, but to hope there might be some colleagues today who are faced with a similar fact situation and might respond similarly, when we know, frankly, that an additional $600,000—$400,000 in consulting fees—an open-ended investigation, at this juncture, with respect to those involved, has gone on too long.

The overwhelming majority of people in this country think, frankly, it has gone on too long. It has been 270 days, the longest congressional investigative hearings—to the best of my knowledge—in the history of the U.S. Congress. Twenty months. The Watergate hearings went on 16 or 17 months; Iran-Contra, 6 or 7 months, from January 1987 through August 1987. Those I remember very, very well because the now majority leader, ROBERT DOLE, came to Senator INOUYE and Chairman HAMILTON—in 1987 now, not 1988—and said, ''Even though you have the right under the resolution to go until October of that year, can we not wrap these up in August?'' I will tell you why. Because it was getting involved in election-year politics. Let us get it done early. DAN INOUYE, the Democratic Senator from Hawaii, and LEE HAMILTON, a Congressman from Indiana, who cochaired those investigations, agreed with the then-minority leader DOLE to wrap up those hearings in August, so that they would not contaminate the political season 1 year out—not 34 weeks out, but 1 year out.

As a result of that, the Iran-Contra hearings were completed by early August 1987, if my memory serves me well. I think, as our distinguished colleague from Maryland pointed out, there were 21 hearings, in fact, conducted between early July 1987 and early August 1987, in order to accommodate the then-minority leader's request.

Now here we are 34 weeks away, after 20 months of hearings, 270 days, 50 actual hearings, 100 witnesses, and 50,000 documents have been turned over. I do not know how many people have been through depositions. And it is nothing, by the way, even remotely close to Iran-Contra in allegations. I remind my colleagues to remember the days when Fawn Hall was stuffing documents into her cowboy boots, sneaking into the White House, or they had shredding parties at the White House, they called them, to destroy documents. Nothing like that has been alleged here.

We have documents that have turned up. I know our colleagues have gone on at some length—I think, entirely appropriately—to examine what happened there. None of us has suggested that we ought not to look into that. But as I pointed out in the past, in every single case where these documents have emerged, nothing in them contradicts anything we learned earlier. Had these documents produced contradictory evidence, the suspicions about showing up late, or in some other place, would have much more credibility. But everything we found in the documents that came later has corroborated what we knew earlier. It does not excuse the fact they showed up late.

Again, we may never know the answers completely. But to suggest there is a great conspiracy here is not borne out by the facts of what was in the documents once discovered.

So my basic plea, Mr. President, is for some Members on the other side to join us, and we could end this. Ending it is not to terminate it tomorrow, from our perspective. The Senator from Maryland and the minority leader have offered five more weeks of hearings, almost $200,000 more in money, beyond the almost $1.5 million we have spent in the last 2 years just in the Senate, and one more month beyond that to write the report. So it is a proposal to go to the end of May. That is about 20 weeks away from election day, not a year as we were in 1987. Yet, we are being told flatly that that is unacceptable.

Mr. President, you might understand the frustration we feel in all of this. That is not an unreasonable request. The original agreement was to end in February. We had snow days. We had a disagreement over the executive privilege argument, which took some days. You can make a case that you need a bit more time. But we entered into those agreements almost unanimously, with maybe two or three dissenting votes. But when you end up with almost all of the Senate voting overwhelmingly to conduct the hearings and to do the second phase and to agree on the termination date, and to be told on February 29, ''Sorry, we are going to ask for $600,000 more and no date certain when we end them,'' despite the fact that we are weeks away from election, knowing full well that the mere fact that you are having these hearings would create the kind of damage we would like to cause, that is why we are upset about this. This is no great joy to be engaged in a lengthy debate and discussion here. We ought not to be doing this.

Here we are, and we hold one hearing on Medicaid all last year—one, despite the proposals to cut $240 billion out of that program. I think we had two or three hearings on education, and virtually no hearings on health care at all. Then we sit around and wonder why it is that Pat Buchanan seems to be igniting some support when he talks about jobs and people and they see us suspending maybe a week on the floor of the U.S. Senate debating the Whitewater hearings. We had 10 or 12 days on Waco. I do not know how many House hearings and Senate hearings there were on Ruby Ridge. I think there is value in looking at those issues, but this is going beyond the pale, going too far. It is going way too far.

So we are urging, Mr. President, that some Members of the majority stand up and join us in this compromise proposal to bring a conclusion to these hearings and to do so in a reasonable way, with a reasonable amount of dollars. We are the ones on the committee who have to sit there day after day. We are prepared to do it.

I remember in the summer of 1994, when we sat there 12, 13 hours a day in order to wrap this up. We went late into the night to do it. If it takes that, then let us do it. We are prepared to do that, to bring this to closure. So we are urging colleagues to join us in this proposal, in this effort.

Mr. President, I went over some of the earlier points. It may be worth it to reiterate some of the things that happened. The Senate's Whitewater investigation began in 1994, with bipartisan support. Bipartisan support was continued in May 1995 when the Senate overwhelmingly approved Senate Resolution 120 to create the Special Committee To Investigate Whitewater.

Since 1994, there have been more than 50 hearings, as I have mentioned, with testimony from well over 100 witnesses, after detailed examination of more than 45,000 pages of documents. By the way, Mr. President, it is worthwhile to note that here, unlike in other congressional investigations, not a single witness from the White House came other than voluntarily, and several witnesses came on many occasions.

Other than the argument over attorney-client privilege—which is a legitimate argument—every single document received we received voluntarily. There has been no effort here to fight for the release of documents at all except when there was a legitimate question about attorney-client privilege and executive privilege. Those only occurred in very rare cases. Beyond that, in every other instance, we had a tremendously cooperative White House on this.

I think the documentation is about fifty-fifty: About 10,000 or 12,000 pages of White House representation, and 12,000 from the Clintons' files themselves that have come into the committee's possession for examination. It is hard for those who pushed for this investigation to admit that nothing new has been turned up. Yet, that is the case.

I might point out in addition to the moneys we have spent of almost $2 million, not including what we may be spending now with this additional request, the Pillsbury, Madison & Sutro law firm out on the west coast has spent several millions of dollars over the last 2 years on an independent examination for the RTC, Mr. President, of the Rose Law Firm and related matters. As you know, Mr. President, they concluded their report in December, but when the new billing records at the White House showed up they asked for an extension to determine whether or not the conclusions in December would be warranted. They did that examination and basically several day ago filed their final conclusions after examining these new records and reached the conclusion in their words, ''That no more moneys ought to be spent on the Whitewater investigation.'' That, in fact, in their view there was no proof to substantiate the Clintons' or the law firm's involvement in the Madison Guaranty issues. It is a long report, about 170 pages. I do not expect my colleagues to read through it but the conclusions are there for people to read. Again, that has been completed.

Then we have the $26 million spent by the independent counsel up to now. Again, as our colleague from Maryland pointed out, I believe it is $1 million a month; $1 million a month the independent counsel is consuming. Nothing we are suggesting here limits the independent counsel's investigation. In fact, they can go on in perpetuity. Some fear they probably will, if past practice is any indication of future conduct. We ought to take a look at that issue at some point, but the independent counsel proceeds apparently at $1 million a month with no limitations on their work.

So there is $30 million—more than $30 million—that has been spent over 270 days or so, with more hearings than in any other investigation in the history of Congress. Is it unreasonable that we say can we not wrap this up in 5 weeks—our part of this, in 5 weeks—with $200,000, almost a quarter of a million dollars, in additional funding? Is that an unreasonable request, particularly when you compare it to the request that says we want half a million, not including consulting fees for an unlimited amount of time. Which is the more reasonable request in light of what we have been through over these past several years?

Mr. SARBANES. Will the Senator yield?

Mr. DODD. I am happy to yield to the Senator.

Mr. SARBANES. I ask the Senator which is the more reasonable request, if you put it in the context of what occurred in 1987 with respect to the Iran-Contra hearings in which a Democratically controlled Congress was looking into the activities of a Republican administration and had Members who were pressing hard for an open-ended investigation that would carry well into the 1988 political year. The minority leader of the U.S. Senate, then Senator DOLE, in early 1987 took a very strong position against an unlimited hearing on that matter, pointing out it would turn into a political exercise in an election year.

Senator INOUYE, who headed up the select committee on the Senate side, and Chairman HAMILTON, from the House side, accepted that argument and agreed to a limited period of time. In fact, later they intensified the schedule in order to finish it earlier in 1987, in August, so it would not carry over into 1988.

Now, if you put it in that context, I say to the Senator, is not the proposal made by Senator DASCHLE an eminently reasonable proposal? I heard talk on the floor today that there is a double standard. Someone got up and said if this were a Republican President now and a Democratic Congress, things would be different. They might well be different. They were different in 1987 when we had a Republican president and a Democratic Congress, and the Democratic Congress then accepted the argument that we did not want to turn it into a political exercise in the 1988 election, and carried through and did the hearings—did 21 days of hearings in 23 days in order to bring the matter to an end.

Given that history and placing it in that context, does that not make the proposal of the minority leader, Senator DASCHLE, seeking to accommodate for the extension of another 5 weeks to do the hearings, a far more reasonable proposition than the proposal of Chairman D'AMATO for an indefinite extension of these hearings throughout the election year?

Mr. DODD. Mr. President, my colleague from Maryland is exactly right. He answers his question with his question. In fact, it obviously is far more reasonable.

Again, I recall the then-minority leader, Senator DOLE, making the case in part that it was not just the politics. He worried about the damage being done to the Presidency, the office of the Presidency. So he made that appeal on the basis that we ought not to damage the office of the Presidency. Of course, we are well aware that our colleague from Kansas, the majority leader, is an active candidate for the office of the Presidency today, and yet yesterday in the Rules Committee when the matter came up as to whether or not we ought to try and put some limitation on this for 5 weeks and a limited amount of money, there was a vote.

Our colleague, Senator FORD of Kentucky, offered an amendment to the open-ended proposal and said, ''How about 5 weeks, $185,000, with an additional month to wrap it up?'' The majority leader was there for the vote. He voted against that and voted for the open-ended proposition. Only 5 years ago he was, of course, making a strong case in the other direction.

Mr. SARBANES. If the Senator would yield on that point, what he said in the debate in early 1987, ''If we get bogged down in finger pointing, in tearing down the President and the administration, we are just not going to be up to the challenges ahead, and all of us, all Americans, will be the losers.'' Let me repeat that, ''and all of us, all Americans, will be the losers.''

As the Senator from Connecticut pointed out, this was an added argument that was made in addition to the argument which was accepted by the Democratic majority that the inquiry ought not to be carried into the election year. There is this the very point that the Senator alluded to just a moment or two ago.

Mr. DODD. I thank my colleague from Maryland for raising that point. It goes to the heart of what I was suggesting at the outset here, that in the conduct of these investigations by and large there has been an effort at least on the part of those of us here to seek bipartisan accommodation. These are not matters that necessarily ought to fall into the area of partisan debate because we recognize the sensitivity of them. Hence, over the years, the formation of these committees and the allocation of resources, with some minor exceptions, have enjoyed bipartisan support.

As the Senator from Maryland points out, it was, in fact, the leadership of

the majority in 1987 that agreed with the minority and accommodated their request to not allow those hearings to spill over into the fall of 1987, a year away from election day. Not 34 weeks away from election day, a year away from election day.

I might point out that resolution called for the termination of the Iran-Contra hearings in October 1987. That was the termination date. We moved it back and finished the work in August, a year and a half before the election, because the request from the then-minority leader was that this might contaminate the election season.

Yet here, after the longest investigatory hearings in the history of Congress, 50 hearings, 100 witnesses or more and all of the information we have accumulated and collected, to a request to wrap this up 6 months—less than 5 months, less than that—before election day, the answer is a resounding, ''No. Tough. We have something going here politically and we are going to ride this one down the road here, even though we have no information or no evidence of any wrongdoing—not even any wrongdoing; any unethical behavior—we are going to ride this one out because, who knows, maybe we can get something going here.''

This is a very unhealthy thing for this body to be doing, very unhealthy. It invites a kind of deterioration in the comity that is essential in this body to get anything done, when we engage in this kind of practice.

Mr. President, what we are confronted with here, then, is obviously the dilemma the majority is in—which should be a dilemma which is not that difficult to resolve but nonetheless is a dilemma—do you push, on the one hand, for an extension of the hearings that we have already conducted for such a lengthy period of time deep into the Presidential campaign season and thus undermine, in my opinion, the integrity of the Senate with what will appear to be, at least it does to many, a purely partisan attack on the President? Or do you admit that the investigation has turned up no new evidence of illegal or unethical behavior and risk the vocal wrath of those on the fringes for whom the very absence of proof is in itself evidence of a coverup? A true Hobson's choice, in many ways, for the majority leader and the majority.

At this point, I think it is appropriate to ask if it was necessary for the Senate to even reach this point. I do not believe so. One of the key provisions of Senate Resolution 120 was a requirement that the special committee conclude its business by February 29, 1996. By adopting a date specific to terminate the special committee, the Senate as a body wisely—wisely—intended to eliminate the taint of partisan politics from the committee's work and to avoid the kind of pressures that come from outside fringe groups that demand a continuation of our work in perpetuity. That is why, unanimously, we agreed on that date.

Now, we understand we may need a few more days. We understand that.

But we avoid the very problem that we have now found ourselves in by establishing those kind of dates. By the way, I went back and researched this. There is not a single investigation that I could find done by the Senate of the United States over the past 30 years that did not have a termination date in the original resolution that established the committee. Wisely the Senate has done so to avoid the kind of problem we get into when you have open-ended investigations with no end in sight. Therefore, we put that in the resolution.

In adopting a cutoff date well in advance of the 1996 Presidential elections, the Senate was following the same procedures advocated by the majority leader, as pointed out by our colleague from Maryland, back in 1987 when he then as minority leader successfully argued for the limiting of the duration of the special committee to investigate the Iran-Contra affair. Of course, as this deadline approaches we find ourselves operating in a far different political landscape than we were in the months following the 1994 congressional elections. The enhanced political position of the President has led some to speculate that the proposed extension is little more than a desperate, nakedly partisan attempt to smear the First Family. What is particularly interesting is that as the committee moved closer and closer to the deadline which we established almost unanimously it actually slowed down the pace of the hearings to the point where we held only eight hearings in the entire month of February, and none in the last week of February. I remind my colleagues there were no votes. The majority leader did not call up any votes in the month of February. There were no interruptions. Yet, for the entire month we were all around—members of the committee. We had eight hearings over 5 weeks, and only one hearing with a single witness in the last week of the hearings.

Mr. President, I also find it interesting that last week the majority provided a preliminary witness list indicating that it wanted to call as many as 60 to 75 people as witnesses when over a month ago, and before we heard from 15 witnesses, the chairman of the committee said in response to questions from myself and Senator SARBANES of Maryland that ''we have identified 60 potential witnesses.'' That was on February 1, 1996, on page 84 of the transcripts. As I mentioned, we have heard from 15 witnesses since that time, leading one to reasonably believe that we were down to calling 45 witnesses, or less at this point. I say this not to place the chairman of the special committee in any embarrassing position but to illustrate the fact that the bar keeps getting raised by the majority as to how much time they need to complete their inquiries.

It would be one thing, of course, if we had no precedents to rely upon as far as Senate investigations go. But, in fact, we have many precedents, including our experience with the Iran-Contra hearings. The contrast, as has been pointed out by our colleague from Maryland, could not be more stark. When the Iran-Contra hearings entered its final months of existence and knew it had a lot of ground to cover, it held 21 hearings in that 1-month period. Mr. President, that is 21 hearings in 1 month by Iran-Contra, compared to 8 in 1 month by the Whitewater Committee. Did Senators have more stamina in 1987 than they do in 1996? Probably not. I do not think so. But perhaps there was a greater will to get the job done by the members of that committee than we have seen so far by the members of the Whitewater Committee.

The majority raises a number of issues to justify an indefinite extension of the special committee. But I believe, based on the facts, that the alternative that we are offering to this indefinite extension will provide ample time for the committee to complete whatever work remains. The primary reason cited by my friends on the other side of the aisle for continuing these hearings indefinitely has been that the White House has failed to cooperate with the committee's investigation. That is just fundamentally wrong. To buttress this contention, we are told by the majority and it is pointed out by the majority, the confrontation over the so-called Kennedy notes—that is the lawyer—and the discovery since January of documents are relevant to the committee's work. The conclusion drawn by the majority is that the White House will delay providing damaging documents until just before the committee's termination date and thus an open-ended extension is warranted.

Mr. President, the facts do not justify such a conclusion. First and foremost, this administration, as I said earlier, has been more cooperative with the committee's investigation than any administration in memory. The White House has turned over 14,000 pages of White House documents, and the President and the First Lady's personal attorney have turned over in excess of 10,000 to 20,000 pages of additional documents.

Furthermore, every administration official has been made available to the committee and has testified voluntarily—every single one of them without the promise of immunity that Congress was required to give members of the previous administration during the Iran-Contra hearings.

Many of us in the Senate well remember the actions of the previous two administrations with respect to the Iran-Contra investigation. Who can forget the time we heard about high-level national security officials holding shredding parties at the White House? In fact, the top two Reagan officials in White House deleted over 5,000 e-mails in the hours just before they both resigned in disgrace from their positions;

5,000 e-mails were destroyed just hours before they submitted their resignations. And yet we did those hearings in 6 months. Who can forget the image of Fawn Hall stuffing sensitive documents into her boots so they could be spirited out of the White House before investigators could examine them?

Many of us remember the changing memory of top officials who refused for 6 years to turn over documents to the independent counsel, Lawrence Walsh, despite repeated demands to do so. None of that has happened here.

What have we received? We have received as a good-faith effort by the White House to comply with the innumerable and frequently overly broad requests of the special committee. Perhaps there would be more credibility to the allegations if the documents that have been turned over since January offered startling new evidence of wrongdoing, or if they contradicted previous testimony. But the fact is that all of these documents—yes, even the ones we found just recently—confirm the information that has been provided to the special committee in previous evidence; in every single case.

Far from revealing the smoking gun, these documents provide exculpatory evidence that there was no illegal or unethical activity by the President or the First Lady or administration officials. We have also been told by the majority, citing the controversy over producing the so-called Kennedy notes as a reason for why the committee cannot complete its work on time. The fact of the matter is that there was a legitimate dispute between the committee and the White House over the legitimate claims of attorney-client privilege. To simply dismiss the White House concerns on this issue is nothing more than obstructionism. But as Geoffrey Hazzard, a noted professor of law, stated in a letter to the White House at the time of this controversy, and I quote from it:

> Presidents of both political parties have asserted the privilege. This position is, in my opinion, correct reasoning from such precedents as can be applied. Accordingly, the President can properly invoke the attorney-client privilege.

I am not trying to reopen the debate on this issue which ended after mutually satisfactory negotiations with the committee getting all the documents it had requested, but to put to rest an assertion that there was no basis for the White House to be concerned with inadvertently waiving the President's right to confidential communications with their attorneys.

There are some observers who believe that the entire controversy over the so-called Kennedy notes was orchestrated by the majority to create a conflict within the White House over providing documents. The reason for that belief is that there has been a strong tendency on the part of the committee to make document requests that are so broad as to make compliance virtually impossible. There are numerous examples of this, not just a few. But I particularly remember when the majority wanted to subpoena—listen to this—all of the telephone records from the White House to area code 501, which just so happens to be the entire State of Arkansas—all of the telephone records of the entire State of Arkansas. That was the subpoena request. If you think I am making this up, that is the kind of request we were getting.

Senator KERRY of Massachusetts and I asked majority counsel for the basis of such a broad request, and let me quote from the hearing transcript.

> Senator KERRY. That's the entire State of Arkansas. You want calls to the entire State of Arkansas from the White House for 5 months?
>
> MAJORITY COUNSEL. I don't know what the area code 501 encompasses.
>
> Senator DODD. It's the entire State. You ought to know that before you put it in a subpoena.

There you have a case where here we are subpoenaing an area code and counsel says, I don't know what it encompasses. We are just going to throw the net out here. You wonder why we are frustrated and angry over how this is proceeding.

Ultimately, the subpoena was narrowed, thanks to the efforts of the Senator from Maryland, to a legitimate framework. But that small example, that one example I hope gives our colleagues a flavor of the difficulty faced by the White House during these proceedings. It seems that every time the majority makes a document request, it starts out so broad that days or weeks of negotiations are necessary before the request can be complied with. Thus, the question might not be why the White House takes so long to comply with the document requests but, rather, why the majority consistently chooses to frame those requests in a way that ensures the maximum amount of time will elapse before there can be compliance with the request. That is one of the reasons for the delay.

Mr. SARBANES. Will the Senator yield?

Mr. DODD. I will be glad to yield.

Mr. SARBANES. Is the Senator familiar with the request that was made for all communications between anyone on the White House staff, current or past, and 50 named individuals over an 18-month period on any subject whatsoever? Let me repeat that. That was the initial request. For any communication between anyone on the current White House staff or past White House staff and an enumerated list of more than 50 people over an 18-month period on any subject whatsoever. And, of course, the response to that is that this is so broad it is just impossible to comply with. And eventually, by interaction, and so forth, it was narrowed down to more relevant time periods, to more relevant individuals, and to more relevant subjects. And then, once that was done, we were able then in a reasonable period of time to get compliance from the White House. But that is another example along the lines of the 501 area code, which the Senator cited, of the problems we have confronted.

Now, as the Senator indicated earlier, I generally joined with the majority in the various document requests, but I refused to do it in those few instances in which the requests were so broad that they literally were not possible reasonably to comply with. And then, over time, eventually we were able to narrow those down, put them in a reasonable framework and then put them forward and get compliance.

Now, the White House has now responded to every request that has been made to them as of today with the exception of two new requests made in the last couple of weeks with respect to e-mails. These were additional e-mail requests, beyond the ones that have previously been made. So there has been an effort on their part to comply with some of the most broad and sweeping and onerous requests that I think anyone could imagine.

Mr. DODD. I appreciate my colleague making that point. I wonder if my colleague would agree that it is not unreasonable for those who watch those kinds of requests to begin to question whether or not there is an intentional desire to provoke a delay, knowing full well that such a broad request is going to have to be unacceptable, so that time is consumed narrowing the request to a reasonable level so that the White House in this case can respond. I do not know how long my colleague actually spent in those cases to actually narrow the subpoenas down to a reasonable level. May I inquire. Was it several days?

Mr. SARBANES. Certainly. More than that. More than that. And the White House's response to these overly broad requests is, What can we do with this? We have to get more rationality into the request if we are to respond to it in a reasonable period of time.

That has been one of the problems throughout.

Mr. DODD. I thank my colleague for that additional information which I had forgotten, but it is a very good point indeed. Any communication to, was it 18 employees? Did I hear it correctly?

Mr. SARBANES. No, no, it was between anyone on the White House staff——

Mr. DODD. Anyone?

Mr. SARBANES. Current or past, and 50 people, named people over an 18-month period on any subject matter whatsoever. That was the original request. That was not the request that was finally responded to because we were able, by working together, to narrow the request in a way that we were able to limit the number of people, the subject matter, and the time period so it become manageable.

Mr. DODD. That is incredible.

Mr. SARBANES. This was the original thing we were confronted with.

Mr. DODD. I thank my colleague. I apologize. I thought it was 18. It was 18

months, every single employee, past or present, in this administration over an 18-month period.

Mr. SARBANES. On the White House staff, yes.

Mr. DODD. I should complete my remarks at that particular point. I think that makes the case. It is a better example than almost the entire area code of a State.

Mr. President, another reason we have been given as to why the committee should be extended indefinitely—and let me emphasize this indefinite extension—is that we must wait until the independent counsel has completed his trial of Governor Tucker, Jim McDougal and Susan McDougal, in Arkansas. That trial is scheduled, after several delays, to begin on March 4—in fact, it is underway—and to last from 6 to 10 weeks.

However, the idea of waiting for Mr. Starr's trial to end is contrary to the bipartisan position taken by the special committee just a few months ago. On October 2 of last year, the chairman and Senator SARBANES sent a letter to Mr. Starr. Let me quote from this letter, if I may. This is from the chairman of the Whitewater Committee and Senator SARBANES, joint signatures. The letter says:

> If the special committee were to continue to defer its investigation and hearings, it would not be able to complete its task until well into 1996.

They continued saying:

> We have now determined that the special committee should not delay its investigation of the remaining matters specified in Senate Resolution 120. We believe that the concerns expressed in your letter do not outweigh the Senate's strong interest in concluding its investigation and public hearings into the matter specified in Senate Resolution 120 consistent with section 9 of the resolution.

Section 9 of the resolution is the provision that requires the special committee to complete its work by February 29, 1996.

So the committee is specifically on record, it is on record, as opposed to delaying its work in order to accommodate the trial going on in Arkansas. One cannot help but wonder what has changed other than the political situation to prompt the chairman to unilaterally change his mind on this fundamental issue.

There is one critical fact that I hope my colleagues will not lose sight of during the course of these debates, and that is that our decision about extending the committee will not affect the investigation of the independent counsel by one iota. There are no limits, none, on either the duration of Mr. Starr's investigation or its scope or its cost, for that matter—none whatsoever. As a matter of fact, the independent counsel recently requested and received permission to expand his inquiry to include matters from 1992 that were not originally part of his mandate.

I hope that those Senators who might worry that ending our investigation will somehow give the Clintons a free ride will certainly want to know what Mr. Starr is doing down in Little Rock with a staff of 30 attorneys, 100 investigators, and a cost to the taxpayers of $1 million a month on top of the $26 million he has already spent.

That would be a good inquiry, maybe extend these hearings. Maybe we ought to do an investigation of how that investigation is being done—$26 million. You have more lawyers down there than you do focused on organized crime in some of our major cities. The American public might want to know how their tax money is being spent with that kind of an effort.

Given the absence of any compelling factual basis to continue these hearings, Mr. President, the alternative that we have proposed through the minority leader, Senator DASCHLE, I think is more generous in allowing the committee to complete whatever task the majority feels must still be accomplished.

You know, Mr. President, in some ways I regret we did not do what the minority had done back in 1987. In retrospect, maybe we should have had the minority leader, Senator DASCHLE, approach the majority last fall and ask to wrap up these hearings early, as Senator DOLE did in 1987. Remember what I said earlier, the original termination date was October of 1987. Senator DOLE came in the spring and said, ''Can't we get this done early, get it done by August, in order to avoid the campaign season of 1988? Can't you get it done in August of 1987, not in October when it gets into the campaign season?''

Maybe we should have approached the majority last fall and said, ''How about getting this done earlier?'' Then maybe we might have finished around February. Instead, we thought it was on the level. In fact, it was set at February 29 as a reasonable time, and then because you may need a few extra days, we have suggested 5 more weeks, almost a month and a half more of hearings, and an additional month to file the report, and almost $200,000 more to do it, not to mention the consultants' fees that are going to be spent.

Our colleagues ought to know that I think a substantial minority or maybe a majority of the Senators on this side feel this should have ended on the 29th, and that is it. But because Senator SARBANES and the majority leader and others, myself included, made a case, look, a few more days here, let us try, and there are additional witnesses we need; let us try to wrap this up.

But I think many people here feel, as the American public does by overwhelming majorities—they feel this has gone on too long—$30 million dollars. It is their money we are spending on this. It is their money that is being spent on this, on this investigation that has gone nowhere, shown nothing, uncovered nothing. Now they want half a million dollars more of your money to spend on this, along with consultancy fees for an unlimited amount of time.

You wonder why the American public get sick and tired of how Washington pays attention to itself, is preoccupied with itself, trying to get $30 million to spend on hearings instead of looking into what is happening to our cities or education or health care or joblessness in America. You could not get the votes here for that. But we will spend $30 million over 270 days, and 50 hearings, on whether or not something happened in the 1980's, 15 years ago, in Arkansas.

Then we wonder why there is rage in the country over how Washington does its business. Well, you get a good taste of it now in this last Congress. Not one hearing on Medicare. Whether you agree with the cuts or not, the fact that we would propose cutting $240 billion out of the safety net for people's health care, and we do not even have a hearing to look at it and examine it.

Oh, but we can spend 50 hearings on this, 10 or 12 hearings on Waco, 15 hearings on Ruby Ridge. Boy, those are important issues. That is just what the American public sent us here for. That is how they want their money spent. Now they want an unlimited amount of time and a half a million more. And people say, wringing their hands, ''Why are people so upset with Washington?'' Well, watch this spectacle over the next few days. You do not have to ask yourself the question.

We ought to wrap this up and get it over with. It has gone on too long. The proposal by the minority leader, Senator DASCHLE, is a reasonable one—this body ought not to take 10 minutes to debate it—5 more weeks, $185,000 to complete its work, and particularly as it is coming down, as everyone—everyone—knows in the country.

It is one thing to engage in politics with your own money, but to engage in political activities with the taxpayers' money is insulting. It angers people. It makes them angry. They are right to be angry. They ought to be angry about this process and watch these votes when the votes come up and remember how people vote on this, how quick they are to spend their money on this.

But how unwilling they are when it comes down to your health care or your kid's education or your jobs. They are, ''Oh, no, we can't afford to do that. We've got to balance the budget, but, by God, we'll spend the money on this.'' That is why people are angry in America. And I do not blame them.

So, Mr. President, I hope in the coming days here, over the next day or so, that we can reach an understanding here that 5 weeks is plenty amount of time. We can hold a lot of hearings in 5 weeks. We can wrap this up and put it behind us. It is unhealthy for this institution. It does damage to this institution. It does a disservice to the American public. So I urge that we come to an agreement on this and move along.

Mr. President, I yield the floor.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER (Mr. SANTORUM). The Senator from Alaska.

Mr. MURKOWSKI. I thank the Chair.

Mr. President, we heard a good deal of rhetoric relative to the prevailing attitude of the American people. My good friend from Connecticut has indicated that the public has had enough and that clearly this side of the aisle is to blame for continuing the efforts in the Whitewater probe.

I think my colleagues on the other side of the aisle are either not listening to the American public or not reading the daily newspapers in the United States. I have a list that was compiled a little while ago, just a very, very partial list, of the newspapers specifically requesting extended hearings—the Washington Times, the Washington Post, New York Times, the New York Post, the Times-Picayune, the Times Union. And in support of the hearings, there has been the same group of newspapers. This is a very, very, very, very small list of those newspapers.

That represents public opinion, Mr. President. That represents the public's opinion in light of the overwhelming information that just keeps coming out about Whitewater. So much of this information just seems to be trickling out of the White House, and the public wants answers.

Let me refer specifically to what I am talking about by referring to the chart behind me which clearly makes my point.

If one looks—I might just make a reflection on a comment that was made in the book ''Men of Zeal'' by Senator COHEN and former Majority Leader Mitchell.

I quote:

> The committee's deadline provided a convenient stratagem for those who were determined not to cooperate.

That, of course, is a commentary on the events surrounding the Iran-Contra hearings.

But let us look at the record, Mr. President. And this, Mr. President, is why these hearings must be extended. The documents simply keep coming. In August of 1995, The committee requested documentation from the White House.

In October it was necessary to send a subpoena to the White House.

January 5. The Rose Law Firm billing records were produced.

Records discovered by Carolyn Huber in the White House personal residence in August 1995.

January 29, 1996, and February 7. Mark Gearan's documents produced, documents ''inadvertently taken'' from the White House.

February 13. Michael Waldman's documents produced. Documents found ''in the course of an office move.''

Well, let us move to February.

February 20. Harold Ickes' documents produced. Documents were ''inadvertently overlooked'' and Mr. Ickes was under ''mistaken belief'' that they had been produced earlier.

February 29. Special committee funding expires. And that, Mr. President, is why we are here are today.

But incredulously, the White House documents just keep coming. March 1, suddenly Bruce Lindsey's documents are produced. Documents ''inadvertently were not produced previously.

March 2. White House produces 166 pages of documents of various administration officials, including Lisa Caputo, Neil Eggleston, Bruce Lindsey, Bernard Nussbaum, and Dee Dee Myers.

March 5. Rose Law Firm documents produced. Documents were ''just located.''

Mr. President, look at the facts. Since the funding has expired, we have received three separate groups of documentation. Why did that occur? Well, one can do some guessing. Perhaps there was some fear of the consequences that occur from withholding evidence? And perhaps memories were suddenly refreshed when those consequences became more apparent.

Mr. President, do not buy for a minute the argument of the other side that somehow this debate is a Republican plot, a partisan plot. Well, Mr. President, finding answers to the many unanswered questions about Whitewater is not partisan politics. Let's look at what the public thinks, as reflected in many editorials from newspapers across the nation.

The Times Picayune:

> Senate Democrats should think twice about filibustering to end the Whitewater investigation committee's attempt to get to the bottom of President and Mrs. Clinton's involvement in Whitewater and related matters. The public would likely simply add Senate Democrats to the list of participants in a suspected coverup.

I read on:

> But the Senate investigation has not popped up suddenly in this election year, it began 20 months ago, and it's sometimes snail's pace has not had to do with dragging it out until the election year but instead with the White House's determinedly evasive tactics.

The White House, Mr. President, not the Congress.

> The White House pleads that it is cooperating, but although it has provided the committee reams of requested documents, it still has not provided key documents that might clear the matter up, one way or the other.
>
> The natural conclusion must be that the Clintons have something to hide, and that if they do not want to make it public, it must not support the Clintons' declarations that they have done nothing illegal or unethical.

It concludes:

> No matter how this might serve the Democratic campaign interests, it would not serve the public interest. That interest is having the facts, and only then can the public draw its own conclusion.

Mr. President, the editorial that I just read, is representative of many editorials across the United States. So, I ask again, is it only the Senate Republicans who wish to get answers about Whitewater? It clearly is not. It is the opinion of editorials across the nation, and these editorials reflect the attitudes and opinions of the American public. Let's look at some more editorials:

The Washington Post, March 4, entitled ''Twenty Months and Counting.'' It reads as follows:

> Twenty months and counting. That is the disdainful cry of Senate Democrats as they rise in opposition to the request of Senate Republicans for an open-ended extension of the now-expired Whitewater investigation.
>
> . . . The committee, for example, has been having an exceedingly tough time obtaining subpoenaed documents or unambiguous testimony from administration officials. Seldom have so many key witnesses had no earthly idea why they did what they did, wrote what they wrote, or said what they said—

Or if they even remembered it at all.

> . . . White House aides keep dribbling down documents—suddenly and miraculously discovered—to the committee. Just when we think we've seen the last of the belated releases, one more turns up. The latest was Friday night, when one of the President's top aides, Bruce Lindsey, produced two pages of notes that he had earlier told the Whitewater committee he didn't remember taking.

At issue today, as has been the case for some time, is whether the Clinton administration has done anything to impede investigations by Congress or the independent counsel and whether the Clintons engaged in any improper activities in Arkansas while he was Governor and the First Lady was partner in the Rose law firm. Nothing illegal on their part has turned up yet. For those who are inclined to dismiss any and everything that falls under the label of Whitewater as just another political witch hunt, it is worth remembering that 16 people have been indicted by Federal grand juries as a result of the independent counsel's probe and 9 have entered guilty pleas. Congress doesn't have the job of sending people to jail. But factfinding is part of the congressional job description. The Whitewater Committee should be empowered to do just that.

The St. Petersburg Times has another interesting editorial. And again, Senate Republicans did not write these editorials, Mr. President. Newspaper editors wrote these editorials; editorials that I submit reflect the views of many Americans. Let me quote the last portion of an editorial in the St. Petersburg Times, dated February 29:

> There are many . . . compelling reasons for continuing the Senate work, including the criminal Whitewater proceedings that may unearth important new facts. But the most important reason is also the most democratic: Ordinary citizens need to learn what all this is about, what this Whitewater talk is about. While Arkansas' most powerful couple, did the Clinton's trade their public trust for private gain? Since going to Washington have the Clintons and their associates used the power of the presidency to cover their tracks?

These are painful questions, and not just for the Clintons. Americans deserve a President they can trust, someone who embraces questions about integrity instead of running from them. If the answers make the Clintons' campaign more difficult, so be it. The search for answers can't stop now.

Let me quote the Washington Post of February 29, which is not a product of

this side of the aisle by any means. I read the last paragraph:

What the Senate does not need is a Democratic-led filibuster. Having already gone bail for the Clinton White House, often to an embarrassing degree, Senate Democrats would do themselves and the President little good by tying up the Senate with a talkathon. Better that they let the probe proceed.

Again, whose idea is this, Mr. President? This is public opinion throughout the Nation through the editorial writers of some leading newspapers in this country.

Mr. SARBANES. Will the Senator yield for just a moment on these two Post editorials?

Mr. MURKOWSKI. I will yield at the conclusion of my brief statement.

Mr. SARBANES. Would it be—

Mr. MURKOWSKI. Please proceed.

Mr. SARBANES. I ask unanimous consent that these two editorials from the Washington Post, that were cited, be printed in the RECORD, because one of them says:

. . . the Senate should require the committee to complete its work and produce a final report by a fixed date.

And later it says:

That would argue for permitting the probe to continue through April or early May.

The other says:

The Whitewater committee should be empowered to do just that . . .

That is, factfinding within a reasonable time and it suggests 2 additional months.

So both of these editorials reject the notion that we should have an indefinite extension of this hearing.

I ask unanimous consent that the two editorials be printed in the RECORD.

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

[From the Washington Post, Feb. 29, 1996]

EXTEND, BUT WITH LIMITS

We noted the other day that the White House—through its tardiness in producing long-sought subpoenaed documents—has helped Senate Banking Committee Chairman Alfonse D'Amato make his case for extending the Whitewater investigation beyond today's expiration date. If one didn't know any better, one might conclude that the administration's Whitewater strategy was being devised not by a White House response team but by the high command of the Republican National Committee.

However, despite the administration's many pratfalls since Whitewater burst onstage, Sen D'Amato and his Republican colleagues have not provided compelling evidence to support the entirely openended mandate they are seeking from the Senate. There are loose ends to be tied up and other witnesses to be heard, as Republican Sen. Christopher Bond said the other day. But dragging the proceedings out well into the presidential campaign advances the GOP's political agenda; it doesn't necessarily serve the end of justice or the need to learn what made the Madison Guaranty Savings & Loan of Arkansas go off the tracks at such enormous cost to American taxpayers. The Senate should allow the committee to complete the investigative phase of its inquiry; including a complete examination of the Clinton's involvement with the defunct Whitewater Development Corp. and their business relationships with other Arkansas figures involved in financial wrongdoing. But the Senate should require the committee to complete its work and produce a final report by a fixed date.

Democrats want to keep the committee on a short leash by extending hearings to April 3, with a final report to follow by May 10. A limited extension makes sense, but a unreasonably short deadline does not. Five weeks may not be enough time for the committee to do a credible job. Instead, the Senate should give the committee more running room but aim for ending the entire proceedings before summer, when the campaign season really heats up. That would argue for permitting the probe to continue through April or early May.

What the Senate does not need is a Democrat-led filibuster. Having already gone bail for the Clinton White House, often to an embarrassing degree, Senate Democrats would do themselves and the president little good by tying up the Senate with a talkathon. Better that they let the probe proceed. Give the public some credit for knowing a witch hunt and a waste of their money if and when they see one. And that, of course, is the risk Sen. D'Amato and his committee are taking. * * *

[From the Washington Post, Mar. 4, 1996]

TWENTY MONTHS AND COUNTING

That is the disdainful cry of Senate Democrats as they rise in opposition to the request of Senate Republicans for an open-ended extension of the now-expired Whitewater investigation. After conducting more than 50 days of public hearings involving 120 witnesses, taking 30,000 pages of deposition testimony, collecting 45,000 pages of White House documents, spending more than $1.3 million, and compiling a casualty list of near financially destroyed administration officials, what do Whitewater committee Chairman Alfonse D'Amato and his Republican colleagues have to show for it? the Democrats ask. A good question, indeed. But it's not the only one to be answered in deciding whether to extend the life of the committee.

The committee has been working for more than a year to gather the facts surrounding the collapse of the federally insured Madison Savings and Loan in Little Rock, the involvement of Bill and Hillary Clinton in the defunct Whitewater Development Corp., and the handling of documents and the conduct of White House officials and Clinton associates in the aftermath of Deputy White House Counsel Vincent Foster's suicide. Whitewater, in the hands of congressional Republicans and the independent counsel, is now a much wider-ranging investigation that seeks answers to a host of questions concerning Washington-based actions taken after the administration was in office.

The committee, for example, has been having an exceeding tough time obtaining subpoenaed documents or unambiguous testimony from administration officials. Seldom have so many key witnesses had no earthly idea why they did what they did, wrote what they wrote, or said what they said—if they owned that they even remembered at all.

Committee Republicans assert that dozens of witnesses still must be examined. Some will not be available until their trials end. That's the major reason Sen. D'Amato gives for a lengthy open-ended extension. The next has to do with the way White House aides keep dribbling documents—suddenly and miraculously discovered—to the committee. Just when we think we've seen the last of the belated releases, one more turns up. The latest was Friday night, when one of the president's top aides, Bruce Lindsay, produced two pages of notes that he had earlier told the Whitewater committee he didn't remember taking. See what we mean?

At issue today, as it had been for some time, is whether the Clinton administration has done anything to impede investigations by Congress or the independent counsel and whether the Clintons engaged in any improper activities in Arkansas while he was governor and she was a partner in the Rose Law Firm. Nothing illegal on their part has turned up yet. For those who are inclined to dismiss any and everything that falls under the label of Whitewater as just another political witch hunt, it is worth remembering that 16 people have been indicted by federal grand juries as a result of the independent counsel's probe and nine have entered guilty pleas. Congress doesn't have the job of sending people to jail. But fact-finding is part of the congressional job description. The Whitewater committee should be empowered to do just that, but within a reasonable time. Two additional months, with a right to show cause for more time, makes sense.

Mr. MURKOWSKI. I have no objection to that. It was my intention to include each of these editorials in their entirety, though I would like to point out that I only made reference to one Washington Post editorial. What I quoted to the President is what I believe reflects the difference between the two sides, the Democrats and Republicans. What is occurring today is a great deal of finger pointing, and unfortunately the finger pointing will likely continue throughout this debate.

Today's debate, Mr. President, reflects a process that has been initiated by one side of the aisle. One side of the aisle wishes to terminate the process by preventing a vote on this resolution. My concern is that the process that they have initiated is based upon misconstruing the facts. Let me explain what I mean.

I think the Senator from Connecticut had used the figure of close to $30 million of taxpayers' funds, suggesting that somehow this is connected with the activities of our committee. Well, that is not factual.

The Senate has spent $950,000 on the Whitewater investigation. The investigation associated with the special counsel, Ken Starr, has spent $23 million through 1995. The RTC spent almost $4 million. But to suggest by association that the Senate Whitewater Committee is responsible for this expenditure is misleading, to say the least, and far from the disclosure that is appropriate in this body, where we specifically identify each expenditure that is referenced.

The reality is that the information still keeps coming in, Mr. President. There is absolutely no denying that fact. I ask my colleagues to address this issue. Is there a reasonable explanation relative to why we would still get material coming in when, clearly, the authority of the funding for the committee has expired? That is evidenced by the activity associated with material that came in on March 1, 2, and 5. We may get some more material in today, tomorrow, or the next day.

Now, that is why this process has to continue. At what time in the future will it be appropriate that we make a determination that enough is enough? Well, obviously, that is up to the membership of this body and whether this body is satisfied with the work of the committee. But it is fair to say, Mr. President, that the American public feels that this process should continue. The American public is knowledgeable enough to be aware that once there is a date certain, the committee will face delay after delay from the White House. It's a pattern that has been well established. Witnesses and document production would likely be nonresponsive until shortly before the committee's next deadline. If today this body sets a date certain of when the investigation would end, I believe that much of the information that the committee would attempt to obtain would never be given the light of day.

Furthermore, there is a trial starting in Little Rock. The relevance of that trial to this committee's action has yet to be addressed, but it is legitimate and should be part of the ongoing consideration. We all know that there may be individuals in that trial that should come before our committee and give their testimony. We may have some penetrating questions for them. I can certainly say that those of us on this side have several questions that we would like to ask, if given the opportunity. We hope that opportunity will be extended. But, unfortunately, we do not know when that trial is going to be concluded.

So we could go on and on here with justifications for legitimatizing this process. However, bottom-line, we have a responsibility as U.S. Senators of oversight; a responsibility to complete the work that was authorized by 96 Senators. And to suggest that we do anything less than that, or restrict ourselves to a date certain, is absolutely irresponsible. I think a majority of the Members of this body recognize that for what it is and are prepared to support a continuation of the committee's activities, without a date certain.

Let us face it, it is a political year. We all know that. But we all have an obligation in our conscience to address the responsibility associated with our office, and that is to do the best job possible, recognizing the human limitations associated with an investigation of this type and the realization that each person has to vote his or her own conscience. Mr. President, that is an obligation and trust that has been given to us by our constituents and one we do not take lightly.

So we may differ on the merits relative to the political consequences, but we have a job to do, and it would be absolutely irresponsible to suggest that we can set a time certain for that job to cease, especially in light of the fact that the committee has had three separate submissions of subpoenaed materials that came in after February 29, 1996—the date when this investigation was to cease.

Mr. President, I see my colleague waiting to speak. I will yield the floor to him.

The PRESIDING OFFICER. The Senator from Alabama [Mr. SHELBY] is recognized.

Mr. SHELBY. Mr. President, I think it is very important that we continue to fund the committee's work for a couple of pretty obvious reasons. For one, documents are turning up like wildflowers everywhere. Every week or so, the Whitewater Committee receives a pile of ''mistakenly overlooked documents'' from the White House.

Mr. President, how is it that mistakenly overlooked Whitewater files labeled ''Whitewater Development Corporation,'' or that they fail to ensure that notes they took in meetings dedicated exclusively to the discussion of Whitewater, as part of a Whitewater damage control response team, are not produced as part of the subpoena's request?

Mr. President, if you were going to comply with a subpoena that is seeking documents related to Whitewater, would you not start with a Whitewater response team? It is obvious that you would.

Mr. President, that would seem to be the minimum in terms of compliance, would it not? Frankly, I am surprised that we are even debating today whether to continue funding for the Special Committee To Investigate Whitewater. Mr. President, it was only a little more than a month ago that the committee first learned of the existence of billing records that had been under subpoena for over 2 years. What was incredible about their discovery, Mr. President, was that these billing records were discovered by a White House aide in the personal residence of the White House, probably one of the most secure places in the world.

Mr. President, documents do not have legs. They cannot walk. They have to have somebody to carry them. The White House can argue that the billing records support the First Lady's prior statements until the cows come home. They can argue about what the word ''significant'' means, or about what ''minimal'' means. They can rewrite Webster's if they want to. But, Mr. President, that will not change the fact that these records we are talking about were under subpoena for close to 2 years and were not produced during that time. Regardless of motive, someone had custody of these records while they were under subpoena and chose not to produce them.

Mr. President, the mysterious appearance of these records prompted the independent counsel to subpoena the First Lady to testify before the grand jury. This unprecedented action by the independent counsel, I believe, underscores the seriousness and the importance of the billing records' reappearance to this committee's investigation.

What we do know about the billing records is this. Certainly, what we do know is certainly less than what we do not know. What information the committee has been able to glean thus far since the records' discovery is the following:

Mr. Foster's handwriting is found all over the billing records in red ink.

Mr. Foster's writing appears to direct questions to the First Lady about her billings of Madison Savings & Loan.

Mr. Foster was the last person that we know of that had possession of these records after the 1992 Presidential campaign. And the records were found on a table in the book room of the personal residence of the White House sometime in late July or early August.

Mr. President, the committee thus has a sense of who may have had the records last, but no answers to the who, what, where, and when of the billing records' reappearance. We need that information. More important is still what remains unanswered, like, for example, how did the billing records end up in the White House personal residence?

Where have they been for the past 2 years while they have been under subpoena?

Were the records in Mr. Foster's office when he died? If so, who took custody of these records after Mr. Foster's death?

Finally, and most important, who left the billing records on the table in the book room of the White House residence?

As the New York Times so aptly noted in its February 17, 1996, editorial, ''Inanimate objects do not move themselves, we all know that.''

These are serious questions, Mr. President, questions that the committee and the public deserve answers to. There is nothing partisan or politically motivated about trying to uncover the circumstances surrounding the much belated discovery of records under subpoena for over 2 years. Indeed, answers to these questions, I believe, are central to the committee's investigation.

If Mr. Foster did, in fact, have these records in his possession as of his tragic death, how did they move, Mr. President, from the White House counsel's office to the personal residence? Obviously, not on their own motion. Testimony given before the committee about the Foster office search and movement of files to the personal residence leads us to some sense of how they may, Mr. President, have made their way to the book room. The committee heard testimony from a Secret Service officer who swore that he saw Maggie Williams, the First Lady's chief of staff, carrying documents out of Mr. Foster's office the night of his death. Phone records obtained by the committee, Mr. President, showed a spate of early morning phone calls between Ms. Williams, the First Lady, Susan Thomases, and Bernie Nussbaum, immediately preceding Mr. Nussbaum's decision to renege on his agreement with the Deputy Attorney

General of the United States, Mr. Heymann, on how the search of Mr. Foster's office would be conducted.

A senior White House aide testified that the day of the search, Mr. Nussbaum, White House counsel at that time, told him of his concerns coming from the First Lady—told of concerns coming from the First Lady and Susan Thomases—about law enforcement officials having unfettered access to Mr. Foster's office.

Department of Justice officials have testified before the committee as to suspicions and concerns that began to arise after the White House reneged on an agreement on how Mr. Foster's office would be searched—suspicion and concerns, Mr. President, that prompted the Deputy Attorney General of the United States at that time, Mr. Philip Heymann, to ask the then White House counsel, Mr. Bernie Nussbaum, ''Are you hiding something?'' A White House aide testified that later on in the day of the search of Mr. Foster's office, he assisted Ms. Williams in carrying boxes of materials from Mr. Foster's office to the personal residence, during which time Mrs. Williams offered the explanation that the materials were personal documents that needed to be reviewed by the Clintons.

Mr. President, Ms. Williams testified that documents were moved from Mr. Foster's office to a closet on the third floor, to the personal residence of the White House, where they were later reviewed and collected by the Clintons' personal attorneys. This testimony, Mr. President, in conjunction with the belated discovery of the billing records and other Whitewater documents, has only fueled suspicions that the White House has not been truthful about the search of Mr. Foster's office after his death.

Mr. President, the many unanswered questions that remain are in truth due in large part to the lack of cooperation and evasive tactics coming from the White House. While the committee has undertaken to conduct its investigation expeditiously, events like the mysterious discovery of the billing records, the miraculous location of over 100 pages of notes from top White House aides and Whitewater damage control team members, undermine the committee's ability to conduct a timely and thorough investigation.

Mr. President, these documents have been under subpoena, as I said, for over 2 years, and they only now, Mr. President, surface with explanations that confound credibility, such as ''Sorry, mistakenly overlooked.'' ''Didn't know you were looking for notes of those Whitewater meetings.'' Or, ''I thought they were already turned over to the White House counsel.''

Mr. President, the excuses are too little, and I believe they are too late. ''No harm, no foul'' just will not work for the White House anymore. The committee and the independent counsel will not and cannot, Mr. President, accept misunderstandings, miscommunications, mistakes, mismanagement, and general bungling as an excuse by the White House for not producing documents that we are legitimately entitled to. I think it is time for answers, not excuses.

Indeed, Mr. President, the White House's lack of cooperation and forthcomingness, its defensive posture and its behavior in response to the legitimate congressional and law enforcement inquiries has led us to where we are today. The White House's handling of the documents in Mr. Foster's office after his death and its continued and persistent pattern of obstruction and evasion perpetuate the belief they have something to hide.

Last summer, the committee heard testimony about the search of Mr. Foster's office after his death. I want to briefly read from the committee transcript testimony we heard from Deputy Attorney General Philip Heymann, because I believe it clearly reveals why this committee and many Americans continue to believe that the White House has not been truthful about what went on in the hours following Mr. Foster's death.

Mr. President, I ask unanimous consent that the entire script beginning on pages 41 of Mr. Heymann's testimony be printed in the RECORD.

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

EXCERPTS OF TESTIMONY OF DEPUTY ATTORNEY GENERAL HEYMANN

Senator SHELBY. Okay. At some point on the 21st, it was determined that Roger Adams and David Margolis would be sent over to the White House, as I said, to review documents regarding the relevance and privilege dealing with the Foster investigation, you said that are right.

Mr. HEYMANN. That's correct, Senator Shelby.

Senator SHELBY. And the scope of this review, according to your notes, would be looking for anything to do with this violent death. You want to refer to your notes?

Mr. HEYMANN. Yes, I have my notes here and that's correct.

Senator SHELBY. Is that correct?

Mr. HEYMANN. That's correct.

Senator SHELBY. And it was—was it your understanding by the end of the 21st that an agreement or understanding had been reached between the Department of Justice, the Park Police and the White House over how the search would be conducted, the search of the deputy counsel's office?

Mr. HEYMANN. Yes, Senator Shelby, in the sense that we all had agreed on how it would be done. And in what I still think was a very sensible way——

Senator SHELBY. Would you relate what you recall of how the—what you agreed to or thought you had agreed to?

Mr. HEYMANN. I'd be happy to. I just wanted to make clear, Senator Shelby, I didn't feel that I had a binding commitment by Mr. Nussbaum or anyone else. We simply all had talked about it by then and we all were on the same track, we all were on the same page, we all thought it would be done in the way I'm about to describe.

Senator SHELBY. Did you think when you sent Mr. Adams and Mr. Margolis over there that it would turn into an adversarial relationship or something close to that?

Mr. HEYMANN. No, I did not.

Senator SHELBY. You did not.

Mr. HEYMANN. You'd asked me to describe what the understanding was, Senator Shelby.

Senator SHELBY. Yes, sir, that's right. You go ahead.

Mr. HEYMANN. The understanding was that they would see, these two senior prosecutors, not the investigators, but the prosecutors would see enough of every document to be able to determine whether it was relevant to the investigation or not. Now, I've been handed some pages from my transcript, but let's assume this is a document, it's about 30 pages long. They would look at this and it says ''deposition of Philip Heymann, re: Whitewater,'' and they would know that that didn't seem to have anything, any likely bearing on the cause of Vince Foster's death. If need be, they might have to look a page or two into it. But the object was to maintain the confidentiality of White House papers to the largest extent possible with satisfying ourselves that we were learning of every potentially relevant document.

If there was a relevant document, it would be set aside in a separate pile. If the White House counsel's office believed that it was entitled to executive privilege, and therefore should not be turned over to us, we would then have to resolve that: There would be a separate pile of documents; some relevant and would go directly to the investigators some relevant but executive privilege claims, in which case we would have to resolve it perhaps with the assistants of the legal counsel's office of the Justice Department.

Senator SHELBY. Mr. Heymann, did you contemplate that this would be done jointly or just done by the White House counsel?

Mr. HEYMANN. I thought it was essential, Senator Shelby, that it be done jointly with these two prosecutors being able to satisfy themselves, and through them satisfy the investigative agencies that whatever might be relevant was being made available to us.

Senator SHELBY. That it would be a bona fide investigation and not a sham; is that right?

Mr. HEYMANN. Well, I don't——

Senator SHELBY. Or be a bona fide investigation.

Mr. HEYMANN. That it would be an entirely—it would be a review of documents that would be entirely credible to us, to the investigators and to the American public.

Senator SHELBY. Okay. Your notes mention, I believe, Mr. Heymann, that Steve Neuwirth objected to this agreement, but that Mr. Nussbaum agreed with Margolis that it was a done deal; is that correct? You want to refer——

Mr. HEYMANN. That is what they reported to me when Mr. Margolis and Mr. Adams returned that evening, the evening of Wednesday the 21st, to the Justice Department.

Senator SHELBY. What do your notes reflect, I was paraphrasing them?

Mr. HEYMANN. It said they discussed the system that had been agreed upon, I just described it to you. BN that stands for Mr. Nussbaum, agreed. SN, that stands for Steve Neuwirth, said no. We shouldn't do it that way. The Justice Department attorneys shouldn't have direct access to the files. David Margolis, the Justice Department attorney, said it's a done deal and Mr. Nussbaum at that point said yes, we've agreed to that.

Senator SHELBY. Was it important to you and to the Department of Justice that you represented that the documents be reviewed independently, is that why it was important that the Department of Justice look for relevance and privilege jointly in this undertaking?

Mr. HEYMANN. Yes, Senator Shelby. Again, I did not think it was necessary and do not

think it was necessary to review documents which we could quickly determine had no relevance to Vince Foster's death. So our attorneys would not have looked at those, that was a clear part of the understanding. Or pages, yeah.

Senator SHELBY. I didn't say. I understand that you received a call from David Margolis the next morning from the White House about the search; is that correct? You want to refer to your notes?

Mr. HEYMANN. That's correct, Senator Shelby.

Senator SHELBY. What was this call about?

Mr. HEYMANN. He and Roger Adams had gone over with the Park Police and the FBI to do the review we planned.

Senator SHELBY. This was pursuant to the understanding you had with Mr. Nussbaum?

Mr. HEYMANN. Pursuant to the understanding of the 21st.

Senator SHELBY. Okay.

Mr. HEYMANN. Mr. Margolis told me that Mr. Nussbaum had said to me that they had changed the plan, that only the White House counsel's office would see the actual documents. Mr. Margolis had asked Mr. Nussbaum whether that had been discussed with me and Mr. Nussbaum had said no. I told Mr. Margolis at that point to put Mr. Nussbaum on the phone, and I was——

Senator SHELBY. Did he get on the phone?

Mr. HEYMANN. He got on the phone.

Senator SHELBY. What did you say to him?

Mr. HEYMANN. I told him that this was a terrible mistake.

Senator SHELBY. Terrible mistake. Go ahead.

Mr. HEYMANN. Well, please don't——

Senator SHELBY. That was your words; is that right?

Mr. HEYMANN. Yeah—no, no, please don't assume that what I now paraphrase would be the words I actually used. This is 740 days ago and it would be quite unreliable to think they're the exact words. I remember very clearly sitting in the Deputy Attorney General's conference room picking up the phone in that very big room. I remember being very angry and very adamant and saying this is a bad—this is a bad mistake, this is not the right way to do it, and I don't think I'm going to let Margolis and Adams stay there if you are going to do it that way because they would have no useful function. It would simply look like they were performing a useful function, and I don't want that to happen.

The CHAIRMAN. You told this to the counsel?

Senator SHELBY. You told this to Nussbaum; is that correct?

Mr. HEYMANN. I told this to Mr. Nussbaum.

The CHAIRMAN. But you volunteered this? In other words, it did not come from Mr. Margolis or Mr. Adams? This was your saying I'm not going to keep them here if this——

Mr. HEYMANN. I suspect, Senator D'Amato, that when I talked to Mr. Margolis in the same phone conversation shortly before I asked him to put Mr. Nussbaum on the phone he would have said to me something like we have no useful role here, and it would—I would have picked it up from that, and I would have said I don't think I'm going to keep them there. Mr. Nussbaum was, as always, entirely polite and he said—he was taken back by my anger and by the idea that I might pull out the Justice Department attorneys and he said I'll have to talk to somebody else about this or other people about this, and I'll get back to you, Phil.

Senator SHELBY. Did he tell you who he was going to talk to?

Mr. HEYMANN. He did not tell me who he was going to talk to.

Senator SHELBY. He didn't tell you or indicate it was the President of the United States or the First Lady?

Mr. HEYMANN. He never indicated in any way who he was going to discuss this with, nor has he ever.

Senator SHELBY. Just the phrase I'm going to talk to somebody?

Mr. HEYMANN. I'm—just the notion was I have to talk to other people about this. I had obviously shaken him enough that he wanted to consider whether he should come back to what we had agreed to the day before on the 21st, but there were other people involved that he had to talk to about that.

Senator SHELBY. Was it your impression, Mr. Heymann, then that Mr. Nussbaum would get back to you before any review of the documents in the White House was conducted?

Mr. HEYMANN. He said to me specifically don't call Adams and Margolis back to the Justice Department. I'll get back to you.

Senator SHELBY. Did he ever call you back?

Mr. HEYMANN. He never called me back.

Senator SHELBY. Did you ever consent to the change in the plan in how the search would be conducted, Mr. Heymann?

Mr. HEYMANN. I did not.

Senator SHELBY. Did David Margolis or any other law enforcement official have an impression of whether the Department of Justice had consented to this search?

Mr. HEYMANN. Mr. Margolis was clear that the Department of Justice had not consented to the changed arrangement. It was—he obviously thought that he was to remain, even if it was changed, because he did remain, but he knew that we had not consented to the changed arrangement and did not approve of it.

Senator SHELBY. You later found out, sir, that the search was conducted with Mr. Nussbaum calling the shots that night; is that right?

Mr. HEYMANN. That's correct.

Senator SHELBY. Did you talk to Mr. Nussbaum after that?

Mr. HEYMANN. I found that out at about—when Mr. Margolis and Mr. Adams returned the evening of the 22nd——

Senator SHELBY. Returned to your office?

Mr. HEYMANN. Returned to my office, I went home to an apartment we were renting then and I picked up the phone and I called Mr. Nussbaum and I told him that I couldn't imagine why he would have treated me that way. How could he have told me that he was going to call back before he made any decision on how the search would be done and then not call back?

Senator SHELBY. What did he say to that?

Mr. HEYMANN. I don't honestly remember, Senator Shelby. He was, again, polite. He didn't—there was no explanation given that I would remember. And I remember saying to him, Bernie, are you hiding something. And he said no, Phil, I promise you we're not hiding something.

Senator SHELBY. Did you say to him—and you can refer to your notes if you like—Mr. Nussbaum, you misused us? What did you—if you said that, what did you mean by that? Do you believe then that the White House had something to hide or was worried about the investigation? What was your impression?

Mr. HEYMANN. Well, when I said you misused us, or something like that, I meant that he had used Justice Department attorneys in a way that suggested that the Justice Department was playing a significant role in reviewing documents when they had come back and told me they felt like they were not playing any useful role there.

Senator SHELBY. Did you know later that the White House had issued a statement that Justice—something to the effect that the Justice Department was involved in the review of the documents and not just observing, and then they did a correction on that when someone objected, maybe it was your office?

Mr. HEYMANN. The following morning it was called to my attention that they had said that the Justice Department and the FBI—I now know it—in the press release it said—well, whatever it was, the Justice Department along with the FBI and the Park Police had supervised the review of documents.

Senator SHELBY. Was that a CBS News report?

Mr. HEYMANN. What I was shown at my deposition, Senator Shelby, was, I think, a piece from the Washington Post. I directed that the Department of Justice put out a correction that we had not supervised, that we had simply been there as observers while the investigation was carried out—while the search was carried out by the White House counsel.

Mr. SHELBY. Mr. President, this was a question that this Senator asked Mr. HEYMANN when he was before the committee.

Senator SHELBY. Was it your understanding by the end of the 21st that an agreement or understanding had been reached between the Department of Justice, the Park Police and the White House over how the search would be conducted, the search of the deputy counsel's office?

Mr. HEYMANN. Yes, Senator Shelby, in the sense that we all had agreed on how it would be done. And in what I still think was a very sensible way——

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Senator SHELBY. Did you think when you sent Mr. Adams and Mr. Margolis over there that it would turn into an adversarial relationship or something close to that?

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Mr. HEYMANN. He got on the phone.

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Senator SHELBY. Did he tell you who he was going to talk to?

Mr. HEYMANN. He did not tell me who he was going to talk to.

Senator SHELBY. He didn't tell you or indicate it was the President of the United States or the First Lady?

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Senator SHELBY. Did he ever call you back?

Mr. HEYMANN. He never called me back.

Senator SHELBY. Did you ever consent to the change in the plan in how the search would be conducted, Mr. Heymann?

Mr. HEYMANN. I did not.

Just think about it a minute. This is the beginning of it shown in this transcript that has been made a part of the RECORD here.

Why should we extend the Whitewater Committee? Let us look at some other things. The Senator from Alaska talked about some editorials from some of the leading newspapers in the country and I want to expand on them a little bit.

For example, the Washington Post editorial that I have here by my pointer, it says, on February 25, ''Extend the Whitewater Committee.''

> For an administration that professes to want a quick end to the Senate Whitewater hearings before the election year gets into full swing, the Clinton White House seems to be doing everything in its power to keep the probe alive.

Think about it, this is the Washington Post, not a Republican newspaper by any means.

Another editorial that I want to refer to here from the New York Times entitled ''The Whitewater Paper Chase''; February 17, 1996.

> The excitement of Iowa and New Hampshire has diverted attention from the Senate Whitewater committee and its investigation into the Rose Law Firm's migrating files. Naturally this pleases the White House and its allies, who hope to use [this time] . . . to let their ''so what'' arguments take root.

This is the New York Times saying we should extend the investigation of Whitewater.

Another editorial, January 25, 1996, in the New York Times. Headline in the editorial section, ''Extend the Whitewater Committee.'' Why? Because the public has a right to know. It says:

> The committee and its chairman need to be mindful of the appearance of political maneuvering, but recent events argue strongly against too arbitrary or too early a deadline.

That is what we are talking about here.

Subpoenas were ignored. Perhaps the files will also show that there was no coverup associated with moving and storing these files. But inanimate objects, as I said earlier, do not move themselves. So it is pointless to ask Senators and the independent prosecutors to fold their inquiry on the basis of the facts that have emerged so far. To do so would be a dereliction of our duties.

Mr. President, I have additional editorials that have run throughout this country.

USA Today, January 10, 1996, ''Clintons owe answers about First Lady's role. Newly released documents reveal troubling inconsistencies. The public deserves the whole story.'' That is what this is all about.

Additionally, ''The Whitewater Committee,'' the Washington Times editorial, February 27.

> There are plenty of documents the White House still has not released; and there are plenty of witnesses still to be questioned; there are also many witnesses whose testimony was so misleading or incomplete that they need to be re-questioned.

Attempts by the administration to frustrate the work of the committee, I

think, are not going to work. We need to extend the Whitewater inquiry, politics notwithstanding. We need to move to the next step.

Mr. President, you cannot always agree with some of these papers. I do not always agree with the New York Times, the Washington Post, and others. But the New York Times and the Washington Post for a lot of people, rightly or wrongly, are conventionally viewed as vanguards of good government, and I would venture to say can hardly be characterized as supporters of Republican partisanship.

After reviewing everything that has gone on in the Whitewater committee, the mysterious disappearance of files, the finding of files in a mysterious way, Mr. President, I ask that my colleagues join me in supporting the continued funding of the committee to continue our investigation.

Mr. BRYAN addressed the Chair.

The PRESIDING OFFICER (Mr. ABRAHAM). The Senator from Nevada.

Mr. SARBANES. Mr. President, will the Senator yield?

Mr. BRYAN. I am pleased to yield.

Mr. SARBANES. Mr. President, in view of the fact that my distinguished colleague from Alabama was quoting the Washington Post editorial, I would like to include in the RECORD after his remarks the Post editorial from February—both of these editorials come after the one he was citing—February 29 in which the Post said the ''Senate should require the committee to complete its work and produce a final report by a fixed date.'' I underscore ''by a fixed date.'' And then it goes on to say, ''That would argue for permitting the probe to continue through April or early May.''

And in their other editorial of March 4, they say, ''The Whitewater committee should be empowered to do just that''—that is factfinding—''but within a reasonable time.'' And it goes on to say, ''Two additional months'' constitutes a reasonable time.

I ask unanimous consent that both of these editorials, since they, in fact, make a different point than the one that was being made by my colleague from Alabama, be printed in the RECORD.

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

[From the Washington Post, Feb. 29, 1996]

EXTEND, BUT WITH LIMITS

We noted the other day that the White House—through its tardiness in producing long-sought subpoenaed documents—has helped Senate Banking Committee Chairman Alfonse D'Amato make his case for extending the Whitewater investigation beyond today's expiration date. If one didn't know any better, one might conclude that the administration's Whitewater strategy was being devised not by a White House response team but by the high command of the Republican National Committee.

However, despite the administration's many pratfalls since Whitewater burst onstage, Sen. D'Amato and his Republican colleagues have not provided compelling evidence to support the entirely open-ended mandate they are seeking from the Senate. There are loose ends to be tied up and other witnesses to be heard, as Republican Sen. Christopher Bond said the other day. But dragging the proceedings out well into the presidential campaign advances the GOP's political agenda; it doesn't necessarily serve the ends of justice or the need to learn what made the Madison Guaranty Savings & Loan of Arkansas go off the tracks at such enormous cost to American taxpayers. The Senate should allow the committee to complete the investigative phase of its inquiry, including a complete examination of the Clintons' involvement with the defunct Whitewater Development Corp. and their business relationships with other Arkansas figures involved in financial wrongdoing. But the Senate should require the committee to complete its work and produce a final report by a fixed date.

Democrats want to keep the committee on a short leash by extending hearings to April 3, with a final report to follow by May 10. A limited extension makes sense, but an unreasonably short deadline does not. Five weeks may not be enough time for the committee to do a credible job. Instead, the Senate should give the committee more running room but aim for ending the entire proceedings before summer, when the campaign season really heats up. That would argue for permitting the probe to continue through April or early May.

What the Senate does not need is a Democrat-led filibuster. Having already gone bail for the Clinton White House, often to an embarrassing degree. Senate Democrats would do themselves and the president little good by tying up the Senate with a talkathon. Better that they let the probe proceed. Give the public some credit for knowing a witch hunt and a waste of their money if and when they see one. And that, of course, is the risk Sen. D'Amato and his committee are taking. The burden is also on * * *

[From the Washington Post, March 4, 1996]

TWENTY MONTHS AND COUNTING

That is the disdainful cry of Senate Democrats as they rise in opposition to the request of Senate Republicans for an open-ended extension of the now-expired Whitewater investigation. After conducting more than 50 days of public hearings involving 120 witnesses, taking 30,000 pages of deposition testimony, collecting 45,000 pages of White House documents, spending more than $1.3 million, and compiling a casualty list of near financially destroyed administration officials, what do Whitewater committee Chairman Alfonse D'Amato and his Republican colleagues have to show for it? the Democrats ask. A good question, indeed. But it's not the only one to be answered in deciding whether to extend the life of the committee.

The committee has been working for more than a year to gather the facts surrounding the collapse of the federally insured Madison Savings and Loan in Little Rock, the involvement of Bill and Hillary Clinton in the defunct Whitewater Development Corp., and the handling of documents and the conduct of White House officials and Clinton associates in the aftermath of Deputy White House Counsel Vincent Foster's suicide. Whitewater, in the hands of congressional Republicans and the independent counsel, is now a much wider-ranging investigation that seeks answers to a host of questions concerning Washington-based actions taken after the administration was in office.

The committee, for example, has been having an exceedingly tough time obtaining subpoenaed documents or unambiguous testimony from administration officials. Seldom have so many key witnesses had no earthly idea why they did what they did, wrote what they wrote, or said what they said—if they owned that they even remembered at all.

Committee Republicans assert that dozens of witnesses still must be examined. Some will not be available until their trials ends. That's the major reason Sen. D'Amato gives for a lengthy open-ended extension. The next has to do with the way White House aides keep dribbling documents—suddenly and miraculously discovered—to the committee. Just when we think we've seen the last of the belated releases, one more turns up. The latest was Friday night, when one of the president's top aides, Bruce Lindsay, produced two pages of notes that he had earlier told the Whitewater committee he didn't remember taking. See what we mean?

At issue today, as it has been for some time, is whether the Clinton administration has done anything to impede investigations by Congress or the independent counsel and whether the Clintons engaged in any improper activities in Arkansas while he was governor and she was a partner in the Rose Law Firm. Nothing illegal on their part has turned up yet. For those who are inclined to dismiss any and everything that falls under the label of Whitewater as just another political witch hunt, it is worth remembering that 16 people have been indicted by federal grand juries as a result of the independent counsel's probe and nine have entered guilty pleas. Congress doesn't have the job of sending people to jail. But fact-finding is part of the congressional job description. The Whitewater committee should be empowered to do just that, but within a reasonable time. Two additional months, with a right to show cause for more time, makes sense.

Mr. BRYAN. Mr. President, I take no backseat to any Member in this Chamber in terms of trying to ascertain and ferret out the truth as it relates to the so-called matter which has been embraced—the subject of Whitewater.

We have today spent some 277 days on this matter. We have heard from more than 100 witnesses. We have collected more than 45,000 pages of documents. That is an enormous expenditure of time and effort. Mr. Starr, the special counsel, has spent some $25 million to date to engage 30 attorneys and 100 FBI agents working in concert with them.

If we are truly interested in getting at the truth, and ascertaining if in fact there is any wrongdoing arising out of these matters, I believe that we have vested Mr. Starr with the authority and the resources to be complete and exhaustive in his review of all facts called to his attention.

I happen to have had experience with Mr. Starr in a former capacity as chairman of the Ethics Committee. Mr. Starr served as a special master reviewing matters that were contained in a diary and to first review that information to determine whether or not it was subject to an agreed upon exception which the committee had established and, if not, that information should be available to us.

My personal observation of Mr. Starr is that he is competent, he is aggressive, he is tough, and he is energetic. There is no reason to believe that Mr. Starr, with the resources made available to him, will not ferret out any

wrongdoing if in fact such wrongdoing has occurred.

I think it is important to remember that the premise for establishing the Office of Special Counsel was to take these kinds of circumstances out of the realm of partisanship on the floor of the U.S. Senate, vest special independent counsel with the authority to conduct the investigation, and then let the chips fall where they may. If indeed there is evidence of wrongdoing, that should be vigorously presented and prosecuted, and those who are guilty should be sentenced accordingly.

I must say, having served on this Banking Committee for my 8th year, that it has been the history of the Banking Committee to be bipartisan in its approach. There are some committees that by reputation in the Congress are extraordinarily confrontational and partisan, that there is constant bickering, and that they really have evolved into partisan debating societies. That has not been the history of the Banking Committee. Sure, we have had our differences, and there have been intense discussions and debate. But we have not, by and large, broken into partisan bickering and confrontation.

Let me say that if you go back to the end of last year, Mr. Starr requested of the committee that it hold action in abeyance until after he could have proceeded further with respect to his investigation and prosecution of these matters. That letter came to us, a letter dated September 27. That was carefully considered by our distinguished chairman and our able ranking member, and I believe in the spirit of bipartisanship which has historically characterized the operation and function of the Banking Committee that the chairman and the ranking member concluded that they would not do so; that, indeed, they felt that it was in the best interest of the Senate to proceed.

I invite my colleagues' attention to a particular paragraph on page 2, which concludes, and I read it:

> For these reasons we believe that the concerns expressed in your letter do not outweigh the Senate's strong interest in concluding its investigation and public hearings into the matters specified in Senate Resolution 120.

So at the very outset last fall, there was a delinking, if you will, in terms of the Senate's actions with respect to the Whitewater inquiry and the actions undertaken by the special counsel, or prosecutor. That was done in a spirit of bipartisanship.

Let me say that I believe the premise of that letter, which is dated October 2—I ask unanimous consent it be printed in the RECORD—that premise is as valid today as it was last October.

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

U.S. SENATE, COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,
Washington, DC, October 2, 1995.

KENNETH W. STARR, Esq.,
Independent Counsel, Office of the Independent Counsel, Washington, DC.

DEAR JUDGE STARR: We have reviewed your September 27, 1995 letter advising us of your belief that, at this time, your office's investigation would be hindered or impeded by the Special Committee's inquiry into the matters specified in Sections 1(b)(3) (A), (B), (C), (D), (E) and (G) of Senate Resolution 120 (104th Congress). You have raised no specific concerns respecting the Special Committee's investigation of the other seven matters specified in the Resolution, including all of those contained in Section 1(b)(2), although in our meeting on September 19, 1995 you did indicate concerns about the Committee's investigation of the substance of the RTC's criminal referrals relating to Madison Guaranty Savings and Loan Association.

The Senate has consistently sought to coordinate its investigation of Whitewater and related matters with the Office of the Independent Counsel. Last year, in Senate Resolution 229 (103rd Congress), the Senate refrained from authorizing the Banking Committee to investigate a great majority of such matters. Moreover, at the request of then-Special Counsel Robert Fiske, the Banking Committee postponed in July 1994 its authorized investigation of the handling of documents in the office of White House Deputy Counsel Vincent Foster following his death.

Senate Resolution 120 encourages the Special Committee, to the extent practicable, to coordinate its activities with the investigation of the Independent Counsel. As a result, over the past four months, the Special Committee has delayed its investigation into the vast bulk of the matter specified in Section 1(b) of Senate Resolution 120. We held public hearings this past summer into the handling of documents in Mr. Foster's office following his death only after you indicated that your investigation would not be hindered or impeded by such hearings.

The Senate has directed the Special Committee to make every reasonable effort to complete its investigation and public hearings by February 1, 1996. (S.R. 120 §9(a)(a)(1)). Your letter of September 27th asks the Special Committee to forebear, until some unspecified time, any investigation and public hearings into the bulk of the matters specified in Senate Resolution 120.

Your staff has indicated that the trial in *United States* v. *James B. McDougal, et al.* is not likely to commence until at least early 1996 and is expected to last at least two months. Our staffs have discussed the possibility that this trial could be delayed even further by pretrial motions and by possible interlocutory appeals, depending on certain pretrial rulings. Under these circumstances, if the Special Committee were to continue to defer its investigation and hearings, it would not be able to complete its task until well into 1996.

Over the past month, we have instructed the Special Committee's counsel to work diligently with your staff to find a solution that appropriately balances the prosecutorial concerns expressed in your September 27th letter and the Senate's constitutional oversight responsibilities. We have now determined that the Special Committee should not delay its investigation of the remaining matters specified in Senate Resolution 120.

The Senate has determined, by a vote of 96–to–3, that a full investigation of the matters raised in Senate Resolution 120 should be conducted. The Senate has the well established power under our Constitution to inquire into and to publicize the actions of agencies of the Government, including the Department of Justice. At the same time, our inquiry must seek to vindicate, as promptly as practicable, the reputations of any persons who have been unfairly accused of improper conduct with regard to Whitewater and related matters.

We understand that courts have repeatedly rejected claims that the publicity resulting from congressional hearings prejudiced criminal defendants. Fair and impartial juries were selected in the Watergate and Iran-Contra trials following widely publicized congressional hearings. Even where pretrial publicity resulting from congressional hearings has been found to interfere with the selection of a fair and impartial jury, the sole remedy applied by courts has been to grant a continuance of the trial.

For these reasons, we believe that the concerns expressed in your letter do not outweigh the Senate's strong interest in concluding its investigation and public hearings into the matters specified in Senate Resolution 120 consistent with Section 9 of the Resolution. Accordingly, we have determined that the Special Committee will begin its next round of public hearings in late October 1995. This round of hearings will focus primarily on the matters specified in Section 1(b)(2) of Senate Resolution 120. Through the remainder of this year, the Special Committee will investigate the remaining matters specified in Senate Resolution 120 with the intention of holding public hearings thereon beginning in January 1996.

Having determined that the Senate must now move forward, the Special Committee will, of course, continue to make every effort to coordinate, where practicable, its activities with those of your investigation. The Special Committee has provided your staff with the preliminary list of witnesses that the Committee intends to depose. We stand ready to take into account, consistent with the objectives set forth above, your views with regard to the timing of such private depositions and the public testimony of particular witnesses.

The Special Committee does not intend to seek the testimony of any defendant in a pending action brought by your office, nor will it seek to expand upon any of the grants of immunity provided to persons by your office or its predecessors. Indeed, Senate Resolution 120 expressly provides that the Special Committee may not immunize a witness if the Independent Counsel informs the Committee in writing that immunizing the witness would interfere with the Independent Counsel's ability "successfully to prosecute criminal violations." (§5(b)(6).)

As you know, the Special Committee has solicited the views of your office prior to making requests for documents. We will continue to take into account, where practicable, your views with regard to the public disclosure of particular documents.

In sum, it is our considered judgment that the time has come for the Senate to commence its investigation and public hearings into the remaining matters of inquiry specified in Senate Resolution 120. We pledge to do so in a manner that, to the greatest extent practicable, is sensitive to the concerns expressed in your September 27th letter.

Sincerely yours,

PAUL S. SARBANES,
Ranking Member.
ALFONSE M. D'AMATO,
Chairman.

Mr. BRYAN. Mr. President, I am not unmindful, nor is anybody in this Chamber, nor anyone in America, that we are in the heat of a great Presidential debate. That is as it should be. That is a quadrennial experience in America. But we ought not to allow that Presidential debate to divert the

focus of our own energies on the Banking Committee and on every other committee in the Congress in which we have very serious public business to undertake.

I must say that the proposal that has been advanced—that we extend these hearings in the Senate not to a time certain but until after the so-called McDougal trial is concluded—in my judgment is nothing more than an open-ended extension which I regret to say smacks of partisanship seeking some advantage, seeking to embarrass the President, seeking to develop headlines, and not in the advancement of our effort to ascertain the truth—that is going to occur through the aggressive investigation of Mr. Starr—but to seek some political gain at the President's expense.

First of all, we do not know when that trial might be concluded. This is a trial of extraordinary complexity. At a bare minimum, it would take several months for this trial to be concluded. Moreover, it is not without precedent in cases like this that there could be further unanticipated delays in which this body, the Senate of the United States, would have no ability to control or influence, nor should we.

So we have no idea when this matter will be concluded based upon the uncertainties that a very complicated trial, as this has every expectation of being, would conclude.

Let us assume for the sake of argument that, indeed, a conviction were secured against all of the defendants. I do not believe that anybody in this Chamber would challenge the proposition that there will be an appeal taken during the course of the aftermath of that conviction or convictions. As a result, those defendants would certainly not be available to the Senate committee because it is clear in every circuit in the country that the privilege which exists with respect to each of those defendants is not waived, nor is it extinguished in any form because it is entirely possible that an appellate court could reverse those convictions, in which case, if there was a subsequent trial, the defendants ought not to be disadvantaged by being compelled to disclose testimony which subsequently could be used against them. So that is very clear.

Let us assume for the sake of argument that the trial concludes and the defendants are found innocent. Does that extinguish the privilege? Would that constitute some kind of a waiver? Look at the experience that the McDougals themselves had. They were prosecuted and subsequently acquitted. They are now subject to trial once again. They argued that they were precluded under the double jeopardy provisions of the Constitution from being tried again, and they lost in that argument.

No one is arguing that the jurisdiction of the special prosecutor and the jurisdiction of the Senate Whitewater Committee is concurrent in all respects. So very clearly as a result of those circumstances the defendants, if they were acquitted, would not have lost their right to assert the privilege, and their testimony would not necessarily be available to this committee.

Although it has a superficial appeal—well, let us wait until after the trial and then we will hear from the various defendants—in point of fact, that is clever but simply an open-ended prospect in which there may be no definitive conclusion by reason of the two alternatives I posit here—either a conviction, in which case they are certainly not going to be forthcoming in their testimony, or in the event of an acquittal by reason of the prior experience they have had there could be some other ancillary prosecution that could be commenced.

So I think that the premise upon which this extension is sought is fundamentally flawed—that is, namely, this testimony would be available to us at such time as the trial would be concluded, whenever that might be, for whatever period of time, which could be for an extended period of weeks or even months, or, even assuming it is concluded either by reason of a determination of guilt or acquittal, that in either of those two circumstances the testimony might be available to us.

I respectfully submit that a careful analysis of the information would indicate that in neither of those two events is it reasonable to assume that that evidence would be made available to us, and that in each of those cases it is very likely the defendants would continue to assert their privilege and the committee would not have the ability to receive their testimony.

I began my comments by saying that I am as committed as any Member in this Chamber to getting at the facts. If there is evidence of misconduct, it should be brought to public attention. Indeed, the trials which are occurring right now will be public trials and that information, if there is such evidence, will come out. The American people will fully understand.

I have indicated that I think Mr. Starr is a competent and an aggressive, energized prosecutor. There is every reason to believe he will follow any leads, any evidence that may suggest wrongdoing, and he will be aggressive in doing so.

I believe an argument could be made that the Whitewater matter has gone on long enough in the Senate and it ought to be concluded at this point. But I believe the compromise that has been offered by the ranking member, namely, that we extend the hearings for a period of 5 weeks, and then allowing another 4 weeks thereafter to compile the report, is reasonable. In that period of time we ought to be able to conclude this matter, unless there is a different agenda here. And I think the American people need to understand that. I believe—and I hate to say this, but I think it is true—there is a different agenda. It is not an agenda to find out exactly what happened and to get to the bottom of this. It is to keep this issue alive, to generate a headline, to generate ongoing controversy with the hope that somehow this may spill over into the Presidential race this year and disable the President politically.

What has been proposed is a very reasonable compromise, and I think any fairminded person who has looked at the 277 days, the 100 witnesses, the 45,000 pages of documents we have examined would conclude that another 5 weeks is a reasonable period of time. And so I commend the distinguish Senator from Maryland. That is a reasonable approach. I say to the American people that in 5 weeks, done energetically, not just one hearing for 1 hour, 1 day each week, but I mean an aggressive hearing schedule that would engage the members of the committee for a 4- or 5-day workweek, we can reasonably examine any evidence or tie up any loose ends that might have existed. But that offer was rejected. That offer was rejected.

What we are faced with is a proposition that in effect has no time limit, no constraint at all. After the trial, whenever that might be, whatever week, whatever month, who knows, whatever year, we do not know what might occur. Those of my colleagues who have done trial work know that oftentimes in the course of a major piece of litigation—and this is certainly a major case—unexpected events occur and, indeed, the trial is recessed for a considerable period of time—weeks, even months.

And so I would urge my colleagues to enable us to reach a responsible compromise that has been suggested by the distinguished ranking member, the senior Senator from Maryland, and let us go on with this. There are so many other things I would like to do in this year in the Banking Committee. Some are interested in regulation reform with respect to the banking industry. I would like to work on some of those provisions.

I would like to see us complete our work here on the floor, the Fair Credit Reporting Act, which was something that I personally invested a good many years on. But the reality is that the entire agenda of the Banking Committee, the legitimate public policymaking part of that agenda, has been held captive or hostage to the political machinations with an attempt to prolong a hearing on Whitewater, not for the purpose of getting at the truth, but for the purpose of trying to embarrass the President.

I regret that I have to say that on the floor, Mr. President, but in my view the evidence lends itself to no other conclusion.

I will conclude as I began by pointing out that last October, what may very well be the high-water mark in terms of the bipartisan approach which I hoped would characterize the entire

Whitewater inquiry in the Senate, in which it was affirmatively stated that these matters needed to be concluded, that we should not hold our hearings in abeyance until the trial and those ancillary proceedings are concluded, but that we had a compelling public interest to address this issue and to address it thoroughly but to address it promptly and responsibly. That, I fear, Mr. President, we are not doing.

Mr. President, I yield the floor.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. FORD. Mr. President, we have heard a lot of reasons why the Whitewater Special Committee should get on with its work and be limited. But this evening I am going to take a different approach that I think my colleagues ought to consider that has nothing to do with the facts of the investigation.

That may seem strange, but I have been chairman of the Rules Committee with a strong responsibility; I am now ranking member of the Rules Committee with a strong responsibility. So, Mr. President, I feel that it is incumbent upon me to let my colleagues know what the actual costs are and what the prospects of getting the money might be.

Mr. President, under title II of the United States Code, it gives the Committee on Rules and Administration the exclusive authority—I underscore ''exclusive authority''—to approve payments made from the contingency fund of the Senate. No payment may be made from the contingency fund without the approval of the committee. I think that is pretty clear.

Inherent in that authority is the responsibility to assure that there are adequate funds—adequate funds—in the contingency fund to cover the various expenses of the Senate. This is just one. We are affecting every committee chairman in the Senate. I will get to that in a minute.

Senate Resolution 227 before us today authorizes funds to be paid from the inquiries and investigation account within the contingency fund of the Senate. During the meeting of the committee on this resolution, I raised the concern that there may be insufficient funds within this account to support an open-ended extension of the Whitewater Special Committee at an additional amount of $600,000.

Similarly, the full Senate should consider whether there is adequate funds in this account to provide for the extension. Not to consider this issue, in my opinion, Mr. President, would be irresponsible.

First, let me advise my colleagues that the actual cost of extending the special committee is considerably more than $600,000. Senate Resolution 227 authorizes—and I quote—''additional sums as may be necessary for agency contributions related to the compensation of employees of the Special Committee.''

The original resolution, Senate Resolution 120, was silent on how agency contributions were to be paid, but was amended, Mr. President, to provide retroactively that additional sums may be provided to pay these expenses. So, really the original amount is now well over $1 million. The $900,000, $950,000 is well over $1 million. We will get to that in a minute.

Any agency contributions include such expenses as the employer's share of health insurance, life insurance, retirement, FICA tax, and the employer match for the FERS thrift savings plan. For standing committees, the rule of thumb for figuring agency contributions is about 26 percent of payroll.

It is my understanding that the percent incurred by the special committee might be slightly more than that. But let us consider the 26 percent. So, Mr. President, based on 26 percent of payroll expense, the additional cost to the taxpayer and expense to the contingent fund of the extension of the Whitewater Special Committee could be upward of $150,000 more than the $600,000 that is being requested, bringing the actual total to over some $750,000.

I should also point out to my colleagues that the same is true of the $950,000 authorized under Senate Resolution 120. The retroactive amendment to Senate Resolution 120, which provided additional funds to pay for agency contributions, could cost upward of $247,000. So we have a $950,000 figure. Then we have to add $247,000 to that. That comes out of the contingency fund. That could bring the initial cost of the special committee, as we add it up, to be well over $1 million to date.

So, Mr. President, in reviewing the financial state of the inquiries and investigations account, I am advised there is an estimated $2.3 million unobligated in this account for this fiscal year. I am concerned that this is not a sufficient balance to allow the Senate to authorize another $600,000 or more in expenses for continuation of the Whitewater Special Committee and have sufficient resources to meet other obligations of the Senate.

Overtime is coming, whether you like it or not. We voted for that. Offices are already paying overtime. If you have been listening to the Secretary of the Senate and the Sergeant-at-Arms, they are very concerned about overtime. We think that will be a minimum of 4 percent for committees. That is over $2 million.

If you take Whitewater out of that contingency fund, you add on the other expenses that are necessary, you have a fund that is short, that is absolutely short. We will not have money. You jeopardize every committee in the U.S. Senate.

Let me advise my colleagues as to the expenses that are paid out of this account. These expenses include all salaries and expenses of the 19 standing committees, special and select committees, including the allowance for a COLA, if authorized, and the employer's share of all committee staff benefits. I go back and repeat, that means FICA, life insurance, health insurance, retirement, and the match for contributions to the FERS thrift savings plan.

In addition, all salaries and expenses of the Ethics Committee are paid from this account. Also, the initial $950,000 for the special committee, plus agency contributions, were paid from this account.

As my colleagues are well aware, we are now subject to the overtime provisions of the Fair Labor Standards Act. Just last week—and I repeat myself here—we heard from both the Secretary of the Senate and the Sergeant-at-Arms that they anticipate a substantial amount of overtime costs.

The Rules Committee has heard from committee chairmen and ranking members who are facing the potential of substantial amounts of overtime costs without any funds budgeted to pay these costs.

If the Senate should find it necessary to authorize additional funds to pay overtime expenses of committees, these expenses would be paid from the inquiries and investigations account of the contingency fund.

While we have no history of overtime costs for Senate committees, it is clear that we will incur overtime costs before the end of this fiscal year.

Based upon the current projected surplus in this account, if we should fund the extension of the special committee at the recommended level, we would have only about a 3-percent-of-payroll cushion for paying overtime expenses.

This may be dry, and you may not be interested in what I am saying, but when you run out of money and your staff cannot be paid, you go back and remember what I said on this particular date.

We simply cannot authorize an additional $600,000 in expenses from the contingency fund at this time. Doing so means nothing less than choosing between funding our obligations to our committee staff and hiring more consultants and issuing more subpoenas for more documents that have proven no wrongdoing at all.

Let me be very clear. My colleagues may be choosing between paying COLA's, overtime expenses and the employer's share of health insurance, life insurance, retirement, and other items for our staff, or the consultant fees for an open-ended fishing license.

Moreover, while an amount is theoretically budgeted for the expense of the Ethics Committee, that committee has unlimited budget authority, which is funded out of this account. While the Ethics Committee funding needs vary from year to year, investigations in the recent past have required substantial expenditures for hiring outside counsel. Again, my colleagues need to be aware that there are numerous important and unforeseen expenses that must be paid from the contingency fund.

Mr. President, during the Rules Committee consideration of Senate Resolution 270, I offered two amendments which we believe provided sufficient time and funding to complete the business of the special committee without jeopardizing benefits to committee employees. The first amendment would have both reduced the additional funding for the Whitewater Special Committee and limited the ability to obligate expenses to be paid from the contingency fund after May 10, 1996.

This amendment would have reduced the funding for the special committee from $600,000 to $185,000, with a corresponding reduction in the amount which can be used for consultants under this resolution from $475,000 down to $147,000.

It would also have prohibited obligated expenses from the contingency fund after May 10, 1996, and based upon prior experience, it is clear that the additional witnesses and hearings the special committee wishes to call could be accommodated within that amount. However, with virtually no debate, that amendment was defeated on a party-line vote 9 to 7.

The second amendment that was offered would have reduced the additional funding for expenses and salaries of the special committee without the sunset date. This amendment would also have reduced authorization from $600,000 to $185,000, with a corresponding reduction in the amount available for consultants from $475,000 to $147,000.

So with this resolution, if adopted, we would go out and get private consultants and pay them $475,000, almost half a million dollars of taxpayers' money to come in and help us gin up some more subpoenas, for all the telephone calls for the total State of Arkansas.

This amendment would have allowed the special committee to complete its work without jeopardizing the funding of the other 19 Senate committee budgets and the benefits of the employees who work for those committees. Again, that amendment was defeated on a party-line vote.

We are going to be here after Whitewater. The committees are going to be functioning after Whitewater. Staff is going to have to be paid on all the committees after Whitewater. But I tell you, when you dilute this fund—and we are going to have to have a line item, I say to the ranking member, for the new procedures of the Senate, and it is going to be a humongous amount of money. Some of it may start this year, and we will not have the amount of money necessary to complete.

Let me be clear that we are not suggesting the special committee not be allowed to finish its work. I am only urging that we be responsible with the American taxpayers' money and be responsible to our staff by limiting both the life and the additional funding of the special committee to an amount that will not jeopardize the quality or, more important, the obligations of the Senate contingency fund.

The American people will best be served if we reach a reasonable compromise for the extension of the special committee.

So I urge the leadership on both sides of the aisle to make an effort to try to arrive at a compromise that will give us an opportunity to be sure that the contingency fund is not diluted.

Mr. President, I just reiterate that we authorized $950,000 for Senate Resolution 120 and over $220,000 in addition to that which we had to pay. That is this unobligated—the little quotes that we get at the end of the bill. This one will be well up there, too, and well over the $600,000 that the chairman of the committee is asking for.

What I have done here is to alert my colleagues to the possibility of jeopardizing the contingency fund, the possibility of jeopardizing our ability to take care of the other 19 committees to pay what the Sergeant at Arms and the Secretary of the Senate have said they are very concerned about—overtime.

Overtime is tough, and it is going to get tougher. When we have approximately 3 percent left in the contingency fund, then I think we are on the verge of depleting that contingency fund.

So I hope my colleagues will look at that; that they will see that it will take more money from the committees than is absolutely necessary; that this committee can wind it up by May 10; that we cannot dilute the contingency fund. I am very concerned, not for myself, not for the Senators, but I certainly am concerned for those who work for us on our committees every day and put in a good job, work hard and long, and they are entitled to have the overtime, because we now made it law.

So, therefore, Mr. President, I yield the floor.

Mr. D'AMATO addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. D'AMATO. Mr. President, last week, my colleagues on the Democratic side objected to us taking up this very same resolution by way of unanimous consent essentially to empower the committee, to authorize the committee to do its job, to finish the work that it has started.

Make no mistake about this: This is not an argument about funds; this is not an argument about a deadline. This really comes down to the crucial question of whether or not we are going to do our job and to fulfill the constitutional responsibilities and to get the facts. By the way, it may not be pleasant. Those facts may be very distressing or disturbing to some. Let me suggest that they may be disturbing because some may suspect that all kinds of misdeeds may have been committed by people in the administration or close to the administration, by friends of the administration, and suspect the possibility of attempting to impede investigations. But, indeed, there may be findings that there were no misdeeds—none. Some people may be upset by that. There may be findings that indeed there was improper conduct and activities.

Regardless of which way it is, whether it is to clear away the clouds of suspicion, or whether the ultimate findings are that there was serious misconduct on the part of people in the administration, we have a duty to get the facts. If those facts are exculpatory, if they clear away the doubts, then fine, let the chips fall where they may.

To oppose the proper work of this committee, which is authorized, pursuant to almost unanimous consent—96 to 3—to undertake this investigation, is to say very clearly that there may be facts that may not be exculpatory, they may be damaging. Now, look, it is easy to suggest that this committee has conducted its work in what one would call an unfair partisan manner. I say, let us look at the record. Yes, we have had suggestions and, yes, there have been subpoenas initially drafted, but not served, that may have been overly broad. That is not unusual. You negotiate to determine what the scope should be. Al Smith, the Governor of New York State, coined an expression. He used to say, when there were controversies, ''Let us look at the record.'' If one were to look at the record, you would ultimately find, notwithstanding that there may have been negotiations between the Democrats and Republicans, that ultimately, in almost all cases, over the life of this committee and its predecessor, agreement has been reached. On only one occasion—out of the dozens of subpoenas that were issued and requests for witnesses' testimony—did we really have one disagreement that could not be solved in a bipartisan manner.

To come forth at this time and suggest that this is politically inspired is at variance with the record. Al Smith said, ''Let us look at the record.'' That record indicates, quite clearly, that notwithstanding the times that we may have had differences, we were able to surmount them in a way that brought clarity and dignity to our work. We may not have found what some would characterize as the smoking gun. But, indeed, ours is not to anticipate what will or will not be found. The work of this committee is to gather the facts, my friends, not to prejudge, not to offer speculation, not to suggest that, well, what do you do then if you unearth some terrible, horrible chilling thing. Ours is to gather the facts. If those facts clear away the clouds of doubt that may exist, fine. But I suggest to you that there was sufficient room, at least, to say there are some very real concerns—repeated memory lapses, tied to factual situations; diaries that people kept notes in, which mysteriously turn up after the work of this committee could have come to an end; missing records that turn up. Contradictory testimony of Secret Service Officer O'Neill and young Mr. Castleton, two people who

have no reason to make up stories, cast very real doubts and concerns as to the manner in which key documents that were removed from Mr. Foster's office were handled. Who requested the movement of those documents? What were those documents? Officer O'Neill says that he saw the first lady's chief of staff, Maggie Williams, removing files. It was very clear in his testimony. Very clear. As a matter of fact, it is so clear that I think most people, if they have heard his account, would believe it. And I can assure my friends and colleagues on the other side that I will go over that narrative very carefully if they continue to oppose us going forward and orchestrate what is a filibuster.

I do not think it behooves the interest of the committee, the Senate, Democrats or Republicans, or the entire political process, given the grave doubts that people have with respect to Washington, that we fail in our duties and obligations to continue to do our work in an expeditious a manner as reasonable, dealing with the circumstances that we have, recognizing that there are key witnesses that are unavailable.

Mr. President, those witnesses may never be available. I am the first to suggest that. They may never be available. But at least we will have done the best we can do. If we file a report based upon all of the work, our best efforts, then we can say that we have discharged our responsibility. The American people have a right to know, and we have an obligation to get the facts.

Some people say, ''Why do you continue with this? People are bored.'' It is not our job to be concerned with whether or not people are bored. The question is not whether there are sensational headlines that will come out of revelations. The question is: What are the facts? Were there misdeeds, an abuse of power, an attempt to cover up? Was there an attempt to stop investigations from taking place? And then going to the heart of the issue, was there misuse of taxpayers' moneys in Little Rock? That is the question. If there was, who was responsible? As a result, was there a concerted effort to keep these facts from being revealed to the American people?

I am sorry that this matter has been drawn out as it has. Notwithstanding those who would claim that this was deliberate, that is not the case. Nor would I differ with my friends if they were to say that there were dates that we could have held more hearings. Certainly, but that would not have permitted us to complete the work of this committee. It absolutely would not have. Indeed, it would have left a situation where there were still numbers of documents that we have no reason to believe would have been produced any earlier, and numbers of witnesses, including Judge Hale, who I believe the committee wants to at least make a good-faith effort to bring before the committee. And again—and I know it is difficult—I think we want to attempt to be as fair and reasonable in our presentations of our cases as we possibly can be. I do not know the truth or falsity of what Judge Hale is reported to have said. I do not know whether he can shed any light on any factual material. It certainly is important enough to make the effort. If, indeed, at the conclusion of the trial when we subpoena him—together, hopefully, and I have every reason to believe that my Democratic colleagues will join in that because that has been the indication of the ranking member—his lawyers may assert and raise the constitutional questions about self-incrimination. That may take place.

Then we could say, ''Well, Senator, why did you do this?'' I admit we have no assurance that any of these witnesses that we want will be forthcoming. But, by gosh, we have an obligation to do the job, thoroughly, correctly, and in the right way. All the arguments about money, and how much has been spent, is a red herring. There is no truth to that. This committee has been rather frugal. Indeed, if you want to look at the costs, hundreds of thousands of dollars were spent correctly in gathering the evidence, taking depositions—these transcripts cost thousands of dollars a day. That is part of the cost. This has not been a wasteful exercise that costs $30 million. I hear people say, ''Why are you wasting money—$30 million?''

Let me say again, the committee's work has been extended. It has been extended because the special counsel has asked us as it relates to key times and dates to withhold from the subpoenaing of information, to withhold from the subpoenaing witnesses. We have worked with them. I think that is responsible. Did I want to get those witnesses in? Yes, absolutely. There is a degree of responsibility that this committee must exercise. It does not mean that we cede to the special counsel all authority and say, ''When you raise an objection, we shall not go forward,'' but in good conscience we have attempted to act in a way that would not jeopardize the important work of the special counsel.

Mr. President, I think that if the minority continues to thwart, as it can, if it votes against cloture—and there will be a cloture vote scheduled—then I think they are very clearly saying to the American people that they are afraid of the facts that will be revealed. There is no doubt in my mind this is a carefully orchestrated opposition being raised, and that orchestration comes from the White House.

Indeed, packets of information have been distributed to denigrate individual Members. That is not what a White House should be about. That is not what this investigation should be about—people assigned tasks, responsibilities of gathering information on a Senator from the DNC. That is not right. That is not fair. This Senator has known about that for quite a while. I bring it up now for the first time because, Mr. President, if we want democracy to work, then we have to stop these dirty little games, the dirty tricks of attempting to embarrass, attempting to hurt so that one is diverted, one's attention is diverted from the facts.

Now, Mr. President, I believe that we could come to a resolution. I have not spelled out any particular methodology. It seems to me that we know with a good degree of certainty that the trial will be concluded. There may be appeals. So what? That will not preclude us from asking for witnesses to come in. Indeed, their lawyers may or may not assert constitutional rights. At least at that point we have given to the special counsel the opportunity to do his work. He may disagree. The committee may say, ''Look, we want to resolve this and go forward.''

On the other hand, the committee may say, reasonably, we should not. At that point, I would be first to say we may have to conclude, or certainly there is no further reason to continue going forward if there are not other areas that have not been successfully covered.

It would seem to me we would be in a position to look into the question of the leases that have been made with respect to Mr. McDougal and the State. We would be able to look into the Arkansas Development Finance Authority, the propriety of its acts, the relationships that it had or did not have with various people, the probity of those—all of those areas that are left unresolved. I am not going to take the time at this point to go into them, but I will. And I will spell them out in detail as we will spell out the testimony of Mrs. Williams, Maggie Williams, in detail and the testimony of young Mr. Castleton and the testimony of the officer, which is clearly at variance with what her memory and what her reflections are to such a degree that one has to say that there are very real issues that are not resolved. I will do that.

Mr. President, I think we have an opportunity to do the business of the people, not to create these doubts—what are my Democratic friends worried about? What is the White House worried about? What are they hiding? If there is nothing there, then, fine, the committee will fold its tent, as it should. It will conclude. But it has an obligation to first have the real opportunity to conclude its work as we should, as honest factfinders. That is what this is about, being honest factfinders. Nothing more, nothing less.

I hope that we would not engage in the kind of accusations that oftentimes come about where there are contentious matters, matters of conscience. There may be some of my colleagues who absolutely feel that the only reason we are going forward is to seek to discredit politically. There may be

some on my side who seek partisan advantage for that purpose. But irrespective of those feelings, we have an obligation. The obligation is to get the facts and to try to do it in a manner that really demonstrates to the American people that notwithstanding contentious issues—issues that could very easily be blown out of proportion by partisanship—that we are above it.

Now, I am not suggesting to you that reasonable people may not have reason to disagree with some of my decisions or actions on that committee. But I believe if one were to examine his or her conscience, they would have to say that the chairman has endeavored to be fair. Yes, fair; yes, thorough; yes, comprehensive; but, above all, fair. That does not mean we have to agree on every issue.

It seems to me that one way which is not recommended, a recommended course, is to continue our work and look at the conclusion of the trial as a point in which we would look to set some kind of reasonable time, and that we would agree if there was work that still needed to be done, that we would take up whether or not it should be extended. I do not see how you can set a limit based upon a date certain—what if the trial does go 2 months, and we say we have to wrap up the work of the committee by April 5. That means that those key witnesses would be precluded.

That means that we set a timeline. It has been suggested, and I know referenced by some of my colleagues in the debate, that when you set a deadline for the completion of congressional investigations, decisions are often dictated by political circumstances and the need to avoid the appearance of partisanship. This is what was done in the Iran-Contra case. They set a particular timeline. What that did is set a convenient drop-dead date by which lawyers sought to delay and wait out the investigation.

My distinguished colleagues, the former Democratic majority leader and Senator COHEN, suggested that should not have been done. Here is a quote: ''The committee's deadline provided a convenient stratagem for those who were determined not to cooperate.'' That is in this book, ''Men of Zeal.'' I have to suggest that, given the appearance of documents at the last minute—and I am not going to argue the merits—but I have to suggest there has been a history of documents coming in conveniently late. The last of them was the miraculous production of the Bruce Lindsey documents. Mr. Lindsey, the assistant to President Clinton, his close confidant and friend, testified before the committee, that he did not take notes—he did not remember taking notes. He was asked specifically about it. His lawyer was requested to look and see and to make a proper search. He did undertake this so-called review and this search, and lo and behold, after the committee's funding ended, guess what? On a Friday, the miraculous production. Always on a Friday. Always late on a Friday. This time I think it was about 7 or 8 o'clock Friday.

Why? To avoid the news, avoid the news. The White House got these documents, I understand, on a Wednesday. But they did not make them available to the committee until Friday. What is that all about? Managing the flow of information. That is managing the flow of facts. Is that right? Is that proper? I will tell you what it appears like to me. It appears to me that my Democratic friends are so interested in the management of the facts, facts that may be embarrassing, that they are willing to scuttle our constitutional obligations. That is just wrong and that is what leads people to say: What are you hiding? What are you hiding?

Do I believe that all my colleagues are in league with that? No, I do not. But I believe that there are those who are so intent upon stopping this investigation that they have laid down a hard and fast rule. They are probably polling right now to ascertain whether or not this is going to hurt their credibility or not.

I think whenever you want to end a duly constituted investigation when there are substantial open questions and work to do, people have to say: Why? Why are you keeping the committee from doing its work? I think we can do our work. I think we can do it again in a reasonably fast way, but in a way that meets our obligations.

I do not look to draw this out. I said to this committee, to the Rules Committee, when we sought authorization, it was my hope that we could keep this matter from continuing into the political season. I still think we can deal with this in a manner which means that it would end sometime in June, late June or maybe even earlier. I think we really can.

But there has to be a starting point that is reasonable and will assure that we have some opportunity to get the facts. If we never get the opportunity to examine the witnesses—and that is what would take place if we had an arbitrary deadline of April and that trial is not over—we will be denied this opportunity. I recognize they can take appeals. They could take appeals for years. I am not suggesting we wait until the appellate process is over. That is not the case at all.

Mr. President, I am going to ask that my colleagues on the Democratic side consider an attempt to deal with this in a way that will not put us to the test of coming to vote to end this filibuster. They should not be filibustering this. We have other things to do. We have important things to do.

The PRESIDING OFFICER (Mr. DOMENICI). The Senator from Virginia.

Mr. WARNER. Mr. President, I wish to stand and commend the distinguished Senator from New York. The Rules Committee, of which I am a member, proceeded to meet yesterday, in a very correct manner, hoping to consider S. Res. 227, I believe, reported it to the floor, and that is the subject of the pending business.

Mr. D'AMATO. Correct.

Mr. WARNER. I thank the chairman and his staff for their cooperation in conducting that hearing with expedition. The matter is now before the Senate.

Mr. SARBANES. Mr. President, I listened to Senator D'AMATO, the chairman of the Whitewater Committee, with great interest. I want to say that the unreasonable element in this current situation is a request for an indefinite extension of the work of the committee. That was not the premise on which the committee was established in Senate Resolution 120. In fact, it is very clear that in Senate Resolution 120 we agreed to a termination date just as we did in the Iran-Contra investigation at the strong urging of Senator DOLE who at that time was the minority leader and who pressed the Democratic majority at that time in the Senate and the House to have a closing date on the inquiry in order to avoid making it a political exercise in a Presidential election year in 1988.

That is exactly what we sought to do here by having a termination date of February 29, 1996, and the request that has been made is for an indefinite extension.

The minority leader, Senator DASCHLE, has responded to that by proposing a limited time period. But the proposal before us that was brought first from the Banking Committee, and then by the Rules Committee, on a straight partisan vote is for an indefinite time period in order to carry out this inquiry. And, as I have indicated, this is perceived as unreasonable.

I know of no plot, as my colleague suggested, to denigrate Senators. Certainly no one on this side of the aisle is involved in any such endeavor. I want to establish that in a very clear fashion.

Two things have been argued. One is we have not gotten all of the material in, and, therefore, we need to extend. Of course, Senator DASCHLE proposed a period of time for extension. I just observe that the material is all now in. We got these notes. We had hearings on these notes. I have to take the explanations as they come.

The Lindsey notes constitute three pages. This is what came. That is the extent of it. These notes, in fact, corroborate what has previously been available to the committee.

Let me just read the note that comes from their counsel. It says:

> Following a recent Senate committee hearing in which questions were raised as to whether a January 10, 1994 memorandum from Harold Ickes was copied to other White House officials and whether they had produced their copies of such documents in response to the committee's request, Mr. Lindsey and this firm undertook a review of all our prior document productions.

And I think it is important to point out that there have been very extensive prior document productions.

With respect to the January 10th memorandum, we found that an identical copy of the document produced to the committee by Mr. Ickes was in Mr. Lindsey's White House files and had been produced by Mr. Lindsey to the White House Counsel's office January 1995 for review with regard to executive privilege and other issues. In the course of this review, we have identified two other documents in our files which inadvertently were not produced to you, or the White House Counsel's Office, earlier and which are attached.

Those are these three pages of notes. And he then goes on to say:

First, while Mr. Lindsey previously informed your committee that he did not recall taking any notes as of November 5, 1993 with Mr. David Kendall and other counsel for the President, our recent review has located some very brief handwritten notes set forth as attachment A here, to which Mr. Lindsey did write at that meeting but did not previously recall. As you will see, these brief notes are completely consistent with the testimony of Mr. Lindsey and others, and the Kennedy notes of the same meeting presented to your committee about that meeting.

You may want to go at one or another of these people for not producing the documents early but the fact is the document had been produced—the Gearan document. Then we had a full day of hearing on those documents. And the same thing, of course, is true with respect to the Ickes notes.

So those matters have been furnished to the committee. And, as I understand it, now every request made by the committee to the White House has been responded to with the exception of two new requests for e-mail that the chairman made in the latter part of February that have not yet been responded to.

Those two e-mail requests are pending, and the White House has indicated that it will provide them to the committee as soon as it is able to prepare them and furnish them to the committee.

Mr. D'AMATO. If the Senator will yield for an observation.

Mr. SARBANES. Sure.

Mr. D'AMATO. This is the first time that I have seen the letter conveying the notes. I guess we got these last Friday. They did not really come into our possession until Saturday.

That would be a week ago Saturday?

Yes, last Saturday. Last Saturday. So when we got these notes, I think you have to understand very clearly that Mr. Lindsey testified to the committee that he did not take notes. Then there is another encounter——

Mr. SARBANES. If the Senator will yield, they state that in the letter. They are not trying to conceal that fact.

Mr. D'AMATO. Sure. I understand.

Mr. SARBANES. They are very up front about saying ''previously informed your committee that he did not recall taking any notes.''

Mr. D'AMATO. Sure.

Mr. SARBANES. And he now says they have found these brief handwritten notes.

Mr. D'AMATO. I understand. And then we made a request after that testimony and his lawyer said that he was going to look, to search the records. And we did not get anything. And now, on March 2, after the committee goes out of its authority—I do not know whether we have authority, but certainly authorization expired February 29—this letter is sent to us enclosing the notes he had taken.

I find the letter interesting; this is the first time I have seen the letter, and I would ask my friend if he would take a look at the second page of the letter, the last paragraph, last sentence. ''We have not produced, of course, attorney-client privileged documents reflecting either Mr. Lindsey's communications with this firm.'' I understand that. In other words, he should not have to report his communications that he has had with his lawyer. Those are privileged. He has a right to assert that. But this is where I have some real trouble, and I think the committee will, and it is a very proper question. We will look and we will press and we will subpoena, if necessary, these documents, whatever they may be, because obviously his lawyer thought they were important enough that they would not place him in a position where he might be charged with obstructing justice or not responding to the subpoena. He has very smart lawyers. He is a lawyer himself, a former senior partner in a law firm. ''Or his''—meaning Mr. Lindsey's—''attorney-client privileged communications with private counsel for the President.''

I have to suggest he does not have a privilege with respect those conversations that he had and cannot assert that with respect to those conversations and those documents, and we have been in touch with him about this. We have gone to the point that we brought down to the Senate floor and voted on—this is the one area that we could not agree on—whether or not documents were privileged. That same kind of question about whether they would be required to waive privilege came, and we were ready to vote enforcement of the subpoenas that we issued. That was the only time that we had a disagreement.

I have to say to my friend, again, this raises very substantial questions. Now, reasonable people might disagree, but I have to suggest to you that was not just placed in there as some legal nicety. That is important. And I have to say, what information does he have?

We have settled the manner in which to deal with many of these issues. We have had majority counsel and minority counsel meet to see whether or not information should be made public, whether the committee had a right to it or not. At the very least, we have a right to see whether or not this falls within that area of information that is not germane to the subject of our inquiry—at the very least.

Now, if people want to raise, if the White House wants to raise the issue of privilege, which the President of the United States said he would not—he would not—why, then, that is their right. But for Mr. Lindsey's attorney to withhold and say, ''We are not going to do it,'' that is improper.

Now, if the White House wants to come in and say, ''We are asserting that Mr. Lindsey had communications with the President's private counsel that are privileged,'' then they have a right to do that. I am not agreeing that we are going to say that falls within the parameters of the privilege. We may insist on enforcement. But I have to tell you that this again raises questions. And when do we get this information? Saturday.

How is it that we have got so many of these convenient kinds of lapses? And this is not the first time. Mr. Lindsey is an assistant to the President of the United States. He has the lapse. The deputy chief of staff, Mr. Ickes, he has a lapse. He finds documents, again, at the last minute. Mr. Gearan, he has a lapse. Again, every one of these people involved with the Whitewater team has a lapse. I have to suggest to you that it does raise real questions and is very troubling.

That is why I think there are many people who believe that we have an obligation to finish this and to get the facts, and I think that if we were to move forward you would see even more documents be produced, more discoveries, more things that have not been turned over to this committee. I cannot believe given the tasks—and I am prepared to go through the list—that Mr. Ickes assigned to various people that all of the documents related to their Whitewater activities have been turned over to this committee.

I yield the floor to my friend because the Senator has been more than gracious. I just wanted to raise this matter.

Mr. SARBANES. All I would say to the Senator is that these documents have been furnished to the committee. They have not been concealed from the committee, and they have not been hidden.

Now, the people who furnished them said, ''We were late furnishing them for the following reasons.'' Now, you may accept or reject those reasons. And if you want to inquire into the reasons, you are perfectly free to do so. But the fact remains that the committee has these documents. They are now in hand.

I have been sitting here listening today to my colleagues recite various aspects of our inquiry. The fact is the matters they have been reciting they can recite because we have gotten documents, we have had hearings, we have had witnesses that we have been able to question, we have taken depositions, and therefore they can get up and talk about these matters—often I think drawing conclusions not warranted by the facts, but leave that to one side—they can talk about these matters because this material has been furnished

to the committee. So the fact is now that there has been a tremendous dragnet set out for material and a tremendous amount of material furnished back to the committee, the fact is when we set out on this endeavor last May it was agreed that we would draw it to a conclusion at the end of February.

That has been a consistent principle that has been applied to all inquiries and all investigations by the Senate. None of them has been open ended. In 1987, when Democrats pushed for an open-ended hearing, Senator DOLE was very strong in saying that should not be done, and the Democrats actually acceded to his representations and a concluding date was set—in fact, quite an early one—and in order to accommodate it, the Iran-Contra committee held 21 days of hearings in the last 23 days of its working period in order to get the job done.

Now, as the chairman knows, we urged him in mid January to have an intensified hearing schedule in respect to this matter. We now find ourselves here at the beginning of March. I think that the minority leader has been very forthcoming in proposing an extension of time until the April 3 in order to complete our hearings. And, in any event, I do not regard it as a reasonable proposition to ask for an indefinite time period which is completely contrary to the premise on which we set out. It is completely contrary to the premise of Iran-Contra, and it is completely contrary to the premise of every other inquiry and investigation.

Mr. D'AMATO. I do not know if my friend is finished, and without losing the right to the floor, I would like to make an observation if he would care to comment.

Mr. SARBANES. Certainly.

Mr. D'AMATO. Mr. President, the fact is that this letter—by the way, not so clearly, not so clearly—is what I consider to be a brilliant legal, scholastic exercise in extricating one's client from meeting the obligations that he would be required to meet pursuant to the subpoena that asked him to produce all relevant documents with respect to Whitewater. Brilliant. This is absolutely terrific.

And this fellow, Allen B. Snyder, is one good lawyer. He is the lawyer who signed this letter. Let me tell you why. Analyze this; you have to agree, this is good. This is good. Listen to this, Mr. President. ''We have not produced''—this is the last sentence in this letter that says, here we give you these things, how we found them—''We have not produced, of course,''—gets you into believing, of course—''attorney-client privilege documents reflecting either Mr. Lindsey's communication with this firm''—oh, OK, all right, we are not going to ask about that.

You are talking to your lawyer and saying, by the way, I have a problem, et cetera, whatever. We have some facts or are talking strategy, et cetera. That is what we consider to be privileged. By the way, it would seem that constitutional authorities would indicate in some cases that we would actually have the right to that documentation.

So, ''* * * of course, attorney-client privilege documents reflecting either Mr. Lindsey's communications with this firm or—get this; now we search very carefully—''or his attorney-client privileged communication with private counsel for the President.''

He is withholding documents. We do not have those documents. We have not seen those documents. And he is now asserting for the first time that he has information. He did not know he had it before. He just remembered it. He just found it. He did not know it. But he now says, ''I've got documents that you have subpoenaed. But I'm not going to give them to you because, guess what, I had conversations with or communications with the President's counsel.'' Let me tell you something, as an assistant to the President, if he has communications and shares documents with a private counsel for the President, they are not privileged. And this Senate and the Congress has a right to know what that information is.

Look, it may be that we are arguing over nothing. We have agreed to a methodology, a methodology of not attempting to provoke a court confrontation. I will tell you, I will ask for enforcement of the subpoena because this subpoena was served before the authorization of committee funds ran out. This response is carefully contrived, and the documents are produced after the committee goes out.

Is it any wonder why reasonable people say, ''Why are you doing this? Why are you holding this?'' Is there any reason why newspapers say, ''How come you keep dribbling this thing out? What are you trying to hide?''

At the very least, it all seems to me that the majority counsel and the minority counsel have done this before. We can look at this information, see if it is relevant or not, and examine whether or not a claim of privilege is valid. I cannot see how it can be asserted, but if it is not relevant, we will not ask for it. We will agree to take a pass.

I do not want to know whether he was discussing whether a football team or basketball team was going to win the game the night that they went to see it, or if he was in the company of the President, that he discussed that kind of thing. But if it is relevant, we have a right to it. If he communicated to the President's counsel, ''By the way, I'm worried about X, Y and Z,'' we have a right to that.

Either we want the facts or we do not. Do we want to hide the facts? Let me say, as it relates to the proposition that we are not willing to set a time certain, I think that is bad. I think it is really bad. But I am willing to say, let us provide a period of time after the conclusion of the trial. We know, whether that trial concludes with a final verdict—guilty, innocent, hung, et cetera—that within 10 weeks after that trial, we will conclude.

You have to start someplace. I do not like setting a time because I think again when you set a time line, you set a prescription for people looking to delay and get past that time line. That is what our friends in ''Men of Zeal'' said. And they were right. Again, this was authored by Senator COHEN and Senator Mitchell about Iran-Contra. They said, ''The committee's deadline provided a convenient stratagem for those who were determined not to cooperate.''

I suggest, given the manner in which these documents came forward, that this is part of the stratagem. When I see this letter, we know conclusively that we have not had an opportunity to examine documents that were subpoenaed.

This is a very brilliant, lawyerly, scholarly letter. I read it for the first time, and it just jumped out at me. Then counsel told me they have attempted to get some kind of an agreement from Mr. Lindsey's counsel in order to inspect this material. They were told no.

So where is the cooperation? If the White House has nothing to hide, where is that cooperation? It's a needle in a haystack. We want the facts and information—the needles—but we get the whole haystack, we do not get the critical information.

This is just another example. Let me suggest to you, is it not great cooperation when lawyers tell their clients, ''What are you holding back?'' and ''You better not hold back''? I see a pattern here. I see some very bright lawyers saying, ''You can't withhold this stuff. You have memorandums all over this place. If someone comes over and says, 'Where is that memorandum?' and you sent it to eight different people, where do you think we get these documents from?''

Some very capable lawyers would tell a client, ''I'm not going to be part of advising you to withhold.'' Perhaps, that is why we have been getting documents from them. Of course, that is an assumption on my part. There are a number of suspicious instances. We could take Susan Thomases and the repeated requests to her for records—two times, three times, four times before we get all of the information, before we get the logs that show the communications, key communications, information withheld from us. I think there are some very capable lawyers that she has representing her saying, ''Wait a minute. Wait a minute. They have asked you about these things. You can't withhold these things.''

You really think that a very capable lawyer like Ms. Thomases would not have looked at the diaries and logs as it relates to communications that she had during critical periods of time on or about the day of the suicide, or the

day following the suicide, of Vince Foster? She would have missed these during that week? And it took us months to obtain this vital information.

We have not been able to examine her. She broke her leg. We examined her twice. She was scheduled to come in a third time. Unfortunately, we could not do that because she said she broke her leg. What were we supposed to do? Drag her in there? Have her come in a wheelchair?

I recognize the discomfort level that my friends and colleagues on the other side would have as it relates to an indefinite extension. I understand that. But as a practical matter, if we receive $600,000, and spend it at the rate of approximately $150,000 a month, Mr. President, we are talking about 4 months. That is the practical side of this.

We could be doing that business without rancor, doing it to the best of our ability. We may not be able to complete all of the work as we would like. If there were facts and information that clearly demonstrated that we had to go forward, I am sure that my colleagues would then say, maybe reluctantly, we have to do that. That is the position we would be placed in.

You know, the editorials indicate that we should go forward. They also say that there is a caveat, a clear caveat, as it relates to the work of the committee, if we begin to appear to be unfair, if we appear to be partisan in terms of being demanding, and that we, those of us who are pressing to finish our work, could feel the political fallout. But there are what we call common sense, common decency, in handling the inquiry in a manner that is proper. I think we can do that. I would like to proceed in that manner.

I thank my colleague for giving me the opportunity, at least, to share these thoughts with you. I hope that between now and tomorrow, when we come to the floor again, that I have put forth something in a manner in a way in which we could possibly move forward.

I suggested some way to begin to resolve this, such as taking a period of time after the completion of the trial. I said 10 weeks. My friend may feel that is too long, but let us see if we cannot do it. Again, there is a finite amount of time, constrained by very limited resources, resources of $600,000.

There has been an endeavor by my friends to put forth a proposal for 5 weeks starting now and $185,000. I think we have to say even if that is the most good-faith offer they can make—and I do not question the fact that my colleague advances that in good faith—I hope that my friend, Senator SARBANES, will understand that it will not deal with the question of access to those witnesses.

Again, we may never have access to them. I admit that. I am not trying to score debating points here. What I am trying to do is tell you clearly where we are troubled, what some of those facts are and see if we cannot work out a way cooperatively to go forward.

Mr. SARBANES. Let me say to the chairman, let me make a couple of points. First of all, they cite editorials that say do an indefinite extension. I have cited on the floor today editorials that say—let me just quote a couple of them.

> . . . Whitewater hearing needs to wind down. A legitimate probe is becoming a partisan sledgehammer.
>
> . . . The Senate Whitewater hearings, led since last July by Senator Al D'Amato, have served their purpose. It's time to wrap this thing up before the election season.

That is the Greensboro, NC, paper.

The Sacramento Bee says:

> With every passing day, the hearings have looked more like a fishing expedition in the Dead Sea.

And says these ought not to be extended.

Mr. D'AMATO. That is at least an imaginative image, fishing in the Dead Sea. I like that.

Mr. SARBANES. It is very imaginative, in my opinion. This is a growing body of editorial view about the nature of these hearings.

When we agreed to these hearings on a 96 to 3 vote last May, an essential premise was that they would come to a conclusion. In fact, when the chairman went before the Rules Committee, he made the point that he wanted to keep it a year, so it would not extend into the election season.

It was very clear that we were not going to defer to Starr and his trial. We were going to carry out our hearings, just the way Iran-Contra carried out their hearings, and Walsh kept going after they concluded their hearings. Iran-Contra did not come in behind the trials. They carried out their hearings and brought them to a close, and, in fact, we stated that to Starr very clearly back on October 2 when we joined and wrote him a letter and said:

> For these reasons, we believe the concerns expressed in your letter do not outweigh the Senate's strong interest in concluding its investigation and public hearings into the matter specified in Senate Resolution 120 consistent with section 9 of the resolution.

And section 9 was the February 29 date. So we were very clear about that, as far back as October.

By seeking an indefinite extension, there is a complete change in the ground rules by which the special committee has been operating heretofore. And I say to the chairman, that is part of the basis for the very strong opposition that we have to an indefinite extension of this inquiry. It has not been done before.

I commend to you Senator DOLE's very strong comments in 1987 on this very issue in which he was very explicit, repeatedly, with respect to this question, and actually to accommodate, the Democratic Congress agreed that we would not extend the inquiry into the election year, thereby politicizing the matter and, I think, increasing the public perception that what is going on is simply a political exercise.

Mr. D'AMATO. Again, I have not heard any response, but I have indicated that, obviously, the committee would be very hard pressed to continue its work past 4 months. That is No. 1. At $150,000 a month, in some cases even more, and particularly if we are going to attempt to conclude this and take the necessary depositions, et cetera, that is about the time frame that we are talking about.

It is reasonable to assume we are going to talk about a trial that lasts anywhere in the area of 6 to 8 weeks. I suggested we take a time line from the conclusion of that trial and attempt to use that as the date.

So I have given an opportunity to our Democratic colleagues and friends to consider this, instead of just being placed in a position of those of us who would come to the conclusion, rightfully or wrongfully, that there may be people who are calling and orchestrating this from the White House who just do not want those facts to come out, whatever they may be.

I do not know what they will be. I tell you, if they are exculpatory, if they clear the record, if they clear the clouds away, fine, so be it.

While Senator DOLE has indicated previously the need and necessity to keep investigations and hearings from going into the political season—and I recognize that and I have addressed that—there is the experience that our colleagues and the former majority leader had during that same period of time. In his book, ''Men of Zeal,'' it was said that to set a time line is basically to encourage people to look at delay.

We can continue this back and forth, but I hope my colleague will consider what I suggested as a way to attempt to resolve this without us becoming involved in other matters.

Let me say this to you. Tomorrow I will advance, if we do not get an extension and if my colleagues continue to vote against cloture—and I have no reason to believe my Democratic colleagues will not come in here and, to a man, vote against proceeding and we will continue this filibuster—then we will go through the record very clearly and attempt to make the case why it is we are seeking to continue, what facts we are still seeking, what information, what witnesses, in detail. They can still vote that particular way. But then there will come a point in which we will attempt to do the work of the committee. It may not be as neat, it may not be as tidy, but I can assure my friend and colleague that we will persist. I think when I say we are going to undertake something and I am committed to seeing to it that we do the best job we can, that is something we can count on.

I put forth an offer that I think I can get substantial support for. There will be some of my colleagues, as I am sure there will be a number of yours, who are adamantly opposed to any kind of compromise. I recognize that, and I

recognize, in all due sincerity, that my friend probably has a number of colleagues who just do not want to agree to even 5 weeks. I recognize that, too.

Mr. SARBANES. If the Senator will yield on that point, there are many people who feel the committee should have done its work within the requirements of Senate Resolution 120, just as Iran-Contra had to do its work within its allotted requirements under the resolution under which it was operating.

Mr. D'AMATO. I really tried as hard as possible to attempt to put forth an offer——

Mr. SARBANES. No, I just want you to understand there are some strongly held views of that sort.

Mr. D'AMATO. Sure, and you must recognize that there are legitimately held views that people themselves feel strongly about without any partisan motives being attached to their feeling; that they say we want to end that. I understand that, and I am saying to you that I have a number of Members who do not want to compromise as it relates even to a time line and they suggest we are going to be back in the same problem again. But there comes a point in time when you have to make the best of the situation.

I am suggesting possibly we explore looking at a time certain, from which we say we will conclude, that being the conclusion of the trial, one way or the other, if it is a hung jury, whatever it might be. We may not be able to get any of those witnesses.

Mr. SARBANES. That is right, and we need to examine that up front.

Mr. D'AMATO. I am first to admit that. I am first to admit that. What I am trying to do is to say there is a good faith offer, an attempt to wind this up in a manner that does not detract from everything and everybody because there are going to be those who say in the drumbeat of the political spin doctors on one side saying the Senator from New York is attempting to keep this going for political reasons.

Mr. SARBANES. That is right.

Mr. D'AMATO. I understand that. On the other side, there will be the chorus, What are you hiding? For every editorial you can produce, I can produce one, two, three, four and you can produce some, and back and forth. What does that achieve? My gosh, what have we advanced?

So I am—and I am not asking you for an answer now—I am asking you to consider attempting to deal with this impasse, so that we do not have to come down here and have our colleagues vote, line up on one side, those vote to cut off debate, cut off the filibuster, and those who take the opposite possible positions and all the various characterizations that are going to flow—from both sides, absolutely totally well-meant. All right. So I hope I have covered the waterfront on that.

It may be that we cannot find a way to resolve this. But I am suggesting that I am certainly willing to spare us further debate here, further time here, and let us be able to do the best we can, given that we cannot control all the circumstances in this investigation. Some of it is beyond our ability to control.

I yield the floor, and I thank my friend for his courtesies in giving me the opportunity at various times to make some points that I thought were important.

The PRESIDING OFFICER. Who seeks recognition?

Mr. D'AMATO. Mr. President, I believe, without imposing upon my colleague, that concludes our discussion with respect to going forward on the Whitewater resolution.

Mr. SARBANES. Yes.

VACANCIES AT THE FEDERAL RESERVE BOARD

Mr. D'AMATO. Mr. President, on that note, let me say this. The Banking Committee has been waiting for months now for the President to fill vacancies at the Federal Reserve Board. It was just a little less than 2 weeks ago last Saturday, March 2—there are two vacancies, two other vacancies aside from Mr. Greenspan—I guess it was about 10 days ago when the President indicated that he was going to recommend not only Chairman Greenspan but two other people, Alice Rivlin as the Vice Chairman, and Lawrence Meyer as a Governor.

Since this announcement from the White House—and I have indicated publicly that we would move expeditiously to take up these nominees—we have not received any word and the Federal Reserve has been forced to adopt various rules to address this gap so that Chairman Greenspan could carry on his work. This continues to be a very critical post, and these positions are critical. I hope the administration will move with some speed and alacrity in sending those nominations over to us so we can move.

I pledge to the body here and to the administration and to the President that we will move as quickly as we possibly can. We will set up a hearing—if it means in the afternoon, if it means whatever time convenient to the nominees—to deal with these important nominations, because they are important and they are critical.

We want to move this. I hope they will send those nominations over. Certainly they should send over Mr. Greenspan at this point in time. We could dispose of that. I do not understand why they would not have Mrs. Rivlin ready, given her long stewardship in Federal Government and the fact that she has had all her clearances, et cetera. So at least two of those positions are something we would be willing to move on very expeditiously.

Mr. President, I yield the floor.

MORNING BUSINESS

Mr. D'AMATO. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business with Senators permitted to speak therein for up to 5 minutes each.

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

DEPLORING TERRORIST ATTACKS IN ISRAEL

Mr. DASCHLE. Mr. President, every American deplores the bombings in Tel Aviv and Jerusalem in the past days.

The Tel Aviv bombing was a senseless act of violence cynically targeted to hit as many innocent people as possible at a shopping mall on a school holiday commemorating what is to be a joyous holiday of Purim. Once again, a suicide bomber did this awful deed; people are dead and injured; a nation is stricken; and the peace process is further jeopardized.

Ironically, Purim commemorates the time in which Esther, a Jewish heroine, convicted her husband to stop the slaughter of the Jews. There was no modern day Esther Monday in Tel Aviv.

Monday's bombing follows Sunday's in Jerusalem, which took place on a street down which I have walked. I can see with terrible clarity the horror of Sunday's bombing.

Mr. President, along with my colleagues, the President, and all Americans, I offer my condolences to the families of those killed and injured. I fear for the future of the peace process, which offers hope that, maybe, some day, Israelis and Palestinians can walk down these same streets in Jerusalem and Tel Aviv in peace, free of the fear that they may be the terrorists' next victims. I join the President in pledging to do all we can to stop this senseless slaughter; apprehend the terrorists and bring them to justice; and get the peace process back on track.

GEN. BARRY McCAFFREY, DIRECTOR OF THE OFFICE OF NATIONAL DRUG CONTROL POLICY

Mr. WARNER. Mr. President, in today's Washington Post there is a remarkable article. I commend all to read it. It is about the President's appointment of Gen. Barry McCaffrey, a four-star general, to the position of drug czar. It has been my privilege to know this fine American for some many years. I recall on one occasion, together with other colleagues in this body—it may well have been the distinguished whip was on that trip, the Senator from Kentucky, when we visited the gulf region. We visited a number of the U.S. commanders who had taken an active participation in the war in the gulf. General McCaffrey was the general who spearheaded the tank column which crushed Saddam Hussein's armor.

From that experience and many other chapters of complete heroism as a soldier, he now takes on another assignment and immediately goes into

battle, this time a battle to counter the threat of illegal drugs and drug abuse to this Nation. It is a threat as serious as any that has ever faced this Nation in our history from any foreign military power or terrorist organization. I congratulate the President of the United States. Indeed, he had awesome powers of persuasion, to get this American to step aside, to promptly retire as a four-star officer, a man who may well have been destined to become Chief of Staff of the U.S. Army. He will take on a new challenge and enter another battle in a life which, although this man is quiet and humble, is filled with heroism.

But General McCaffrey's appointment is timely, Mr. President. As today's Washington Post article opens up—and I will quote the article and I ask unanimous consent that it be printed in full at the end of my statement.

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

(See exhibit 1.)

Mr. WARNER [reading]: ''By moving full circle in this election year, President Clinton plans an ambitious upgrading of the White House drug control policy office three years after virtually wiping out that office in order to fulfill a campaign pledge to reduce White House staff.''

How tragic, Mr. President. Just look what happened statistically since the Clinton administration has been in office.

The statistics over the past 2½ years are astonishing and alarming. The number of 12- to 17-year-olds using marijuana in the United States increased from 1.6 million in 1992 to 2.9 million in 1994.

The category of recent marijuana use increased a staggering 200 percent among the 14- to 15-year-olds in this same period of time.

Since 1992 there has been a 52-percent jump in the number of high school seniors using drugs on a monthly basis.

I spoke with a group of parents the other day. The principal theme of our meeting was education. Yes, we talked extensively about education, but in the course of an exchange between myself and this group they quickly turned to the threat that drug abuse poses to their children's safety. We all know that safety in the educational environment equates with the quality of education that these children hope to receive. We also know that a portion of the violence that occurs in our schools is related to illegal drugs and their sales and distribution.

One in three high school seniors now smoke marijuana. The American people recognize the problems with drug abuse. A December 1995 Gallup Poll shows that 94 percent of Americans feel illegal drug abuse is either a crisis, or a very serious problem.

So, Mr. President, I am glad the President of the United States has responded. He has gone to general quarters, as well he should. He is providing General McCaffrey considerable support, and I am glad General McCaffrey's conditions are being met.

Just look at the record. The Clinton administration has virtually wiped out the Drug Control Policy office reducing the staff from 146 in 1993 to just 25 as of today. This decision to staff up, made in conjunction with the appointment of General McCaffrey, comes at a time when numerous articles and television programs about the terrible increase in substance abuse are appearing throughout our country.

Mr. President, thank you for getting the message from the American people.

I pledge to this fine general and his staff my full cooperation so long as I am privileged to be a Member of the U.S. Senate. I daresay my colleagues likewise will support him.

I yield the floor. I thank the Chair.

EXHIBIT 1

ABOUT-FACE

(By Ann Devroy)

Moving full circle in this election year, President Clinton plans an ambitious upgrading of the White House drug control policy office three years after virtually wiping out that office in order to fulfill a campaign pledge to reduce White House staff.

According to requests submitted yesterday to Congress and sources at the White House, the president is seeking to increase drug policy staffing from 40 to 150 slots, reversing steps he took in 1993 to reduce the office from 146 workers to 25.

In addition, the White House has agreed to requests by its new drug policy chief, retired Gen. Barry R. McCaffrey, to move the operation from a relatively distant office near the New Executive Office Building back into the Old Executive Office Building, where it was located under its first and most high-profile director, William J. Bennett. McCaffrey, also at his request, will be a given a slot on the National Security Council, a new power perk, and the job will continue to hold Cabinet rank.

One White House official explained the reversal this way: ''The general wants some troops to command, and Clinton wanted the general.'' But White House aide Rahm Emanuel, who handled the upgrading of the operation, said the new staffing levels and access for McCaffrey signal Clinton's confidence in the former head of the military's Southern Command and his commitment to an expanded fight against drugs.

''This is what he needs to get the president's policy implemented,'' Emanuel said. ''It is what the president believes will help us improve on our record.''

While the new staff and spending are likely to consign Clinton's staff-cut efforts to history, it will help him with what may be a more potent political issue: his commitment to drug control at a time when drug use among young people has risen every year he has been in office.

Clinton yesterday sent to Congress a request for $3.4 million in supplemental spending for the Office of National Drug Control Policy. That request will pay for 80 new jobs, according to the White House submission. In addition, McCaffrey has gotten White House approval to take 30 ''detailees'' from the Pentagon to his new operation. Detailees are paid by their home agencies, so their cost is not reflected in the White House budget.

The White House also has given McCaffrey the go-ahead to formulate a plan for spending an additional $250 million this year on the anti-drug effort, much of it reprogrammed Pentagon funds.

In all, the new Clinton drug policy office will have funding for 150 employees, four more than its high point in the Bush administration. It was these workers that Clinton turned to in large measure when he had to make the cuts in White House operations to meet his campaign pledge to shave the staff by 25 percent.

Despite significant misgivings from his own staff and many outsiders, Clinton argued during the campaign that the White House should operate with 25 percent fewer workers than in the Bush era. The pledge was meant to symbolize the president's commitment to make sacrifices himself before he asked other parts of government and the American people to sacrifice in the name of deficit reduction and more efficient government.

On taking office, the Clinton team used some creative accounting to readjust the baseline of what is normally considered White House staff so that fewer cuts would produce the 25 percent goal. But they still had to cut 350 slots from a total of 1,394, and the drug office took by far the biggest hit. White House officials argued that other parts of the government, including the Pentagon and the State Department, could pick up the slack.

White House officials now say they will try to keep the staff level down for the full year to meet the 25 percent reduction, even with the rush of new workers.

And they reject any link between the election year and staffing up anti-drug efforts.

''Our policy has been strong throughout. The president has emphasized anti-drug efforts throughout his administration. It has been an important priority,'' Barry Toiv, a deputy to White House Chief of Staff Leon E. Panetta, said yesterday. ''The president obviously has tremendous respect for General McCaffrey's ability, and the general feels that with additional resources he can do an even better job. The president wants him to have those resources.''

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 1:52 p.m., a message from the House of Representatives, delivered by Ms. Goetz, 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. 497. An act to create the National Gambling Impact and Policy Commission.

H.R. 2778. An act to provide that members of the Armed Forces performing services for the peacekeeping effort in the Republic of Bosnia and Herzegovina shall be entitled to certain tax benefits in the same manner as if such services were performed in a combat one, and for other purposes.

H.R. 2853. An act to authorize the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of Bulgaria.

At 4:02 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House agrees to the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 927) to seek international sanctions against the Castro government in Cuba, to plan for support of transition leading to a democratically elected government in Cuba, and for other purposes.

MEASURE REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 2853. An act to authorize the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of Bulgaria; to the Committee on Finance.

MEASURE READ THE FIRST TIME

The following bill was read the first time:

H.R. 497. An act to create the National Gambling Impact and Policy Commission.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–1915. A communication from the Under Secretary of Defense, transmitting, pursuant to law, the report of a violation of the Antideficiency Act, case number 94-08; to the Committee on Appropriations.

EC–1916. A communication from the Secretary of Energy, transmitting, pursuant to law, the report on the Elk Hills Reserve; to the Committee on Armed Services.

EC–1917. A communication from the Director of Administration and Management, Office of the Secretary of Defense, transmitting, pursuant to law, the report of agreements and transactions for fiscal year 1995; to the Committee on Armed Services.

EC–1918. A communication from the President and Chairman of the Export-Import Bank, transmitting, pursuant to law, a statement regarding a transaction involving exports to Ukraine; to the Committee on Banking, Housing, and Urban Affairs.

EC–1919. A communication from the Executive Director of the Thrift Depositor Protection Oversight Board, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC–1920. A communication from the Vice President of Government and Public Affairs of the National Railroad Passenger Corporation, transmitting, pursuant to law, the Amtrak annual report for calendar year 1995 and grant request and legislative report for calendar year 1996; to the Committee on Commerce, Science, and Transportation.

EC–1921. A communication from the Comptroller of the Currency, transmitting, pursuant to law, the report on consumer complaints for calendar year 1995; to the Committee on Commerce, Science, and Transportation.

EC–1922. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report on the Federal Aviation Administration; to the Committee on Commerce, Science, and Transportation.

EC–1923. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report on the benefits of safety belts and motorcycle helmets; to the Committee on Commerce, Science, and Transportation.

EC–1924. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled ''Effectiveness of Occupant Protection Systems and Their Use''; to the Committee on Commerce, Science, and Transportation.

EC–1925. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report on Federal technology partnerships; to the Committee on Commerce, Science, and Transportation.

EC–1926. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report entitled ''Fisheries of the United States''; to the Committee on Commerce, Science, and Transportation.

EC–1927. A communication from the Chairman of the National Transportation Safety Board, transmitting, pursuant to law, a report of a budget estimate, request, or information; to the Committee on Commerce, Science, and Transportation.

EC–1928. A communication from the Administrator of the Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled ''Performance Profiles of Major Energy Producers 1994''; to the Committee on Energy and Natural Resources.

EC–1929. A communication from the Secretary of Energy, transmitting, pursuant to law, the 1994 annual report on low-level radioactive waste management; to the Committee on Energy and Natural Resources.

EC–1930. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to Exxon and stripper well oil overcharge funds as of September 30, 1995; to the Committee on Energy and Natural Resources.

EC–1931. A communication from the Deputy Associate Director for Compliance, Royalty Management Program, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, notice of the intention to make refunds of offshore lease revenues where a refund or recoupment is appropriate; to the Committee on Energy and Natural Resources.

EC–1932. A communication from the Director of the Minerals Management Service, Department of the Interior, transmitting, pursuant to law, the report of the Proposed 5-Year Outer Continental Shelf (OCS) Leasing Program for 1997–2002; to the Committee on Energy and Natural Resources.

EC–1933. A communication from the Deputy Associate Director for Compliance, Royalty Management Program, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, notice of the intention to make refunds of offshore lease revenues where a refund or recoupment is appropriate; to the Committee on Energy and Natural Resources.

REPORTS OF COMMITTEE SUBMITTED DURING RECESS

Pursuant to the order of the Senate of March 5, 1996, the following report was submitted during the recess of the Senate:

S. Res. 227: An original resolution to authorize the use of additional funds for salaries and expenses of the Special Committee To Investigate Whitewater Development Corporation and Related Matters, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HATFIELD, from the Committee on Appropriations, without amendment:

S. 1594. An original bill making omnibus consolidated rescissions and appropriations for the fiscal year ending September 30, 1996, and for other purposes (Rept. No. 104–236).

By Mr. BOND, from the Committee on Small Business, with an amendment in the nature of a substitute:

S. 942. A bill to promote increased understanding of Federal regulations and increased voluntary compliance with such regulations by small entities, to provide for the designation of regional ombudsmen and oversight boards to monitor the enforcement practices of certain Federal agencies with respect to small business concerns, to provide relief from excessive and arbitrary regulatory enforcement actions against small entities, and for other purposes.

By Mr. HATFIELD, from the Committee on Appropriations:

Special Report entitled ''Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 1996'' (Rept. No. 104–237).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mrs. KASSEBAUM, from the Committee on Labor and Human Resources.

Marca Bristo, of Illinois, to be a Member of the National Council on Disability for a term expiring September 17, 1998. (Reappointment)

Kate Pew Wolters, of Michigan, to be a Member of the National Council on Disability for a term expiring September 17, 1998. (Reappointment)

Edna Fairbanks-Williams, of Vermont, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 1998. (Reappointment)

Donna Dearman Smith, of Alabama, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring March 3, 1998.

LaVeeda Morgan Battle, of Alabama, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 18, 1998. (Reappointment)

John N. Erlenborn, of Illinois, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 1998.

David Finn, of New York, to be a Member of the National Council on the Humanities for a term expiring January 26, 2000.

William P. Foster, of Florida, to be a Member of the National Council on the Arts for a term expiring September 3, 2000.

Patricia Wentworth McNeil, of Massachusetts, to be Assistant Secretary for Vocational and Adult Education, Department of Education.

Norman I. Maldonado, of Puerto Rico, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 1999.

Wallace D. McRae, of Montana, to be a Member of the National Council on the Arts for a term expiring September 3, 1998.

Luis D. Rovira, of Colorado, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2001.

Patrick Davidson, of California, to be a Member of the National Council on the Arts for a term expiring September 3, 2000.

Townsend D. Wolfe, III, of Arkansas, to be a Member of the National Council on the Arts for a term expiring September 3, 2000.

Pascal D. Forgione, Jr., of Delaware, to be Commissioner of Education Statistics for a term expiring June 21, 1999.

Speight Jenkins, of Washington, to be a Member of the National Council on the Arts for a term expiring September 3, 2000.

Mary Burrus Babson, of Illinois, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term of one year. (New Position.)

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

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. McCAIN:

S. 1591. A bill to prohibit campaign expenditures for services of lobbyists, and for other purposes; to the Committee on Rules and Administration.

By Mr. LAUTENBERG (for himself, Ms. MOSELEY-BRAUN, Mrs. BOXER, Ms. SNOWE, Mr. SIMON, Mr. KERRY, and Mr. FEINGOLD):

S. 1592. A bill to strike the prohibition on the transmission of abortion-related matters, and for other purposes; to the Committee on the Judiciary.

By Mr. SPECTER (for himself and Mr. KERREY):

S. 1593. A bill to amend the National Security Act of 1947 to provide for the appointment of two Deputy Directors of Central Intelligence, to strengthen the authority of the Director of Central Intelligence over elements of the Intelligence Community, and for other purposes; to the Select Committee on Intelligence.

By Mr. HATFIELD:

S. 1594. An original bill making omnibus consolidated rescissions and appropriations for the fiscal year ending September 30, 1996, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. BRADLEY (for himself, Mr. LEAHY, Mr. SIMON, Mr. LAUTENBERG, Mr. GRAHAM, Mr. BRYAN, Mr. PELL, Ms. MOSELEY-BRAUN, and Mr. KERRY):

S. 1595. A bill to repeal the emergency salvage timber sale program, and for other purposes; to the Committee on Energy and Natural 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. THOMAS (for himself, Mr. HELMS, Mr. MURKOWSKI, Mr. SIMON, and Mr. MACK):

S. Con. Res. 43. A concurrent resolution expressing the sense of the Congress regarding proposed missile tests by the People's Republic of China; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. McCAIN:

S. 1591. A bill to prohibit campaign expenditures for services of lobbyists, and for other purposes; to the Committee on Rules and Administration.

CAMPAIGN EXPENDITURES LEGISLATION

• Mr. McCAIN. Mr. President, recently the Congress was successful in passing legislation that would ban gifts from Members and staff and put a wall between lobbyists who seek to curry special favor by the giving of gifts. Unfortunately, recent news articles have exposed a loophole that some have sought to exploit. Specifically, some lobbyists have served as fundraisers for Members of Congress and sought to increase their influence by means of coordinating campaign contributions

Mr. President, this practice must stop. Registered lobbyists who work for campaigns as fundraisers clearly represent a conflict of interest. When a campaign employs an individual who also lobbies that Member, the perception of undue and unfair influence is raised. This legislation would stop such practices.

This bill would ban a candidate or a candidate's authorized committee from paying registered lobbyists. Additionally, the bill would mandate that any contributions made by a registered lobbyist be reported by such individual when he or she files his or her lobbying disclosure report as mandated by the Lobbying Disclosure Act.

Mr. President, this bill is not aimed at any individual, but instead at a practice that has come to light. It is also not meant in any way to impugn anyone's integrity or good name. But it does seek to end a practice that is giving the Congress as a whole a bad name.

These two small changes in law represent a substantial effort to close any loopholes that exist in our lobbying and gift laws. The Congress has begun to make great strides to restore the public's confidence in this institution. We must continue that good work.

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

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

S. 1591

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

SECTION 1. AMENDMENT OF FECA.

(a) IN GENERAL.—Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

''(i) Notwithstanding any other provision of this Act, a candidate and the candidate's authorized committees shall not make disbursements for any services rendered by, any individual if such individual, was required to register as a lobbyist under the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.).''.

(b) REPORTING.—Section 304(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)) is amended—

(1) in paragraph (7), by striking ''and'' after the semicolon;

(2) in paragraph (8), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(9) for an authorized committee, an identification, including the name and address, of any lobbyist (as that term is defined in section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602)) who provided services to the authorized committee, regardless of whether disbursements were made for such services.''.

SEC. 2. AMENDMENT OF LOBBYING DISCLOSURE ACT OF 1995.

Section 5(b) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604(b)) is amended—

(1) in paragraph (3), by striking ''and'' after the semicolon;

(2) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(5) the amount and date of each contribution by the registrant to a candidate, or an authorized committee (as that term is defined in section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431)) of a candidate, for the office of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress.''.•

By Mr. LAUTENBERG (for himself, Ms. MOSELEY-BRAUN, Mrs, BOXER, Ms. SNOWE, Mr. SIMON, Mr. KERRY, and Mr. FEINGOLD):

S. 1592. A bill to strike the prohibition on the transmission of abortion-related matters, and for other purposes; to the Committee on the Judiciary.

THE COMSTOCK CLEAN-UP ACT OF 1996

• Mr. LAUTENBERG. Mr. President, on behalf of Senators SNOWE, MOSELEY-BRAUN, BOXER, FEINGOLD, KERRY, SIMON, and myself, today I am introducing legislation, the Comstock Clean-up Act, to repeal a law that prohibits the transmission of abortion-related information over the Internet and through the mail.

Mr. President, freedom of speech is among the most fundamental of democratic rights. Yet the recently-enacted telecommunications bill include a little-noticed provision that directly violates this basic principle.

The provision applies to the Internet an archaic law known as the Comstock Act. The Comstock Act prohibits the interstate transport of materials that provide information about abortion, or the interstate transport of drugs or devices that are used to perform abortions. These prohibitions were first enacted in 1873, and they have been on the books ever since. Under the law, first-time violators are subject to a fine of up to $250,000 and five years in prison.

Mr. President, these prohibitions almost certainly are unconstitutional. And, fortunately, President Clinton has said that his Justice Department will not enforce them.

Yet many users of the Internet are concerned, and understandably so. After all, Bill Clinton is a pro-choice President. But what if Pat Buchanan wins the Presidency? Or BOB DOLE? Zealous prosecutors in their administrations might well use the new law to harass people who are pro-choice, and to chill speech about abortion over the Internet.

In other words, if you distribute information about abortion over the Internet today, there's no assurance that you won't be prosecuted next year.

Mr. President, anyone prosecuted under this law almost certainly would be able to successfully challenge its constitutionality. Yet who wants to be the one innocent American who's forced to defend hereself against the power of the U.S. Government? The costs of defending oneself in a criminal case often are enormous. And many Internet users will be unwilling to risk being a test case. Current law therefore threatens to have a severe chilling effect on abortion-related speech.

Over the past few years, numerous pro-choice groups, such as the National Abortion and Reproductive Rights Action League and Planned Parenthood, have established home pages on the world wide web. These home pages provide important information about birth control, women's health, and abortion.

Women can also obtain information about clinics in their area over the Internet. Within the last month and a half alone, over 1,500 people have accessed such an Internet site. Under this new law, these 1,500 persons potentially could have been arrested, fiend up to $250,000, or sent to prison for five years.

Mr. President, this law adversely affects people on both sides of the abortion issue. Groups opposed to abortion are at risk when they mail information about abortion providers, just as are those who support abortion rights. All Americans should be able to freely discuss abortion-related matters, no matter how they might feel about this issue.

So this bill would repeal the prohibition against the interstate transportation of drugs and articles that produce abortions and the dissemination of abortion-related information across State lines. It also would repeal a prohibiton against mailing information about abortions, abortion providers and articles or drugs that produce abortions.

Mr. President, I hope my colleagues on both sides of the aisle and both sides of the abortion debate join me in support of this legislation and I ask unanimous consent that a copy of the bill, and related materials, be printed in the RECORD.

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

S. 1592

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 ''Comstock Clean-up Act of 1996''.

SEC. 2. IMPORTATION OR TRANSPORTATION OF CERTAIN ABORTION-RELATED MATTERS.

Section 1462 of title 18, United States Code, is amended by striking subsection (c).

SEC. 3. MAILING OF ABORTION-RELATED MATTERS.

Section 1461 of title 18, United States Code, is amended by striking ''; and—'' and all that follows through ''Is declared'' and inserting ''is declared''.

OFFICE OF THE ATTORNEY GENERAL,
Washington, DC., February 9, 1996.

Hon. NEWT GINGRICH,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: On February 7, 1996, a lawsuit was filed challenging the constitutionality of a provision of 18 U.S.C. §1462, as amended by section 507(a)(1) of the Telecommunications Act of 1996. *Sanger, et al.* v. *Reno,* Civ. No. 96–0526 (E.D.N.Y.). Yesterday, a second lawsuit was filed, raising the same challenge to §1462 along with claims that several other provisions of the Telecommunications Act are unconstitutional. *American Civil Liberties Union, et al.* v. *Reno,* Civ. No. 96–963 (E.D. Pa.). This letter relates solely to the claims regarding §1462, as amended. Plaintiffs in both cases allege that §1462, as amended, violates the First Amendment insofar as it prohibits the interstate transmission of certain communications regarding abortion via common carrier or via an interactive computer service.

This is to inform you that the Department of Justice will not defend the constitutionality of the abortion-related speech provision of §1462 in those cases, in light of the Department's longstanding policy to decline to enforce the abortion-related speech prohibitions in §1462 (and in related statutes, i.e., 18 U.S.C. §1461 and 39 U.S.C. §3001) because they are unconstitutional under the First Amendment.

In 1981, Attorney General Civiletti informed the Speaker of the House and the President of the Senate that it was the policy of the Department of Justice to refrain from enforcing similar speech prohibitions in two cognate statutes—39 U.S.C. §3001 and 18 U.S.C. §1461—with respect to ''cases of truthful and non-deceptive documents containing information on how to obtain a lawful abortion.'' Letter to Attorney General Benjamin R. Civiletti to the Hon. Thomas P. O'Neill, Jr., at 2 (Jan. 13, 1981). According to the Attorney General, there was ''no doubt'' that those statutes were unconstitutional as applied to such speech. Id. at 1. The Attorney General left open the possibility that the two statutes might still be applied to certain abortion-related commercial speech. Id. at 3. Two years later, the Supreme Court held that §3001 cannot constitutionally be applied to commercial speech concerning contraception, at least not where the speech in question is truthful and not misleading. *Bolger* v. *Youngs Drug products Corp.,* 463 U.S. 60 (1983). The holding in *Bolger* would apply equally with respect to abortion-related commercial speech. *See Bigelow* v. *Virginia,* 421 U.S. 809 (1975).

Section 1462 is subject to the same constitutional defect as §§1461 and 3001 with respect to its application to abortion-related speech and information.[1] As a result of the Department's conclusion that prosecution of abortion-related speech under §1462 and related statutes would violate the First Amendment, the Department's longstanding policy has been to decline to enforce those statutes with respect to that speech. What is more, we are not aware of any reported decision reflecting a prosecution of abortion-related speech under §1462.

Nothing in the Telecommunications Act provides any reason to alter the Department of Justice's nonenforcement policy. In his signing statement yesterday, the President stated:

> I . . . object to the provision in the Act concerning the transmittal of abortion-related speech and information. Current law, 18 U.S.C. 1462, prohibits transmittal of this information by certain means, and the Act would extend that law to cover transmittal by interactive computer services. The Department of Justice has advised me of its longstanding policy that this and related abortion provisions in current law are unconstitutional and will not be enforced because they violate the First Amendment. The Department has reviewed this provision of S. 652 and advises me that it provides no basis for altering that policy. Therefore, the Department will continue to decline to enforce that provision of current law, amended by this legislation, as applied to abortion-related speech.

The principal function of §1462 is to prohibit the interstate carriage of ''obscene, lewd, lascivious, . . . filthy . . . [and] indecent'' materials. See §1462(a). The Supreme Court has construed this prohibition to be limited to materials that meet the test of ''obscenity'' announced in *Miller* v. *California,* 413 U.S. 15 (1973).[2] Congress's express purpose in enacting the amendment to §1462 in Telecommunications Act §507 was to ''clarify[]'' that obscene materials cannot be transmitted interstate via interactive computer services.[3] In this respect, §1462 and its amendment in §507 are constitutionally unobjectionable, and the Department will continue to enforce §1462 with respect to the transmittal of obscenity.

However, §1462 also prohibits the interstate transmission of certain communications regarding abortion. As amended by §507 of the Telecommunications Act, §1462 provides, in pertinent part, that it shall be a felony to:

> knowingly use[] any express company or other common carrier or interactive computer service. . . for carriage in interstate or foreign commerce [of]. . .
>
> (c) any . . . written or printed card, letter, circular, book, pamphlet, advertisement, or notice of any kind giving information, directly or indirectly, where, how, or of whom, or by what means any [drug, medicine, article, or thing designed, adapted, or intended for producing abortion] may be obtained or made.

Thus, on its face, §1462 prohibits the use of an interactive computer service for ''carriage in interstate . . . commerce'' of any information concerning ''any drug, medicine, article, or thing designed, adapted, or intended for producing abortion.''[4]

It plainly would be unconstitutional to enforce §1462 with respect to speech or information concerning abortion, because the restriction on abortion-related speech is impermissibly content-based. This conclusion is confirmed by the judicial and Executive Branch treatment of similar prohibitions on speech concerning abortion and contraception, contained in two cognate statutes, 39 U.S.C. §3001 and 18 U.S.C. §1461. Section 3001 provides that abortion and contraception-related speech is ''nonmailable''; and §1461 makes such mailing subject to criminal sanctions. In 1972, a district court declared that §3001 was unconstitutional insofar as it rendered abortion-related speech ''nonmailable.'' *Atlanta Coop. News Project* v. *United States Postal Serv.,* 350 F. Supp. 234, 238–39 (N.D. Ga. 1972).[5] The next year, another district court declared both §3001 and §1461 unconstitutional as applied to noncommercial

speech concerning abortion and contraception. *Associated Students for Univ. of California at Riverside* v. *Attorney General,* 368 F.Supp. 11, 21–24 (C.D. Calif. 1973). As the Attorney General later explained to the Congress, the Solicitor General declined to appeal the decisions in *Atlanta Coop. News Project* and *Associated Students* ''on the ground that 18 U.S.C. §1461 and 39 U.S.C. §3001(e) were constitutionally indefensible'' as applied to abortion-related speech. See Letter of Attorney General Benjamin R. Civiletti to the Hon. Thomas P. O'Neill, Jr., at 2 (Jan. 13, 1981). And, as explained above, in 1981 the Attorney General informed the Congress that the Department of Justice would decline to enforce §§1461 and 3001 in cases of truthful and non-deceptive documents containing information on how to obtain a lawful abortion.

Nothing in recent Supreme Court law respecting the First Amendment has affected the conclusions reached by the district courts in *Atlanta Coop. News Project* and *Associated Students,* the 1981 opinion of Attorney General Civiletti, or the Supreme Court's decision in *Bolger.* Indeed, the Supreme Court on several recent occasions has strongly reaffirmed the principle that the First Amendment, subject only to narrow and well-understood exceptions not applicable here, ''does not countenance governmental control over the content of messages expressed by private individuals.'' *Turner Broadcasting System, Inc.* v. *FCC,* 114 S. Ct. 2445, 2458–59 (1994) (citing *R.A.V.* v. *City of St. Paul,* 505 U.S. 377 (1992); *Texas* v. *Johnson,* 491 U.S. 397 (1989)).

In the *Sanger* case, Judge Sifton yesterday denied plaintiffs' motion for a temporary restraining order after the United States Attorney represented that the Department's policy is to decline to enforce the pertinent provision of §1462. Judge Sifton further ruled that a three-judge court hearing on any dispositive motions will be convened next month, after briefing. In the *ACLU* case before Judge Buckwalter, the Government is due to respond to a motion for a TRO on February 14, 1996. In accordance with the practice of the Department, I am informing the Congress that in neither case will the Department of Justice defend the constitutionality of the provision of §1462 that prohibits speech concerning abortion.

Sincerely,

JANET RENO.

FOOTNOTES

[1] The only material difference between §1462 and the cognate prohibitions in §§1461 and 3001 is that §1462 regulates interstate ''carriage'' of information by common carrier, rather than dissemination of that information through the mail. This distinction is not material to the constitutional issue in this context.

[2] *See Hamling* v. *United States,* 418 U.S. 87, 114 (1974); *United States* v. *Orito,* 413 U.S. 139, 145 (1973), *United States* v. *12 200-Ft. Reels of Super 8mm Film,* 413 U.S. 123, 130 n.7 (1973).

[3] The Conference Committee on the Telecommunications Act noted that §507 is intended to address the use of computers to sell or distribute ''obscene'' material. Joint Explanatory Statement of the Committee of Conference at 77, reprinted in 142 Cong. Rec. H1130 (daily ed. Jan. 31, 1996).

[4] The Conference Committee Report on the Telecommunications Act explicitly notes that the prohibitions in §1462 apply regardless of whether the purpose for distributing the material in question is commercial or non-commercial in nature. Joint Explanatory Statement of the Committee of Conference at 77, reprinted in 142 Cong. Rec. H1130 (daily ed. Jan. 31, 1996).

[5] That court did not reach the merits of the challenge to the criminal prohibition in §1461 because the plaintiffs in that case were not threatened with prosecution. Id. at 239.

NARAL PROMOTING REPRODUCTIVE CHOICES,
Washington, DC, March 6, 1996.

Hon. FRANK LAUTENBERG,
U.S. Senate,
Washington, DC.

DEAR SENATOR LAUTENBERG. I am writing to lend NARAL's strong support to legislation your introducing today which seeks to delete the ban on abortion-related speech from the 1873 Comstock Law governing the importation or transportation of obscene matters. A little noticed provision in the recently passed 1996 Telecommunications Act resurrects and expands the 123 year old law, making it a federal crime to use interactive computer systems to provide or receive information about abortion.

As an organization committed to ensuring that American women have access to all information relating to reproductive health care services, we and other pro-choice organizations have filed a lawsuit in U.S. District Court in New York to block this criminal ban on abortion related speech on the Internet.

Millions of Americans use the Internet to communicate with other Americans and to read information on a wide range of topics. The Internet provides an unprecedented opportunity to provide critical information about women's reproductive rights and health. Without swift passage of your legislation, millions of American women could lose access to vital information they need to make informed, responsible decisions about their reproductive health. I applaud your efforts to remove this anachronistic ban on abortion-related speech and your commitment to ensuring that American women have access to vital reproductive health care information.

Sincerely,

KATE MICHELMAN,
President.

THE CENTER FOR REPRODUCTIVE LAW AND POLICY,
New York, NY, March 5, 1996.

Hon. FRANK LAUTENBERG,
Senate Hart Office Building,
Washington, DC.

DEAR SENATOR LAUTENBERG: On behalf of the Center for Reproductive Law and Policy (CRLP), I am writing to support your effort to repeal the ban on abortion information on the Internet found in 18 U.S.C. 1462(c). CRLP, an independent non-profit legal organization dedicated to preserving and ensuring women's access to reproductive health and rights, represents the plaintiffs in *Sanger v. Reno,* a federal case challenging this ban.

18 U.S.C. §1462(c) is an affront to the First Amendment rights of our plaintiffs, as well as all reproductive health care professionals, women's civil rights activists, students, and particularly women seeking information in order to make comprehensive reproductive health care decisions. 18 U.S.C. 1462(c)'s ban on abortion information on the Internet is broad enough to encompass a wide range of activities, including advertisement of abortions services; transmission of chemical formulas for drugs that can be used to induce abortion; purchase or sale of medical equipment used in abortion procedures; and computer bulletin boards or World Wide Web sites that tell women where they can obtain abortions.

While anti-choice forces promote coercive so-called ''informed consent'' laws requiring health care professionals to recite a litany of unwanted and misleading information to women seeking abortions, they simultaneously enact provisions such as 18 U.S.C. §1462(c) which deny women access to real health care information about abortion.

18 U.S.C. §1462(c) must be repealed. Not only does it threaten the First Amendment, jeopardize free flow of medical information, and exclude issues critical to women from new communications technology, it also reflects a broader agenda to drive abortion underground by characterizing this health care as an illicit procedure.

For these reasons, we applaud your efforts to repeal §1462(c) as a necessary step toward safeguarding women's health and providing women the information they need to make thoughtful and responsible health care decisions.

Sincerely,

KATHRYN KOLBERT.

PLANNED PARENTHOOD OF NEW YORK CITY, INC.,
New York, NY, February 27, 1996.

Hon. FRANK R. LAUTENBERG,
U.S. Senate, Senate Hart Office Building, Washington, DC.

DEAR SENATOR LAUTENBERG: We thank you for introducing critical legislation to repeal the ''abortion gag rule'' portion of the Telecommunications Act.

We are gratified that pro-choice leaders like you are battling this misguided attempt to turn back the clock 80 years—to 1916, when the Comstock Law was used to jail my grandmother and Planned Parenthood founder Margaret Sanger. It is shocking to realize that I, too, could be jailed for violating the same law, having published on the Internet our brochure ''How to Find A Safe Abortion Clinic.'' At times like these it is reassuring to know that we can count on some voices of reason in Congress: those who understand that the freedom to speak about sexual and reproductive health issues, including information on safe abortion services are rights protected by our Constitution.

Planned Parenthood of New York City deeply appreciates your courageous stance to protect and advance the rights of all Americans. We stand ready to help you in any way we can, and hope you will call on us to do so.

Sincerely,

ALEXANDER C. SANGER,
President.

CALIFORNIA ABORTION AND REPRODUCTIVE RIGHTS ACTION LEAGUE,
San Francisco, CA, February 26, 1996.

SENATOR FRANK LAUTENBERG,
Hart Office Building,
Washington, DC.

DEAR SENATOR LAUTENBERG: On behalf of the California Abortion and Reproductive Rights League-North (CARAL-North), I am writing in support of legislative efforts to amend the Comstock Act, 18 U.S.C. 1462, by striking subsection (c) dealing with the transportation of certain abortion-related matters.

CARAL-North is one of the plaintiffs in *Sanger* v. *Reno,* the lawsuit challenging recently enacted restrictions on the dissemination of information and material about abortion. CARLA-North maintains a site on the World Wide Web and uses the Internet to provide information about abortion and reproductive rights—activities proscribed under the Comstock Act as amended by the telecommunications bill recently passed by Congress and signed into law by President Clinton.

CARAL-North believes that the protection of women's health and women's rights requires the greatest possible availability of information about where, when and how women can obtain safe and legal abortions. Legislation like 18 U.S.C. 1462(c)—which restricts or prohibits the spread of such information and the transport of materials used

in performing legal, accepted medical procedures—has no place in this society.

CARAL-North commends your work to protect women's rights and health by removing this barrier to reproductive health, and thanks you.

Sincerely,

ANN G. DANIELS,
Executive Director.

THE FEMINIST MAJORITY,
Arlington, VA, March 5, 1996.

Hon. FRANK LAUTENBERG,
U.S. Senate, 506 Hart Senate Office Building, Washington, DC.

DEAR SENATOR LAUTENBERG: On behalf of the Feminist Majority, I am writing to support your effort to repeal the ban on abortion information on the Internet found in 18 U.S.C. 1462(c). The Feminist Majority is one of the plaintiffs in the *Sanger* v. *Reno* case, a federal case challenging this ban.

Use of 18 U.S.C. 1462(c) is an affront to the First Amendment rights of the Feminist Majority and the other plaintiffs, as well as all reproductive health care professionals, women's civil rights activists, students, and particularly women seeking information in order to make comprehensive reproductive health care decisions. 18 U.S.C. 1462(c) is broad enough to encompass a wide range of activities, including advertisement of abortion services over the Internet; Internet transmission of chemical formulas for drugs that can be used to induce abortion; purchase or sale of medical equipment used in abortion procedures over the Internet; and computer bulletin boards or World Wide Web sites that tell women where they can obtain abortions.

While anti-choice forces promote coercive so-called ''informed consent'' laws requiring health care professionals to recite a litany of unwanted and misleading information to women seeking abortions, they simultaneously promote provisions such as 18 U.S.C. 1462(c) which deny women access to real health care information about abortion. The ban must be repealed not only because it threatens the First Amendment, jeopardizes the free flow of medical information, and excludes issues critical to women from new communications technology, but also because it is part of a broader agenda to drive abortion underground by characterizing this health care as an illicit procedure.

For these reasons, we applaud your efforts to repeal Section 1462(c) with the Freedom to Choose Internet Information Act of 1996 as a necessary step toward safeguarding women's health and providing women the information they need to make thoughtful and responsible health care decisions. Thank you for your courage in undertaking this repeal effort.

Sincerely,

ELEANOR SMEAL,
President.●

By Mr. SPECTER (for himself and Mr. KERREY):

S. 1593. A bill to amend the National Security Act of 1947 to provide for the appointment of two Deputy Directors of Central Intelligence, to strengthen the authority of the Director of Central Intelligence over elements of the Intelligence Community, and for other purposes; to the Select Committee on Intelligence.

THE INTELLIGENCE ORGANIZATION ACT OF 1996

Mr. SPECTER. Mr. President, I seek recognition, reasonably briefly, to introduce legislation proposed by the Brown Commission on the reorganization of the U.S. intelligence community.

The Brown Commission, which filed its report last Friday, March 1, today testified before the Senate Intelligence Committee, which I chair, and, as a courtesy, Senator KERREY, the distinguished vice chairman of the committee, and I are introducing their legislative package.

The Brown Commission came to some very important conclusions, many of which I agree with, some of which I do not agree with.

I think they made an important statement on the need for continuing U.S. intelligence activities because there are still many dangers in the world, notwithstanding the demise of the Soviet Union. They have taken a step to eliminate secrecy by their recommendation on the disclosure of the total Intelligence Committee budget, a position adopted on the floor of this body several years ago but overturned in conference. The suggestion, I think, is very, very important as a start on declassification. My sense has been, in so many documents that crossed my desk as chairman of the Intelligence Committee, many are classified that need not be classified. As we have seen from the recent slush fund in the NRO, the National Reconnaissance Office, there is a need for public scrutiny, investigative reporting, so we have a better idea as to what is going on in the intelligence community. Where there is a need for secrecy—and I think the presumption ought to be in favor of secrecy, but it ought not to be absolute—if there is a need for secrecy, then let us maintain that secrecy, but let us not do so as a matter of rote, only as a matter of reason.

The Brown Commission came to the conclusion that the Director of Central Intelligence needs to have his or her hand strengthened. Senator KERREY and I agree with that. But there is considerable feeling on the Intelligence Committee that we need to go further on that particular line.

When the Brown Commission says that an enormous amount of intelligence community work ought to stay in the Department of Defense, I have grave reservations about that. It is true that the Department of Defense is the customer and the Department of Defense provides a great deal of the resources. But, if you have agencies like NRO, NSA, and so much of HUMINT—human intelligence—remaining under the Department of Defense, it does not give the Director of the Central Intelligence Agency the authority that he needs to really be able to operate.

One of the very serious problems in the intelligence community today is an attitudinal problem. We saw that in the Aldrich Ames matter. We have seen it in the investigation on Guatemala, where, in a hearing, one of our Members, Senator COHEN, was very blunt in an open hearing saying that the CIA had lied in withholding information from the oversight committee.

Testimony was taken by the committee from a veteran of the CIA on the issue of Soviet domination in sending tainted material back to the CIA, which the CIA had known to be tainted, controlled by Soviet sources, and yet that information was passed on to the highest levels, one key bit of information going to the White House in January of 1993 for both the President and the President-elect.

When questioned by the Intelligence Committee, this ranking, ex-CIA official said, ''Well, we pass it on. We know better than the customers. If we told them it was tainted, they wouldn't use it.'' Really, an incomprehensible sort of a situation.

I think Director Deutch has done a very good job in his few months at the CIA. He faces a very, very difficult situation. When he concurred in testimony before the commission as to a Guatemala incident, that there had been willful failure to disclose, he later changed that view in a letter to the Intelligence Committee a few days later, showing the difficulties of being the Director of the CIA compared with a more independent role or at least a different role than the Senate Intelligence Committee has.

We also heard testimony today from former Senator, former majority leader Howard Baker of a very important nature, including Senator Baker's recommendation that there be a combination of the Senate and the House Intelligence Committees, a recommendation that at least preliminarily I agree with. We will have to pursue it and have hearings. But it is more than worth considering. It is something that really is an idea whose time, probably, has come. I am just limiting the final decision until we do have a hearing process and collaborate with our counterparts in the House of Representatives.

Mr. President, to reiterate, today Senator ROBERT KERREY and I are introducing legislation as a courtesy to the Commission on the Roles and Capabilities of the United States Intelligence Community. In August 1994, the Senate adopted a provision establishing this Commission to ''review the efficacy and appropriateness of the activities of the United States Intelligence Community in the post-cold-war global environment.'' On March 1, 1996, the Commission submitted its report, entitled ''Preparing for the 21st Century, An Appraisal of U.S. Intelligence.'' In addition, the Commission submitted proposed legislation to implement some of its proposals. We are introducing the Commission's proposed legislative package today at their request. It is our hope that other Members of the Senate and the public at large can participate fully in the upcoming debate on this important issue. Moreover, the Senate Select Committee on Intelligence intends to use this legislation, and other Commission recommendations, as a basis for additional proposals of the committee.

The legislation proposed by the Commission would make a number of

changes in the way the intelligence community is organized and managed. First, it replaces the current Deputy Director of Intelligence with two new Deputies: one to manage the community and one to manage the Central Intelligence Agency. In addition, it amends the National Security Act to require DCI concurrence with respect to the appointment by the Secretary of Defense of the heads of the National Security Agency [NSA], the Central Imagery Office [CIO], and the National Reconnaissance Office [NRO]. In addition, its requires consultation with the DCI by the Secretaries of Defense, State, and Energy, as well as the Director of FBI, before the appointment of the heads of the intelligence elements within these agencies. This bill also mandates that the DCI provide to the Secretary of Defense an evaluation of the performance of the heads of NSA, NRO and the proposed National Imagery and Mapping Agency. The Commission's legislation also replaces the National Intelligence Council with a National Assessments Center that would remain under the purview of the DCI but would be located outside the CIA to take advantage of a broader range of information and expertise.

The most extensive aspect of this legislation is that which addresses personnel issues. The Commission is proposing new legislative authority for the most severely affected intelligence agencies, for 1 year, to ''rightsize'' their work forces to the needs of their organization. Agencies wishing to downsize by at least 10 percent over and above the current congressionally mandated levels would identify positions to be eliminated ''in order to achieve more effectively and efficiently the mission of the agencies concerned.'' The incumbents of such positions, if close to retirement, would be allowed to retire with accelerated eligibility. If not close to retirement, they would be provided generous pay and benefits to leave the service of the agency concerned, or, with the concurrence of the agency affected, exchange positions with an employee not in a position identified for elimination who was close to retirement and would be allowed to leave under the accelerated retirement provisions. This bill also creates a single ''senior executive service'' for the intelligence community under the overall management of the DCI.

The Commission did an excellent job identifying the key issues and the Vice Chairman and I agree with some of their recommendations, particularly regarding institutional mechanisms for getting the policymakers more involved in identifying and prioritizing their information needs and for addressing transnational threats, ways to improve intelligence analysis, and the need to enhance accountability and oversight—to include declassifying the aggregate amount appropriated for the intelligence budget. The committee also will consider the Commission's recommendation to make the Select Committee on Intelligence a standing committee. However, I believe that the Commission did not go far enough in some areas.

The changes brought about by the collapse of the Soviet Union have dramatic implications for U.S. intelligence efforts. The demands for rapid responses to diverse threats in a rapidly changing world necessitate a steamlined intelligence community and a DCI with clear lines of authority. This is lacking in the intelligence bureaucracy that emerged during the bipolar world of the cold war.

As the Commission noted: ''The Intelligence Community * * * has evolved over nearly 50 years and now amounts to a confederation of separate agencies and activities with distinctly different histories, missions, and lines of command.'' Recognizing the pitfalls of decentralized intelligence—less attention devoted to non-Defense requirements, waste and duplication, the absence of objective evaluation of performance and ability to correct shortcomings, and loss of synergy—the Commission supported centralized management of the intelligence community by the DCI. The Commission concluded, however, that the DCI has all the authority needed to accomplish this objective of centralized management, if only he spent less time on CIA matters and had the budget presented to him in a clearer fashion.

It is my sense that the current disincentives for intelligence to operate as a community, reduce unnecessary waste and duplication, and become more effective and efficient in meeting the Nation's needs can only be overcome by enhancing the DCI's statutory authority over the budget and administration of all nontactical intelligence activities and programs. A key issue for congressional oversight of the intelligence community is accountability. It has become increasingly clear that a single manager, the DCI, must be accountable for the success or failure of the intelligence community. Therefore, the DCI must be given the authorities he needs to carry out this responsibility.

For example, the Commission recommends that the DCI concur in the appointment or recommendation of the heads of national intelligence elements within the Department of Defense, and be consulted with respect to the appointment of other senior officials within the intelligence community. We believe the DCI should recommend the appointment of all national agency heads, with concurrence from the heads of the parent organizations. Along these lines, the heads of the major collection agencies should be confirmed to that position; today they are confirmed only with respect to their promotion to the rank designated for each position.

The Commission noted in its report: ''The annual budgets for U.S. intelligence organizations constitute one of the principal vehicles for managing intelligence activities, * * *. How effectively and efficiently the intelligence community operates is to a large degree a function of how these budgets are put together and how they are approved and implemented.'' I agree with this assessment and conclude that the DCI must have ultimate control over the formulation and execution of these budgets if he or she is to effectively manage the intelligence community.

The Select Committee on Intelligence will consider these and other alternative proposals over the upcoming weeks as we move toward mark-up of legislation to renew and reform the U.S. intelligence community to meet the challenges of our changing world.

Mr. KERREY. Mr. President, I rise today to join with Chairman SPECTER to introduce legislation. We are embarking on a course to change the U.S. intelligence community, and this legislation is the chart upon which we will be marking that course.

Over a year ago, Congress created a Presidential commission to evaluate the intelligence community's ability to respond to a rapidly changing world. Sadly, the commission's first chairman, the Honorable Les Aspin, passed away after he had ably established the Commission and they had started their work. We owe many debts of gratitude to Les Aspin, and this legislation is one more example of the fine work he did in the service of his country.

Chairman HAROLD BROWN and our former colleague, Vice Chairman Warren Rudman, quickly took the helm, and the Commission embarked on almost a year's evaluation of the U.S. Government's intelligence needs and the intelligence community's ability to meet those needs. We are especially grateful to our able colleagues, Senator JOHN WARNER and Senator JIM EXON, who played important and active roles in the Commission's work. Their broad base of experience coupled with the other Commission members' outstanding credentials permitted a wide variety of views and ideas to come together. There are no assumptions here. They looked wide and deep. They interviewed over 200 experts and received formal testimony from 84 witnesses. It was a remarkable effort which has produced a significant report. I do not concur with all their recommendations, and there are some areas in which they do not go as far as I would. I look on their report as a solid base upon which Congress and the administration can build.

For me, one of the most important results of their evaluation is their reaffirmation of the need for intelligence. Intelligence contributes heavily to most of our national decisions about foreign policy, law enforcement, and military matters. I am convinced intelligence is the edge we must have in the face of stiff global competition for leadership, and as our Government fulfills its responsibility to protect Americans in an increasingly dangerous world. The Brown Commission clearly explains why this is so.

The Brown Commission recognized the world today is very different from the world which existed while the Intelligence Community was growing up. Confronted with the overwhelming military threat of the Soviet Union, the intelligence community responded by organizing itself to examine every part of that military threat as best as it could. While some critics argue that the intelligence community missed the big ones—the fall of the Berlin Wall, the collapse of the Soviet economy—there is no question the United States was ably informed on the Soviet Union's military threat. But that threat, while still capable of attacking us, is receding.

Today, the threats, facing the United States do not initially present themselves as military threats—although if we fail to recognize them in time, we have to deploy our military when nothing else works. The erosion of nation-state power in many places, the rise of transnational movements and global crime, and the fierce economic competition we face, have together created a new set of threats that are not military soluble.

Insight and predictive analysis is as important in charting the American course in this new world as it was in the old world of superpower military confrontation. We must make sure the intelligence community is optimally organized for this new world. That is why I urge consideration of the Brown Commission report, and why the Intelligence Committee will take up these and other reform proposals in the months ahead.

The Brown Commission establishes three recurring themes about intelligence: The need to better integrate intelligence into the policy community; the need for intelligence agencies to operate as a community; the need to create greater efficiency. These themes are clearly discernible and they also are quite consistent with a large segment of the public's view on intelligence: Something is wrong. If everything was all right, we wouldn't have a heinous spy like Aldrich Ames; we wouldn't have missed the fall of the wall or the collapse of the Soviet Union; we wouldn't have a palace for an NRO headquarters building; we wouldn't have unspent billions of NRO dollars sitting around unused and waiting for a rainy day. I agree that we need to better integrate intelligence with policy, enhance the effectiveness of the community and improve its efficiency. The time for reorganization is upon us.

The Brown Commission has made many important recommendations that address each of these themes. The Intelligence Committee will evaluate them closely. But I have already concluded that in some areas the Commission did not go far enough to ensure intelligence is integrated, effective, and efficient in a world continuing to evolve. In my view, the authorities of the Director of Central Intelligence need to be strengthened beyond what the Commission recommended, and the many agencies of the Intelligence Community need to be pulled into a closer relationship. There is no other way to make sure both the national and military customer get what they need, and there is also no other way to wring redundancy and excess cost out of the system.

I do not want leave the impression that U.S. intelligence is broken. Something is wrong, but the Nation is well-served by the men and women of the intelligence agencies serving around the world. Their patriotism and technical competence is unquestioned. Moreover, the director of Central Intelligence, John Deutch, has brought outstanding leadership to the community. Working closely with Secretary Perry, he already has set a new course for intelligence. The corporate culture which allowed an Aldrich Ames to continue is being dismembered. Congressional notification of significant intelligence activities has never been more prompt and complete. We need to institutionalize these changes and the superb cooperative relationship that exists between Director Deutch and Secretary Perry. Intelligence must and will serve all of its customers with timely, comprehensive, and hard-hitting analysis. The Brown Commission's recommendations have provided us with the basis to make this happen.

In conclusion, I want to thank Chairman SPECTER for his leadership on this issue. His close attention to the challenges facing the intelligence community and their solutions has created an environment where the committee can draft this legislation in a thoughtful, informed environment.

By Mr. BRADLEY (for himself, Mr. LEAHY, Mr. SIMON, Mr. LAUTENBERG, Mr. GRAHAM, Mr. BRYAN, Mr. PELL, Ms. MOSELEY-BRAUN, and Mr. KERRY):

S. 1595. A bill to repeal the emergency salvage timber sale program, and for other purposes; to the Committee on Energy and Natural Resources.

THE RESTORATION OF NATURAL RESOURCES LAWS ON THE PUBLIC LANDS ACT OF 1996

• Mr. BRADLEY. Mr. President, today I am introducing legislation to repeal the emergency salvage timber provisions that Congress enacted as part of last year's rescissions bill. I believe that the salvage rider is one of the biggest mistakes that Congress has made in natural resource management in the last 25 years. We need to admit our error and correct it as soon as possible with new legislation.

Both consciously and unwittingly, last Spring this body endorsed a program of logging without laws which undermines environmental protections for precious resources and has slight economic justification. Even worse, we passed the original rider with little understanding of its potential impact, without holding hearings, and based on an ''emergency'' that may not exist.

Members thought they were voting to remove dead and dying trees from our national forests in order to protect forest health and capture the remaining value of trees which had been damaged in a series of devastating forest fires. However, the rationale on which the rider was based, deteriorating forest health conditions, the rationale on which the rider was based, is supported by very little data. We lack even basic information to justify cutting trees on the scale endorsed by the rider and under conditions which effectively suspend environmental laws, and terminate almost all avenues for administrative and judicial appeal.

Members were surprised to find that the courts have interpreted the law to mandate the cutting of some of America's most valuable trees, including the healthy, old growth forests of western Oregon and Washington which have been off-limits to timber sales for years due to environmental concerns. These forests support a rich mix of fish and wildlife, from endangered bird species to commercially important salmon and are valuable as well for their own beauty and uniqueness. Yet under the rider these majestic trees might be sold at bargain prices under outdated contracts and using outdated environmental terms.

This is not just an issue for the Northwest. The rider also requires that the Forest Service offer salvage sales in all regions of the country including sales that would otherwise be rejected for legitimate environmental reasons. Although agencies such as the National Marine Fisheries Service, Fish and Wildlife Service and the Environmental Protection Agency have objected to many of these sales, courts have held that they must go forward, no matter how devastating, because they are required by the letter of the law.

In addition, the rider undermines President Clinton's consensus Northwest forest plan which took many months to produce and gave some hope for settling the region's longstanding timber wars. Instead, under the rider, the timber wars have resumed at full force.

Now we have a chance to reverse the mistakes we made last year and take a more measured approach to timber salvage sales. First, my bill returns forestry law to where it was before the rider was passed. Trees can still be cut but environmental laws must be obeyed. I believe it is appropriate to completely repeal the salvage rider, not just modify it around the edges and invite further confusion from the courts.

Second, my bill calls for a study of the forest health issue by the National Academy of Sciences and the General Accounting Office in order to determine the extent of the problem and how it can best be addressed, both financially and ecologically.

I urge my colleagues to join me in reversing last year's mistake. It is time

to restore lawful logging on our national forests.

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. 1595

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 ''Restoration of Natural Resources Laws on the Public Lands Act of 1996''.

SEC. 2. REPEAL OF EMERGENCY SALVAGE TIMBER SALE PROGRAM.

(a) DEFINITION OF SECRETARY CONCERNED.—In this section, the term ''Secretary concerned'' means—

(1) the Secretary of Agriculture, with respect to an activity involving land in the National Forest System; and

(2) the Secretary of the Interior, with respect to an activity involving land under the jurisdiction of the Bureau of Land Management.

(b) REPEAL.—Section 2001 of Public Law 104–19 (109 Stat. 240; 16 U.S.C. 1611 note) is repealed.

(c) SUSPENSION.—

(1) IN GENERAL.—Notwithstanding any outstanding judicial order or administrative decision interpreting section 2001 of Public Law 104–19 (109 Stat. 240; 16 U.S.C. 1611 note) (as in existence prior to the date of enactment of this Act), the Secretary of Agriculture and the Secretary of the Interior shall suspend each activity that was being undertaken in whole or in part under the authority provided in the section, unless the Secretary concerned determines that the activity would have been undertaken even in the absence of the subsection.

(2) RESUMPTION OF AN ACTIVITY.—The Secretary concerned may not resume an activity suspended under paragraph (1) until the Secretary concerned determines that the activity (including any modification after the date of enactment of this Act) complies with environmental and natural resource laws.

SEC. 3. STUDIES.

(a) PURPOSE.—The purpose of this section is to provide factual information useful to the President and Congress in setting funding and operational levels for the public forests in order to ensure that the public forests are operated so that the health of forest resources is secured with ecological and financial effectiveness.

(b) NATURE AND EXTENT OF THE SITUATION.—

(1) IN GENERAL.—The Secretary of Agriculture, through the research branch of the Forest Service, shall undertake a study to report on the nature and extent of the forest health situation in the National Forest System.

(2) NATURE.—The nature of forest health shall be categorized into types of situations, including—

(A) overstocked stands of unmerchantable-size trees;

(B) stands with excessive fuel loads;

(C) mixed conifer stands with an inappropriate mix of tree species; and

(D) combinations of the situations described in subparagraphs (A) through (C).

(3) EXTENT.—The extent of forest health shall include acreage estimates of each situation type and shall distinguish variations in severity.

(4) REPRESENTATIVE SAMPLE MEASUREMENTS.—If feasible, the Secretary shall use representative sample measurements with a specified degree of confidence in extending the measurements to the whole population.

(5) PRESENTATION.—The report shall present data at the national forest or a comparable level and shall be displayed geographically and tabularly.

(6) REVIEW.—The report shall be properly reviewed by the scientific community prior to transmission under paragraph (7).

(7) TRANSMISSION.—The report shall be transmitted to Congress not later than 1 year after the date of enactment of this Act.

(c) ECOLOGICAL EFFICACY OF ACTIVITIES.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary of Agriculture shall enter into a contract with the National Academy of Sciences for the purpose of conducting a study of the ecological and forest health consequences of various activities intended, at least in part, to improve forest health.

(2) ACTIVITIES EXAMINED.—The activities examined under paragraph (1) shall include—

(A) site preparation for reforestation, artificial reforestation, natural regeneration, stand release, precommercial thinning, fertilization, other stand improvement activities, salvage harvesting, and brush disposal;

(B) historical as well as recent examples and a variety of conditions in ecological regions; and

(C) a comparison of various activities within a watershed, including activities conducted by other Federal land management agencies.

(3) TRANSMISSION.—The report shall be transmitted to the Chief of the Forest Service and to Congress not later than 2 years after the date of enactment of this Act.

(d) ECONOMIC EFFICACY OF ACTIVITIES.—

(1) IN GENERAL.—The Comptroller General of the United States, through the General Accounting Office, shall conduct a study of the Federal, State, and local fiscal and other economic consequences of activities intended, at least in part, to improve forest health.

(2) COORDINATION.—The study conducted under this subsection shall be coordinated with the study conducted under subsection (c)—

(A) to ensure that the same groups of activities in the same geographic area are examined; and

(B) to develop historic as well as recent effects that illustrate financial and economic trends.

(3) FEDERAL FISCAL EFFECTS.—In assessing the Federal fiscal effects, the Comptroller General shall distinguish the net effects on the Treasury of the United States from changes in the balances in the various special accounts and trust funds, including appropriated funds used to conduct the planning, execution, sale administration, support from other programs, regeneration, site restoration, agency overhead, and payments in lieu of taxes associated with timber cutting.

(4) TRANSMISSION.—The study shall be transmitted to the Chief of the Forest Service and to Congress not later than 2 years after the date of enactment of this Act.

(e) IMPROVEMENT OF ACTIVITIES.—In response to the findings of the National Academy of Sciences and the Comptroller General under subsections (c) and (d), the Chief of the Forest Service shall assess opportunities for improvement of, and progress in improving, the ecological, economic, and fiscal consequences and efficacy for each national forest.

(f) FOREST SERVICE STUDY.—

(1) IN GENERAL.—The Chief of the Forest Service shall conduct a study of alternative systems for administering forest health-related activities, including, modification of special account and trust fund management and reporting, land management service contracting, and government logging.

(2) SIMILARITIES AND DIFFERENCES.—The study shall compare and contrast the various alternatives with systems in existence on the date of the study, including—

(A) ecological effects;

(B) forest health changes;

(C) Federal, State, and local fiscal and other economic consequences; and

(D) opportunities for the public to be involved in decisionmaking before activities are undertaken.

(3) REQUIREMENTS OF STUDY.—To ensure the validity of the study, in measuring the effect of the use of contracting, the study shall specify the costs that contractors would bear for health care, retirement, and other benefits afforded public employees performing the same tasks.

(4) TRANSMITTAL.—The report shall be transmitted to Congress not later than 1 year after the studies conducted under subsections (c) and (d) are transmitted to Congress.

(g) PUBLIC AVAILABILITY.—The reports conducted under this section shall be published in a form available to the public at the same time the reports are transmitted to Congress. Both a summary and a full report shall be published.●

Mr. KERRY. Mr. President, today I join Senator BILL BRADLEY in introducing legislation to repeal the timber salvage rider, a law that has permitted destructive logging of ancient forests because it waives important environmental safeguards.

Let me first say that I do not oppose responsible logging on public or private lands, as long as it is done in compliance with our environmental statutes. The fundamental problem with the timber salvage provision as it is currently written, is that it does not comply with current Federal protection laws.

During debate of the 1995 Rescissions Act, proponents of the emergency timber measure stressed the need to remove dead and dying trees to protect the health of our forests in the Pacific Northwest. We were told that the rider would not cost the federal treasury one dime; in fact it would make money. We were told that the measure would not harm fish and wildlife and that it was needed only to expedite a small number of outstanding timber sales.

In other words, we were told that this rider would be a simple fix to a small problem and should be added without a congressional hearing or review to an entirely unrelated bill that was moving quickly through congress. As are all too aware, this was the way many anti-environmental statutes were being sold by the Republican leadership during the 1995 congressional term.

Regrettably, we know of the severe environmental damage that this statute has wrought on some of our most beautiful and oldest forest lands.

We now know that this statute is being used to clearcut healthy forests across the Nation including ancient forests as old as 500 years.

We know that this statute will cost American taxpayers billions of dollars by requiring them to subsidize bargain basement logging of our national forests.

We know that timber is being clearcut on steep slopes next to

streams of spawning endangered salmon.

And we now know that the Federal Government is being forced to enter into far more than just a small number of contracts, and in fact, that the effect of this rider will be felt in the logging of national forests across the country.

I commend the Senator from New Jersey for his leadership on this issue, and I hope that the Senate will act expeditiously to enact the bill being introduced today and thereby repeal this extremely harmful so-called timber salvage rider.

Mr. LEAHY. Mr. President, we need our environmental laws back. Old-growth trees that have stood for 400 years are falling today, and it will the year 2400 before we get them back. We need to restore the laws.

To achieve this goal, I have cosponsored two efforts. One is a straight, fundamental attempt to overturn the salvage law, and one that is a practical attempt to stop the lawless logging. No one has worked harder than PATTY MURRAY to restore economic and ecological balance to the hoax of a ''jobs versus the environment'' campaign. I am proud to be an original cosponsor of her effort.

Senator BRADLEY, ranking Democrat on the Forests and Public Land Management Subcommittee, has taken the lead to simply overturn one of the worst environmental laws Congress has considered in years. As soon as the so-called salvage law passed, industry sued to cut the big old-growth trees. This will be a difficult bill to overturn, especially since we still have the same Congress through which it originally passed. Nonetheless, I am a proud original cosponsor of Senator BRADLEY's bill to repeal the salvage rider.

Proponents of logging without laws say that they must cut, build roads, risk mudslides, threaten fisheries, and scar the forest to create jobs. The facts don't support this twisted rationale. There were more than 14,200 new jobs in the Rocky Mountain-Pacific Northwest timber industry from 1992 until Congress forced through the rider, and the sector was still growing. Oregon had the lowest unemployment in a generation. We did not need to derail steady responsible growth with a return to the conflicts of the 1980's. Unfortunately, some groups have bought into the gluttony of the salvage rider, but have forgotten about putting food on the table for working families when the salvage free-for-all days are over.

Our No. 1 priority should be to restore stability to working families in rural communities. No one can tolerate another short-term logging binge. The current rider is bringing conflict. When it is repealed or expires, workers face another round of economic instability while we struggle with environmental triage on the forest resource.

But most importantly, we need to restore the environmental laws that this Congress suspended. The Forest Service is poised to release hundreds of millions of board feet of timber, and we must not leave the door open for such abuse. Both bills are steps in the right direction, and I hope we can unsaddle the salvage rider very soon.

ADDITIONAL COSPONSORS

S. 684

At the request of Mr. HATFIELD, the name of the Senator from Massachusetts [Mr. KENNEDY] was added as a cosponsor of S. 684, a bill to amend the Public Health Service Act to provide for programs of research regarding Parkinson's disease, and for other purposes.

S. 949

At the request of Mr. GRAHAM, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 949, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 200th anniversary of the death of George Washington.

S. 1072

At the request of Mr. THURMOND, the name of the Senator from North Carolina [Mr. HELMS] was added as a cosponsor of S. 1072, a bill to redefine ''extortion'' for purposes of the Hobbs Act.

S. 1217

At the request of Mr. COATS, the name of the Senator from Tennessee [Mr. FRIST] was added as a cosponsor of S. 1217, a bill to encourage the provision of medical services in medically underserved communities by extending Federal liability coverage to medical volunteers, and for other purposes.

S. 1268

At the request of Mr. THOMAS, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 1268, a bill to provide assistance for the establishment of community rural health networks in chronically underserved areas, to provide incentives for providers of health care services to furnish services in such areas, and for other purposes.

S. 1452

At the request of Mr. GRAMS, the name of the Senator from North Carolina [Mr. FAIRCLOTH] was added as a cosponsor of S. 1452, a bill to establish procedures to provide for a taxpayer protection lock-box and related downward adjustment of discretionary spending limits and to provide for additional deficit reduction with funds resulting from the stimulative effect of revenue reductions.

S. 1483

At the request of Mr. KYL, the names of the Senator from Colorado [Mr. BROWN], the Senator from New Hampshire [Mr. SMITH], the Senator from New Hampshire [Mr. GREGG], and the Senator from Kentucky [Mr. MCCONNELL] were added as cosponsors of S. 1483, a bill to control crime, and for other purposes.

S. 1491

At the request of Mr. GRAMS, the names of the Senator from Indiana [Mr. COATS], the Senator from Michigan [Mr. ABRAHAM], and the Senator from Kansas [Mrs. KASSEBAUM] were added as cosponsors of S. 1491, a bill to reform antimicrobial pesticide registration, and for other purposes.

S. 1524

At the request of Mr. LAUTENBERG, the name of the Senator from Massachusetts [Mr. KENNEDY] was added as a cosponsor of S. 1524, a bill to amend title 49, United States Code, to prohibit smoking on any scheduled airline flight segment in intrastate, interstate, or foreign air transportation.

S. 1554

At the request of Mr. COCHRAN, the name of the Senator from North Carolina [Mr. FAIRCLOTH] was added as a cosponsor of S. 1554, a bill to amend the Fair Labor Standards Act of 1938 to clarify the exemption for houseparents from the minimum wage and maximum hours requirements of that act, and for other purposes.

S. 1563

At the request of Mr. SIMPSON, the name of the Senator from Kentucky [Mr. MCCONNELL] was added as a cosponsor of S. 1563, a bill to amend title 38, United States Code, to revise and improve eligibility for medical care and services under that title, and for other purposes.

S. 1567

At the request of Mr. LEAHY, the name of the Senator from Vermont [Mr. JEFFORDS] was added as a cosponsor of S. 1567, a bill to amend the Communications Act of 1934 to repeal the amendments relating to obscene and harassing use of telecommunications facilities made by the Communications Decency Act of 1995.

SENATE JOINT RESOLUTION 50

At the request of Mr. D'AMATO, the names of the Senator from North Carolina [Mr. HELMS], the Senator from Kentucky [Mr. MCCONNELL], and the Senator from South Dakota [Mr. PRESSLER] were added as cosponsors of Senate Joint Resolution 50, a joint resolution to disapprove the certification of the President under section 490(b) of the Foreign Assistance Act of 1961 regarding foreign assistance for Mexico during fiscal year 1996.

SENATE RESOLUTION 226

At the request of Mr. NUNN, the names of the Senator from North Carolina [Mr. HELMS] and the Senator from Idaho [Mr. CRAIG] were added as cosponsors of Senate Resolution 226, a resolution to proclaim the week of October 13 through October 19, 1996, as ''National Character Counts Week.''

At the request of Mr. DOMENICI, the names of the Senator from Alaska [Mr. STEVENS] and the Senator from West Virginia [Mr. ROCKEFELLER] were added as cosponsors of Senate Resolution 226, supra.

SENATE CONCURRENT RESOLUTION 43—RELATIVE TO THE PEOPLE'S REPUBLIC OF CHINA

Mr. THOMAS (for himself, Mr. HELMS, Mr. MURKOWSKI, Mr. SIMON, and Mr. MACK) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 43

Whereas the People's Republic of China, in a clear attempt to intimidate the people and Government of Taiwan, has over the past 8 months conducted a series of military exercises, including missile tests, within alarmingly close proximity to Taiwan;

Whereas on March 5, 1996, the Xinhua News Agency announced that the People's Republic of China will conduct missile tests from March 8 through March 15, 1996, within 25 to 35 miles of the 2 principal northern and southern ports of Taiwan, Kaohsiung and Keelung;

Whereas the proximity of these tests to the ports and the accompanying warnings for ships and aircraft to avoid the test areas will result in the effective blockading of the ports, and the probable disruption of international shipping, for the duration of the tests;

Whereas these tests are a clear escalation of the attempts by the People's Republic of China to intimidate Taiwan and influence the outcome of the upcoming democratic presidential election in Taiwan;

Whereas the decision of the United States to establish diplomatic relations with the Peoples' Republic of China rested upon the expectation that the future of Taiwan would be settled solely by peaceful means;

Whereas the strong interest of the United States in the peaceful settlement of the Taiwan question is one of the central premises of the three United States-China Joint Communiqués and was codified in the Taiwan Relations Act;

Whereas the Taiwan Relations Act states that peace and stability in the western Pacific ''are in the political, security, and economic interests of the United States, and are matters of international concern'';

Whereas the Taiwan Relations Act states that the United States considers ''any effort to determine the future of Taiwan by other than peaceful means, including by boycotts, or embargoes, a threat to the peace and security of the western Pacific area and of grave concern to the United States'';

Whereas the Taiwan Relations Act directs the President to ''inform Congress promptly of any threat to the security or the social or economic system of the people on Taiwan and any danger to the interests of the United States arising therefrom'';

Whereas the Taiwan Relations Act further directs that ''the President and the Congress shall determine, in accordance with constitutional process, appropriate action by the United States in response to any such danger'';

Whereas the United States, the People's Republic of China, and the Government of Taiwan have each previously expressed their commitment to the resolution of the Taiwan question through peaceful means; and

Whereas these missile tests and accompanying statements made by the Government of the People's Republic of China call into serious question the commitment of China to the peaceful resolution of the Taiwan question: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

(1) the United States deplores the missile tests that the People's Republic of China will conduct from March 8 through March 15, 1996, and views them as a threat to the peace, security, and stability of Taiwan and not in the spirit of the three United States Joint Communiqués;

(2) the Government of the People's Republic of China should cease it bellicose actions directed at Taiwan and instead enter into meaningful dialogue with the Government of Taiwan at the highest levels, such as through the Straits Exchange Foundation in Taiwan and the Association for Relations Across the Taiwan Straits in Beijing, with an eye towards decreasing tensions and resolving the issue of the future of Taiwan;

(3) the President, consistent with section 3(c) of the Taiwan Relations Act (22 U.S.C. 3302(c)), should immediately consult with Congress on an appropriate United States response to the tests; and

(4) the President should, consistent with the Taiwan Relations Act (22 U.S.C. 3301 et seq.), reexamine the nature and quantity of defense articles and services that may be necessary to enable Taiwan to maintain a sufficient self-defense capability in light of the heightened threat.

Mr. THOMAS. Mr. President, I rise today as the chairman of the Subcommittee on East Asian and Pacific Affairs to submit Senate Concurrent Resolution 43, expressing the sense of the Congress regarding proposed missile tests in the Taiwan Straits.

Yesterday, the People's Republic of China announced that it would conduct a series of missile tests from March 8 through March 15, 1996, off the coast of Taiwan. While the Chinese have conducted other tests within close proximity to Taiwan in the past 8 months, these are especially provocative. The People's Republic of China has announced that it will conduct these tests within between 25 and 35 miles of the Taiwan port cities of Kaohsiung and Keelung. The effect will be that, for a week, a wide corridor of ocean both immediately north and south of Taiwan will be unsafe for commercial traffic. Thus, the People's Republic of China has knowingly created what is in effect a blockade of these two ports—through which flows more than 70 percent of Taiwan's ship-borne trade—for the duration of the tests. In addition, the tests come just a week before Taiwan's first fully democratic Presidential elections on March 23. Clearly, the tests are part of the People's Republic of China's ongoing attempts to intimidate Taiwan and influence the upcoming elections.

It is both the proximity to Taiwan and the timing that make these tests especially troubling to me, and the signal they send.

When we normalized relations with the People's Republic of China in 1978 and 1979, we did so on the expectation that the future of Taiwan would be settled solely by peaceful means. That expectation underlies the three United States-People's Republic of China joint communiqués, and is codified in the Taiwan Relations Act, the statute that governs our relationship with Taiwan.

However, these tests and accompanying statements made at the highest levels of the Chinese Government in my mind call into serious question the People's Republic of China's commitment to settle the Taiwan issue by peaceful means. As such, they are of grave concern to me and, I believe, to the United States.

I hope that the People's Republic of China would move to diffuse the escalating problems in the straits and refrain from further provocations. At the same time, I hope that the Taiwan Government would do its part to reduce tensions. Both sides need to sit down with each other, and discuss the issue in a considered and rational manner, without threats and without the need to continually draw the United States into what is a matter solely for the Chinese on both sides of the straits—and Mr. President, I emphasize both sides—to decide. It is not an issue for the People's Republic of China to decide unilaterally at the barrel of a gun.

Mr. President, the resolution is fairly self explanatory.

Mr. President, in closing, let me note that I am pleased to be joined by Senator HELMS, the distinguished chairman of the Foreign Relations Committee, Senators MURKOWSKI and SIMON, two longstanding leaders on the issue of Taiwan in the Senate, and Senator MACK, in submitting this legislation today; I thank them for their support. I hope the rest of our colleagues will join us so that we can move this resolution quickly through the Senate and on the House.

Mr. MURKOWSKI. Mr. President, I am pleased to join Senator CRAIG THOMAS, chairman of the East Asia and the Pacific Subcommittee of the Foreign Relations Committee in offering this resolution that reaffirms the Taiwan Relations Act and condemns the People's Republic of China for their attempts to influence the upcoming Presidential election in Taiwan through threats and coercion.

The resolution has been submitted to the Chair previously by Senator THOMAS. This resolution makes four important points.

First, the United States deplores the missile test scheduled for March 8 to 15. It appears that these tests will impose a virtual blockade of Taiwan's two major ports and threaten international shipping lanes in the Taiwan Straits.

Second, the Congress calls on the People's Republic of China to cease its threats, and instead enter into a constructive dialog with the Republic of China, perhaps through their respective informal organizations: the Straits Exchange Foundation in Taiwan and the Association for Relations Across the Taiwan Straits in Beijing.

Third, the resolution directs the President of the United States to consult with the Congress, as required by the Taiwan Relations Act, because there is a threat to the security and the social and economic system of the people of Taiwan.

Fourth, the President and the Congress should reexamine the nature and quantity of the defense articles and

services that may be necessary to enable Taiwan to maintain a sufficient self-defense capability in light of the heightened threat.

Mr. President, I suggest that President Nixon must be simply spinning in his grave tonight. When Richard Nixon first opened relations with Beijing some 20 years ago he believed that Asia could not progress if China remained isolated. His actions promised to help that country enter into a new and constructive relationship with the rest of the modern world. But in recent months, the leaders of Beijing have taken a number of self-defeating actions that can only turn back the pages of history and cripple China's economic progress.

Over the past 8 months, the People's Republic of China has conducted a series of military exercises, including missile tests, in close proximity to Taiwan. Now, we hear reports of the largest and closest military exercise to take place next week, just 1 week before the first democratic Presidential elections on Taiwan. What is more, Beijing has reportedly included veiled threats against the United States for supporting the process of free elections. One news report indicated that during an interview, a Chinese leader scoffed at the notion that the United States would defend Taiwan by saying the United States cares more about ''Los Angeles than Taiwan.'' China, of course, produces missiles capable of launching nuclear warheads against both Taiwan and Los Angeles, and certainly against my home State of Alaska.

I feel confident that these reports, of course, are false, but China's most recent announcement that it intends to conduct massive tests near Taiwan, in effect imposing a miniblockade of Taiwan's two major ports prior to the Taiwan Presidential elections, does little to inspire confidence.

Some China watchers are inclined to rationalize Beijing's behavior. Apologists have blamed China's belligerence on the firm stand taken by this Congress. Today it is clear that China, not the Congress, is to blame for the current state of United States-China relations. Time and time again, before and after the 1989 Tiananmen Square attack on student protesters, China's rulers have shown themselves to be almost oblivious to the fact that a larger world—a world sensitive to human rights concerns, one that believes in religious and political freedom, and free and fair trade—exists beyond the People's Republic of China's borders.

People's Republic of China's President Jiang Zemin and his lieutenants must understand that this is why the United States finds China's ballistic missile diplomacy unacceptable. We support the peaceful settlement of differences between China and Taiwan and cannot idly watch a peaceful, democratic ally—which Taiwan is—be threatened.

Therefore, it is time for Congress, as set forth in this Senate resolution, to recommit the United States to the Taiwan Relations Act of 1979, which clearly states that America believes that peace and stability in the area are in the political, security and economic interests of the United States.

Further, the law of the land, the Taiwan Relations Act, commits the United States to resist any resort to force or other forms of coercion that would jeopardize the security or the social or economic system of the people of Taiwan.

We must remind Beijing that the decision of the United States to establish diplomatic relations with the People's Republic of China in 1979 was based upon the expectation that the future of Taiwan will be determined by peaceful means.

We also must continue selling Taiwan defensive weapons to help counter any thoughts China may have of using military force against the island. Along with these weapons, we must let the leaders in Beijing know that threats are useless as tools of foreign policy and are the rusted relics of diplomacy from a bygone and dangerous era.

China's leaders must know economic gains will evaporate if continued military threats—or worse—create havoc in East Asia. Beijing's officials must understand they cannot conduct business as usual with the world if missiles start falling in the Straits of Taiwan. They also need to know that the fear of war is often every bit as chilling to investment as the real thing.

Mr. President, I also want to add that Congress should congratulate the people of Taiwan for their continued advancement toward democracy. Congress should also state our support for the people of Taiwan to become involved in international organizations. Taiwan has emerged as a force for democracy and stability in Asia, and its people should be represented. The United States must also continue at the same time to encourage a true dialog between Beijing and Taipei that will lead to understanding and conciliation, rather than threats and confrontation.

With this latest round of threats against Taiwan—and the United States—it simply is time to step back and gather forces to support reason and dialog rather than the rumblings of hostility and war.

President Nixon was certainly correct in seeing the vast potential importance of China as a world economic power. But 25 years later the world still waits for Beijing to abandon its totalitarian ways and behave consistently as a civilized nation.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 9:30 a.m. on Wednesday, March 6, 1996, in open session, to receive testimony on the 1996 ballistic missile defense update review.

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

COMMITTEE ON ARMED SERVICES

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 2 p.m. on Wednesday, March 6, 1996, in open session, to receive testimony on the Department of Energy Environmental Management Program [EM], and on the Defense Nuclear Facilities Safety Board [DNFSB] activities.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, March 6, 1996, for purposes of conducting a full committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this oversight hearing is to receive testimony on the issue of competitive change in the electric power industry.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. HATCH. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Wednesday, March 6, for a joint hearing with the House Government Reform and Oversight Committee at 9:30 a.m., for a hearing on the Oversight of the Government Performance and Results Act.

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

COMMITTEE ON THE JUDICIARY

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, March 6, 1996, at 10 a.m. in SD–226 to hold a hearing on ''Interstate Transportation of Human Pathogens.''

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on the Reauthorization of National Institutes of Health, during the session of the Senate on Wednesday, March 6, 1996, at 9:30 a.m.

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

COMMITTEE ON SMALL BUSINESS

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Small Business be authorized to meet during the session of the Senate on Wednesday, March 6, 1996, at 10 a.m., in room SR–428A, to mark up legislation pending in the committee.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. HATCH. Mr. President, I ask unanimous consent that the Select

Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, March 6, 1996, at 9 a.m., in SH–216, to hold an open hearing on intelligence matters.

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

SPECIAL COMMITTEE ON AGING

Mr. HATCH. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on Wednesday, March 6, at 9:30 a.m., to hold a hearing to discuss telemarketing fraud against the elderly.

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

SUBCOMMITTEE ON NEAR EASTERN AND SOUTH ASIA AFFAIRS

Mr. HATCH. Mr. President, I ask unanimous consent that the Subcommittee on Near Eastern and South Asia Affairs of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, March 6, 1996, at 2 p.m., to hold hearing.

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

ADDITIONAL STATEMENTS

TERRORISTS IN ISRAEL

● Ms. MIKULSKI. Mr. President, once again, terrorists have targeted the heart of Israel. My prayers are with the people of Israel as they mourn the latest victims. Over 60 people have died in the terror of the last 10 days, and the peace process may die as well.

We cannot understand the kind of evil and cowardice that kills children as they walk to a party; families as they walk down the street on a holiday; ordinary and innocent people on their way to work. They time their attacks to kill as many civilians as possible. They load their bombs with nails—to make sure that all injuries are serious. Their goal is to kill Jews and to strike a death knell on the peace process.

Israelis are angry and afraid. Their confidence in the peace process is badly shaken—and I don't blame them. They have given up land and security in exchange for peace. Yet they still live under constant threat.

We must stand by Israel as a friend and ally. I support the President's plan to provide immediate assistance to Israel. The United States will use our intelligence agencies to help them route out these terrorists. We will provide specialized explosive detection equipment and technical experts. And America will lead an international effort to better coordinate the war against terrorism. Only an international effort will track down these killers and those who bankroll them. The international community must also condemn these acts of terrorism—and ensure that no country provides a sanctuary for these killers.

The Palestinian Authority can and must do more to stop Hamas. If they don't show the will to confront terrorism, the chance for peace will be lost.

I hope that the peace process can continue. But friends do not tell friends what to do. As Americans, we cannot tell Israel what risks are worth taking for peace. We can only imagine what it is to live in a country that is less than 9 miles wide at its narrowest point—and still surrounded by enemies.

Israel has defended itself in five wars for survival. But in this war against terrorism, all ordinary citizens are on the front lines. The international community must stand with Israel. We must ensure that the fanatics do not prevail.●

HONORING THE U.S. TAP TEAM

● Mr. LIEBERMAN. Mr. President, I rise today to honor Gloria Jean Cuming and the United States Tap Team, recent winners of the Annual World TapDance Championships, which were held in Dresden, Germany.

Not only is this victory prestigious and respected around the world, but the victory was a special one for the team and our country. This is the first time in the history of the competition that the U.S. team won the coveted title. In addition to the sterling team performance, two individuals, Linda Provo and Stacy Eastman, advanced to the finals of the individual competition, the only 2 women among the 12 semi-finalists to do so.

All 22 dancers are from the New Haven area in my State of Connecticut, and they all study at Ms. Cuming's dance studios. Ms. Cuming not only selected the team, but was their choreographer and assistant technical director as well.

Mr. President, I know that you and the entire Senate joins me in congratulating these fine performers, who represent their art and their country with the greatest of skill and pride.●

MARY BETH BLEGEN, MINNESOTA TEACHER OF THE YEAR

● Mr. WELLSTONE. Mr. President, with great pleasure and enthusiasm I would like to recognize Mary Beth Blegen as the Minnesota Teacher of the Year. Not only has Ms. Blegen been awarded the 1995 Minnesota Teacher of the Year, but she has also been selected as one of the four distinguished finalists for the National Teacher of the Year program. Ms. Blegen arrived in Washington Sunday and has been giving a presentation sharing her dedication to the youth of Minnesota, attending press conferences, and giving interviews for the National Teacher of the Year Award. Despite her rigorous schedule I was delighted to meet with Ms. Blegen to give her my support and of course wish her the best in the competition.

Mary Beth Blegen a dedicated educator for 30 years, is a teacher of English, writing, and humanities at Worthington Senior High School. Ms. Blegen illustrates the dedication Minnesotans have to providing quality education for our children. It is also my honor to note that three previous National Teachers of the Year have been from Minnesota and only California has contributed more teachers to this national award.

I'd also like to recognize Minnesota's biggest education organization, the Minnesota Education Association [MEA], and it's 48,000 members, who represent over 80 percent of Minnesota's public school teachers. MEA has sponsored the Minnesota Teacher of the Year program for 33 years.●

TAX RELIEF FOR UNITED STATES TROOPS SERVING IN BOSNIA

Mr. D'AMATO. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2778, just received from the House.

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

The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2778) to provide that members of the Armed Forces performing services for the peacekeeping efforts in Bosnia and Herzegovina, Croatia and Macedonia, shall be entitled to tax benefits in the same manner as if such services were performed in a combat zone, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. ROTH. Mr. President, the House recently passed legislation to provide much needed tax relief for American troops who are performing peacekeeping services in Bosnia and Herzegovina, Croatia and Macedonia.

When our young men and women wear our uniform in these war-torn regions, I want them to know that they have my unqualified support. I want them to know that they are there for a reason. They are on important missions—missions to help free these war-torn areas from their undemocratic pasts.

While I would have preferred to limit our involvement to strategic and tactical air and sea support, we must now give our full support to our troops. This legislation provides much needed tax relief for our troops in Bosnia and Herzegovina, Croatia, and Macedonia.

Let me briefly outline the major aspects of this legislation. First, the bill exempts from Federal income tax military pay received by enlisted personnel while performing peacekeeping services in Bosnia and Herzegovina, Croatia, and Macedonia.

Second, the bill exempts military pay received by commissioned officers while serving in those areas in an amount equal to the highest monthly pay for enlisted personnel which is currently $4,104.80 per month.

Third, military pay received by those hospitalized as a result of injuries incurred while performing peacekeeping

services would be exempt from Federal income tax for up to 2 years after termination of peacekeeping activities in the hazardous duty area.

Fourth, the bill extends the time for filing tax returns, paying tax and other deadlines to allow our troops to focus on their dangerous task rather than on tax deadlines.

Fifth, the bill reduces Federal estate taxes and forgives Federal income taxes for those whose lives are taken while performing the peacekeeping mission. Let me just say that I am deeply troubled that similar relief was not provided to Americans killed while serving in Somalia.

Sixth, the bill eliminates tax withholding on military pay earned tax-free in these hazardous duty areas.

Seventh, the bill provides special rules for surviving spouses and couples who file joint tax returns, as well as an exemption from the telephone excise tax for calls made from the hazardous duty area.

Finally, in addition to the tax relief for military personnel in the hazardous duty areas, the bill also postpones various tax deadlines for support personnel. To be eligible for such tax relief, the individual must be deployed away from such individual's regular duty station and performing services outside the United States as part of Operation Joint Endeavor. Such relief would be available to Department of Defense employees.

I fully support this legislation and encourage the Senate to pass it quickly to ease the tax burden and tax filing requirements on our courageous American troops who are serving in these hazardous duty areas.

● Mr. DOLE. Mr. President, today is a significant day for our troops in Bosnia and Herzegovina, Croatia, and Macedonia. Today the Senate will pass important legislation that will provide tax relief to our military forces deployed in the former Yugoslavia.

This relief is essential to ensure that the Internal Revenue Service does not make life more difficult for our soldiers than the rigors of their Bosnian duty has already. Speaker GINGRICH and I announced in December our intention to send to the President tax filing and other relief for our soldiers. Earlier this week the House passed the legislation and I am pleased that the Senate is doing so today.

I believe that it is critical for Congress to continue demonstrating its unequivocal support for our men and women in uniform involved in Operation Joint Endeavor and Operation Able Sentry. Our troops have more important things to focus on than compiling records, meeting paperwork deadlines, or computing their tax liability. And they should receive income and estate tax relief for participating in the operations.

I thank my colleagues for voting with me to pass this critical legislation.●

Mr. MCCAIN. Mr. President, I am pleased to rise in support of H.R. 2778, a bill designed to provide tax relief for our service men and women participating in Operation Joint Endeavor in Bosnia. This bill is very similar to S. 1553, a bill I introduced in the Senate on February 1, 1996, mirroring the efforts of our colleague in the House, Congressman BUNNING.

I want to convey my thanks to the House for their quick action in approving this bill. The amendments of the House incorporated certain modifications and additional provisions which will improve the beneficial impact of the bill for our men and women in uniform.

Whether or not we supported the deployment of United States troops to Bosnia, all Americans are considered for the safety and security of our fellow countrymen who are deployed as part of Operation Joint Endeavor. Although this is a peacekeeping mission, it is clearly not without risk. Land mines and sniper fire will continue to threaten our troops throughout the duration of this operation. As long as our service men and women are on the ground, they may come into harm's way.

Sadly, we have already experienced the first American casualty in Bosnia, and we probably have not seen the last. Let us not forget the family of Sfc. Donald Dugan. While enactment of this legislation will not return him to his family, it contains provisions which will alleviate some of the financial hardships his family may be experiencing as a result of his death.

Because this is a peacekeeping mission and not a war, the President has not declared the area of operation to be a combat zone. Therefore, existing law does not permit our service members in Bosnia to receive any of the tax benefits and relief normally provided to those deployed to combat zones. This legislation will extend to American military personnel in Bosnia and their families the same benefits available to service members who were deployed to the Persian Gulf war.

The more than 20,000 United States military personnel deployed to Bosnia are performing their duties in service to their country. On a recent trip to Bosnia, I had the opportunity to personally visit with many of our men and women, and I let them know what a fantastic job they were doing.

This bill is a small gesture to show our troops they are not forgotten. Its provisions will alleviate their worries about financial hardships experienced by their families left at home. It is an import expression of our support for their professionalism and patriotism.

I understand the President has indicated he supports this bill. I urge my colleagues to support adoption of this legislation, and I hope the President will act promptly to sign it into law.

Mr. D'AMATO. Mr. President, I ask unanimous consent that the bill be deemed read the third time, passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

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

So the bill (H.R. 2778) was deemed read the third time, and passed.

GREEK INDEPENDENCE DAY

Mr. D'AMATO. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of calendar item No. 340, Senate Resolution 219.

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

The clerk will report the resolution.

The legislative clerk read as follows:

A resolution (S. Res. 219) designating March 25, 1996, as ''Greek Independence Day: a national day of celebration of Greek and American Democracy.''

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. D'AMATO. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be placed at the appropriate place in the RECORD.

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

So the resolution (S. Res. 219) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 219

Whereas the ancient Greeks developed the concept of democracy, in which the supreme power to govern was invested in the people;

Whereas the Founding Fathers of the United States of America drew heavily upon the political experience and philosophy of ancient Greece in forming our representative democracy;

Whereas the founders of the modern Greek state modeled their government after that of the United States in an effort to best imitate their ancient democracy;

Whereas Greece is one of only three nations in the world, beyond the former British Empire, that has been allied with the United States in every major international conflict this century;

Whereas 1996 will mark the historic first official state visit to the United States of an elected head of state of Greece;

Whereas these and other ideals have forged a close bond between our two nations and their peoples;

Whereas March 25, 1996 marks the 175th anniversary of the beginning of the revolution which freed the Greek people from the Ottoman Empire; and

Whereas it is proper and desirable to celebrate with the Greek people, and to reaffirm the democratic principles from which our two great nations were born: Now, therefore, be it

Resolved, That March 25, 1996 is designated as ''Greek Independence Day: A National Day of Celebration of Greek and American Democracy''. The President is requested to issue a proclamation calling upon the people of the United States to observe the day with appropriate ceremonies and activities.

MEASURE READ THE FIRST TIME—H.R. 497

Mr. D'AMATO. Mr. President, I would inquire of the Chair if H.R. 497 has arrived from the House of Representatives.

The PRESIDING OFFICER. The bill is at the desk.

Mr. D'AMATO. Therefore, I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The legislative clerk read as follows:

A bill (H.R. 497) to create the National Gambling Impact and Policy Commission.

Mr. D'AMATO. Mr. President, I now ask for its second reading.

Mr. SARBANES. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The bill will remain on the calendar.

ORDERS FOR THURSDAY, MARCH 7, 1996

Mr. D'AMATO. 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., Thursday, March 7, that immediately following the prayer, the Journal of the proceedings be deemed approved to date, the time for the two leaders be reserved, and there then be a period for morning business until the hour of 11 a.m., with Senators permitted to speak therein for up to 5 minutes each, with the following exceptions: Senator FEINSTEIN, 15 minutes; Senator REID, 15 minutes; Senator DORGAN, 20 minutes; Senator BAUCUS, 10 minutes, Senator THOMAS, 30 minutes.

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

PROGRAM

Mr. D'AMATO. For the information of all Senators, tomorrow the Senate will resume the pending motion to proceed to Senate Resolution 227, the Whitewater legislation. It is also possible that the Senate will begin consideration of S. 942, the small business regulatory reform bill. Rollcall votes are therefore possible during Thursday's session of the Senate.

Mr. SARBANES. Mr. President, before the distinguished Senator puts the proposal to recess, Senator PELL has been on the floor for quite a period of time today. We would like for him to be able to make his statement before the Senate goes out this evening.

ORDER FOR RECESS

Mr. D'AMATO. Mr. President, I ask unanimous consent that the Senate stand in recess following the remarks of Senator PELL and Senator MURKOWSKI.

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

WHITEWATER

Mr. PELL. Mr. President, we should not be asked to consider this resolution. Senate Resolution 227 is, to my mind, simply a license to continue a wild goose chase, and to do so at the expenditure of public funds which could well be spent for true public needs.

When the Whitewater matter first came before us 2 years ago, I said that it involved distant dealings with marginal involvement of Federal interests, and that it simply did not rise to the level of scrutiny appropriate for Senate inquiry.

Nothing has happened since to change my initial judgment one iota. The Senate investigation has dragged on for 294 days at a cost of $1.34 million and has not yielded a single result worthy of further action.

This investigation in my view is an exercise in political harassment. Its indefinite continuance would be an embarrassment to the Senate. And I might add that continuance of the investigation holds little promise of benefit to the majority party, given the widespread public indifference to the matter.

In short, Mr. President, we are being asked to approve not just the use of Senate funds but indeed the exploitation of the full constitutional authority of the Senate to continue a so-called inquiry into matters of little consequence, and to do so for clearly partisan purposes.

(The remarks of Mr. MURKOWSKI pertaining to the submission of Senate Concurrent Resolution 43 are printed in today's RECORD under ''Submission of Concurrent and Senate Resolutions.'')

RECESS UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate now stands in recess until 9:30 a.m. tomorrow, Thursday, March 7, 1996.

Thereupon, the Senate, at 7:04 p.m., recessed until Thursday, March 7, 1996, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate March 6, 1996:

THE JUDICIARY

ERIC L. CLAY, OF MICHIGAN, TO BE U.S. CIRCUIT JUDGE FOR THE SIXTH CIRCUIT, VICE RALPH B. GUY, JR., RETIRED.

JOSEPH F. BATAILLON, OF NEBRASKA, TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF NEBRASKA VICE LYLE E. STROM, RETIRED.

DEPARTMENT OF STATE

HAROLD WALTER GEISEL, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MAURITIUS AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL AND ISLAMIC REPUBLIC OF THE COMOROS.

AUBREY HOOKS, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE CONGO.

ROBERT KRUEGER, OF TEXAS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BOTSWANA.

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF AGRICULTURE FOR PROMOTION IN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

SUZANNE K. HALE, OF VIRGINIA
FRANK J. PIASON, OF NEW JERSEY

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF AGRICULTURE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

LLOYD J. FLECK, OF TENNESSEE
JAMES D. GRUEFF, OF MARYLAND
THOMAS A. HAMBY, OF TENNESSEE
PETER O. KURZ, OF MARYLAND
KENNETH J. ROBERTS, OF MINNESOTA
ROBERT J. WICKS, OF VIRGINIA

EXTENSIONS OF REMARKS

A YOUNG SPEAKER VOICES TIME-TESTED IDEALS

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 1996

Mr. BARCIA. Mr. Speaker, Hubert Humphrey, a distinguished former Vice President and Senator, observed over 50 years ago, that ''It is not enough to merely defend democracy. To defend it may be to lose it; to extend it is to strengthen it. Democracy is not property; it is an idea.'' One of the best ways of extending our democratic ideals is to help more Americans, both young and old, improve their appreciation for democracy. Tracey Sierras of Bay City, MI, has exemplified this effort with her outstanding participation in this year's Voice of Democracy contest, sponsored by the Veterans' of Foreign Wars, in which she was selected as the best speaker in the State of Michigan, and this week is participating in the national finals here in Washington.

Tracey is the manifestation of what we want our young people to be. She is concerned about her community and nation, as evidenced by her efforts in this year's speaking contest. She understands the importance of the eloquence of words being followed with the commitment of action. She is vice president of Bay City All Saints High School student council, and has been actively involved with Students Against Drunk Driving. She leads by example, including her outstanding 3.5 grade point average.

Competing for achievement is nothing new for Tracey. She has done it this year in Michigan, and is facing our Nation's best here in Washington. She is planning on making her presence known internationally as she has set her long-term goal on becoming an international business lawyer. She will take more concrete steps towards the goal when she enters Saginaw Valley State University, my alma mater, this fall, putting to good use the scholarship she won as part of the Voice of Democracy contest.

Mr. Speaker, at a time when we seem to hear stories about young people who are heading down the wrong path, who have failed to set goals for themselves and do not appreciate what life has to offer to them, it is important and refreshing for us to learn about capable, energetic and focused young people like Tracey Sierras. I know her parents, Randy and Judy, are rightly proud of their daughter. I want to add for the record that all of us in Bay City and in the fifth district are proud of her, too.

I congratulate Tracey on her accomplishments, as I do all of the other State winners. I urge all of our colleagues to join me in congratulating her as we prepare to welcome this new generation of new thoughtful leaders to the proud heritage of our Nation.

HONORING VICTOR CRAWFORD, 1933–1996

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 1996

Mr. MEEHAN. Mr. Speaker, I want to take this opportunity to honor Victor Crawford, who died March 2, 1996, at Johns Hopkins Hospital in Baltimore, MD. Mr. Crawford was a leader and a national spokesman in the fight to curb tobacco use.

Mr. Crawford served in Maryland's State legislature for over 26 years. After he retired from his legislative career, Mr. Crawford became a lobbyist. One of his largest lobbying contracts was with the tobacco industry, including the Tobacco Institute, which paid him over $20,000 in fees.

As a tobacco lobbyist, Mr. Crawford used his considerable legislative and personal skills to derail a number of State initiatives that would have curbed tobacco use in public places and by young people. ''I was in it for the money,'' he said, ''and I was never concerned if people were dying.''

Mr. Crawford's views on tobacco radically changed after he was diagnosed with cancer, a product of his lifelong smoking addiction. He became an eloquent and persuasive speaker on the issue of tobacco. His message was clear and sobering, ''It's too late for me, but it's not too late for you.''

By appearing on ''60 Minutes'', Massachusetts' Department of Public Health's ''Let's Make Smoking History'' campaign, and a radio address with President Clinton, Victor Crawford made a difference in the fight against youth tobacco use. His was a credible voice, a man who realized he had made a mistake and wanted to make amends.

Mr. Crawford will be missed not only by his family and friends but also by countless children who listened to his message and decided not to start smoking. His legacy will include thousands of healthy lives that otherwise would have ended prematurely from tobacco related illnesses.

HONORING THE SPRINGFIELD INTER-SERVICE CLUB COUNCIL AWARD WINNERS

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 1996

Mr. DAVIS. Mr. Speaker, it gives me great pleasure to rise today and pay tribute to some very special people in Virginia's 11th District. These are individuals who put the good of their community above their own needs. These people received awards from the Springfield Inter-Service Club Council ISCC on February 20, 1996.

The Springfield ISCC was founded in 1986 to coordinate the good works of the numerous service clubs and civic organizations in the greater Springfield community. Today more than 60 clubs, civic organizations, and agencies are affiliated with the ISCC.

Mr. Speaker, the following individuals who received awards for their distinguished service to the community are:

Sylvia Bonner. Sylvia has been a Girl Scouts Council of the Nation's Capital Service Unit comanager in the central Springfield area since 1992, Sylvia has worked hard to build a strong cohesive program for the youth of our community. Most recently she has picked up the banner of the Springfield Santa refurbishes experienced toys for needy children during the holidays. Under her leadership Santa's Green Elves are keeping a Springfield tradition alive.

John Garilli. John with his guide dog, Guy, has served the Springfield-Franconia Host Lions Club as secretary, vice president, flea market chairman, sight chairman, and communications chairman. He is founder and advisor for the Leo Club at Hayfield High School. John and Guy also serve as spokesman for Leader Dog in the Washington metro area.

Mr. Speaker, the following individuals who received awards for their outstanding community service are:

Dominick Caridi. Dominick has been a tireless and resourceful Boy Scout leader. He led the Scouting for Food Drive in southern Fairfax County and the city of Alexandria. Under his exceptional leadership and enthusiasm the Scouts collected more than 80 tons of food for the hungry residents of the Greater Washington area.

Robert E. Denny. Robert, an author, a Civil War historian, a tireless volunteer who has worked on the developmental programs for severely handicapped residents of the Northern Virginia Training Center.

Bob Lund. Bob serves the community in many ways. As the coordinator of volunteer efforts to maintain the grounds at the Pohick Regional Library, he has coordinated the efforts of over 35 Eagle Scout service projects, serving as mentor and role model to countless young people and saving the community untold costs.

Lt. Tyrone Morrow. Lieutenant Morrow of the Fairfax County Police Department serves his community in many ways. In addition to his unselfish service as a police officer he serves as a mentor and role model for children at risk of being lost to education. Through his personal efforts as a tutor and through his inspirational example and ability to recruit others to serve as tutors, Lt. Morrow has instituted ongoing projects to help young people in our community who had nowhere to turn.

Mr. Speaker, the following individuals received the Award for Persons of the Year:

Carl and Betty Kohlmeier. Carl and Betty have been unsung heroes in our community since 1959. In service to the victims of family violence, helping the Northern Virginia Hotline, active in the United Methodist Church, and feeding the needy through ''Lazarus at the Gate.'' With seemingly endless energy and a gift to know what is right they have quietly and

ably given their hearts and their hands to ensure success in their endeavors.

Mr. Speaker, I know my colleagues join me in congratulating these fine citizens on their outstanding work. It is citizens like these, scattered across America, that provide this country with our margin for excellence, in providing services to those in need, keeping our communities clean and beautiful, and restoring the American dream to our young people. The Springfield Inter-Service Club Council and its member organizations deserve our thanks and efforts.

JACK VALENTI—ADDRESS TO THE FEDERAL COMMUNICATIONS BAR ASSOCIATION: LESSONS OF ONE OF WASHINGTON'S KEENEST OBSERVERS

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 1996

Mr. LANTOS. Mr. Speaker, Jack Valenti, the president and CEO of the Motion Picture Association of America, is one of the most distinguished and insightful observers of the Washington scene. As my colleagues know, Jack arrived in Washington aboard Air Force One with President Lyndon Johnson on November 22, 1963. In the three decades since Jack arrived at the White House, he has been a thoughtful and careful eyewitness to the administrations of seven Presidents and every Congress from the 88th to the 104th.

Jack shared his wisdom and thoughts about our National Government based on his first-hand participation and his perceptive observations in an outstanding address to the members of the Federal Communications Bar a few weeks ago. The lessons he shared with these attorneys are lessons that would be beneficial to all of us in the Congress as well. Mr. Speaker, I ask that the address of Jack Valenti be placed in the RECORD, and I urge my colleagues to give it thoughtful attention.

WASHINGTON, DC: ''IT'S A MAKE YOU TOWN OR A BRING YOU DOWN AND BREAK YOU TOWN.''

(By Jack Valenti)

As one who has spent his entire adult career in two of life's classic fascinations, politics and movies, I have known in both those worlds the great, the near great and those who thought they were great. The latter category outnumbers the first two by a long ton. I have become convinced that movie people and politicians spring from the same DNA.

They are both:

Unpredictable.

Sometimes glamorous.

Usually in crisis, imagined or otherwise.

Addicted to power.

Anxious to please.

Always on stage.

Hooked on applause.

Enticed by publicity.

Always reading from scripts prepared by someone else.

Constantly taking the public pulse.

Never really certain, except publicly.

Indeed, it's difficult to say which deserves more the description of entertainment capital of the world, Hollywood or Washington, D.C.

The lyrics of the song ''This Town,'' as sung by Frank Sinatra explain most accurately what Washington is all about. Sang Old Blue Eyes: ''It's a make you town or a bring you down and break you town.''

Which is why I would like to talk tonight about what I have learned since I arrived in the Federal City aboard Air Force One on November 22, 1963. In the intervening 32 years I have in turn been an intimate participant at the highest station of this government, serving my President with loyalty and fidelity, as well as a clinical observer through the administrations of seven Presidents, from the 88th Congress through the 104th Congress. Perhaps some of these musings will be some casual interest of a few of you. They are quite interesting to me.

So, let me count the lessons I have learned. Or more accurately, lessons learned as defined by my experience, not necessarily by yours.

I learned that in the White House there is one enduring standard by which every assistant to the President, every presidential adviser, every presidential consultant must inevitably be measured. Not whether you went to Harvard or Yale, or whether you scored 1600 on your SATs, or whether you are endlessly charming and charismatically enable or whether you made millions in what we sardonically call ''the private sector.'' These are all attractive credentials which one may wear modestly or otherwise. But when the decision crunch is on in the Oval Office they are all merely tracings on dry leaves in the wind. What does count, the ultimate and only gauge, is whether you have ''good judgment.''

I learned that no presidential decision is ever made where the President had all the information he needed to make the decision. There is never enough facts. Very quickly, the decision corridor grows dark, the mapping indistinct, the exit inaccessible. What is not useful are precedents or learned disquisitions by Op-Ed page pundits, some of whom would be better suited to raising pigeons. Finally, the decision is made on judgment alone. Sometimes the judgment is good. Sometimes it is not.

You don't learn ''good judgment'' in the Ivy League or by reading the New York Times, the Washington Post or even the Weekly Standard. It is well to remember, as Oscar Wilde once said, that from time to time nothing that is worth knowing can be taught. Judgment is something that springs from some little elf who inhabits an area between your belly and your brain, and who from time to time, tugs at your nerve edges, and says, ''no, not that way, the other way.'' This mysterious inhabitant is called instinct, intuition, judgment. It is the one ingredient on which the rest of human condition depends for guidance.

I learned that the one political component above all else which can insure electoral victory or crushing defeat is timing. A whack to your political solar plexus six to eight months before an election is survivable. Two weeks before the election, and you're dead. Ask Jimmy Carter. In politics, twenty-hours is a millennium.

I learned that economic forecasts beyond about two weeks have the same odds of accuracy as guessing the winning numbers in the D.C. lottery. If you truly believe in long-term predictions of economic activity, estimates based on so-called ''real numbers,'' which is the mantra of the current budget debate, then you are enrolled in a defunct mythology. Economic forecasts are usually unwarranted assumptions leaping to a preconceived conclusion. Just remember, whenever an economist can't remember his phone number, he will give you an estimate.

I learned that when there is no unamiable issue like war, or prospect of war or recession or economic disaster, most people vote for a President viscerally not intellectually. Most people choose a President romantically, a choice made in unfathomable ways which is now romance is formed. Like John Kennedy and Ronald Reagan.

I learned never to humiliate an antagonist and never desert a friend. In a political struggle, never got personal else the dagger digs too deep. Your enemy today may need to be your ally tomorrow.

I learned that nothing lasts. What is up will inevitably go down and sooner or later in reverse. It took forty years, but the House changed masters. Victory is often the prelude to defeat. President Bush can rise to testify about that. Failure is often the precursor of triumph. Ask Bill Clinton. Richard Nixon tasted both ends of those beguiling equations. The breeding ground of politics is irrigated and nourished by change. As one who has fallen from political power, I can instruct George Stephanopoulos in how quickly you lose your charm and your enticements when you no longer sit at the right hand of the Sun King.

I learned that a political poll is Janus in disguise. The life of a poll is about 10 nanoseconds. It is already in decay when it is published. A political poll, like the picture of Dorian Gray, is the face of entropy. The veteran professionals know that. The old pols use polls to raise money. When polls are up, go for the fat wallets. But the politician who persistently lifts his wet finger to test the political polls before he acts, usually leaves office with a wet finger.

I learned that if a President, a Congressman, a Senator does not have convictions, he or she will be right only by accident. I must confess I have a grudging admiration for those freshmen House Republicans who won't budge from their fixed convictions. They truly believe, heavily, explicitly. Which is why Speaker Gingrich is finding out what Mirabeau finally knew: When you undertake to run a revolution, the difficulty is not to make it go. It is to hold it in check.

But I have also learned that the frustrating constant of modern day American politics is perennial gridlock, caused by forces at either extreme. It has been said that a man does not show his greatness by being at the end of one political boundary or the other, but rather by touching both at once. In our free Republic, political parties argue and shout, but finally they touch both ends of the extremes and draw them together. That is called ''compromise.'' It is not an ignoble word. Compromise is the canopy under which men and women finally behave wisely, once they have exhausted all other alternatives. Without compromise, parliamentary bodies will ''split into a bundle of unfriendly and distrustful fragments.''

I have learned that if we live in the incestuous world of Washington long enough we become, in the main, skeptics, cynics, who view with lacerating contempt the boobs and the rabble, the unlearned and unlettered, who live out there, somewhere east of Beverly Hills and west of the Beltway. But those boobs are the very folks who over two centuries of cruel disjointings have sustained this free and loving land.

I have a special feeling for the rabble. My grandparents were part of that rabble. They came to Texas from Sicily, poor immigrant peasants, strangers in a strange and wondrous land. They became unabashed patriots, which to them meant fierce loyalty and unbreakable fidelity to their new country.

These days we are uneasy with the designation ''patriot.'' We regard it in much the same queasy manner as one does holding a wolf by the ears. Too bad. When the night is full of knives, when lightning is seen and drums are heard, the patriots are always there, ready to fight, and ready to die if need be, to defend their country and to protect

those who stayed home, for sound and convenient reasons, of course.

But the greatest lesson I have learned, the most important of my education, is really the essential imperative of this century. It is called leadership. We brandish the word. We admire its light. But we seldom define it. Outside Caen in the Normandy countryside of France is a little cemetery. Atop one of the graves is a cross on which is etched these words: ''Leadership is wisdom and courage and a great carelessness of self.'' Which means, of course, that leaders must from time to time put to hazard their own political future in order to do what is right in the long term interests of those they have by solemn oath sworn to serve. Easy to say. Tough to do.

I remember when I first bore personal witness to its doing. It was in December, 1963. Lyndon Johnson had been President but a few short weeks. At that time I was actually living on the third floor of the White House until my family arrived. The President said to me on a Sunday morning, ''call Dick Russell and ask him if he would come by for coffee with you and me.''

Senator Richard Brevard Russell of Georgia was the single most influential and honored figure in the Senate. His prestige towered over all others in those years before the dialogue turned sour and mean. When in 1952, the Senate Democratic leader's post fell open, the other Senators turned immediately to Russell, imploring him to take the job. ''No,'' said Russell, ''let's make Lyndon Johnson our leader, he'll do just fine.'' So at the age of 44, just four years in his first Senate term, LBJ became the youngest ever Democratic leader and in a short time the greatest parliamentary commander in Senate history.

When Russell arrived, the President greeted him warmly with a strong embrace, the six-foot four LBJ and the smallish, compact Russell, with his gleaming bald head and penetrating eyes. The President steered him to the couch overlooking the Rose Garden, in the West Hall on the second floor of the Mansion. I sat next to Russell. The President was in his wing chair, his knees almost touching Russell's, so close did they sit.

The President drew even closer, and said in an even voice, ''Dick, I love you and I owe you. If it had not been for you I would not have been Leader, or Vice President or now President. But I wanted to tell you face to face, please don't get in my way on this Civil Rights Bill, which has been locked up in the Senate too damn long. I intend to pass this bill, Dick. I will not cavil. I will not hesitate. And if you get in my way, I'll run you down.''

Russell sat mutely for a moment, impassive, his face a mask. Then he spoke, in the rolling accents of his Georgia countryside. ''Well, Mr. President, you may just do that. But I pledge you that if you do, it will not only cost you the election, it will cost you the South forever.''

President Johnson in all the later years in which I knew him so intimately never made me prouder than he did that Sunday morning so long, long ago. He touched Russell lightly on the shoulder, an affectionate gesture of one loving friend to another. He spoke softly, almost tenderly: ''Dick, my old friend, if that's the price I have to pay, then I will gladly pay it.''

Of all the lessons I have learned in my political life, that real life instruction in leadership on a Sunday morning in the White House was the most elemental, and the most valuable. It illuminated in a blinding blaze the highest point to which the political spirit can soar. I have never forgotten it. I never will.

COMMEMORATING BLACK HISTORY MONTH

SPEECH OF

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1996

Ms. PELOSI. Mr. Speaker, I thank my distinguished colleagues, Congressmen STOKES and PAYNE, for calling this special order in celebration of Black History Month for choosing this year's theme: African-American Women: Yesterday, Today and Tomorrow. The theme today heralds women who have made distinctive contributions to our country. For every woman from Harriet Tubman to Rosa Parks to Myrlie Evers-Williams who have become household names, there are legions of women from past to present who have made great contributions to their communities with little or no recognition. We are here to honor all of them today.

When we examine this theme, it is only natural that our thoughts would turn to our recently departed friend and colleague Barbara Jordan. Congresswoman Jordan was a formidable force, not only in the African American community, but throughout our country. A champion of liberal causes, she was not only a role model for African American women, but also an inspiration to people of all colors.

Mr. Speaker, I am very fortunate to represent California's 8th Congressional District and to work with many outstanding African-American leaders, both women and men, and community organizations based in the city of San Francisco. These are leaders like Enola Maxwell, who has been a driving force for the Potrero Hill Neighborhood House, guiding and mentoring several generations of neighborhood youth; or like Naomi Gray, who spent many years on the San Francisco Health Commission as an advocate for health care for low-income communities; or like Sharon Hewitt, who recently helped organize a citywide summit to find ways to prevent youth violence among communities of color in San Francisco. These women are working within the community to make it a better place. I applaud their efforts, and the efforts of the many African-American women in my district who are working every day to improve life in the city of San Francisco and in our Nation.

In just a few days, we will end Black History Month and enter a celebration of Women's History Month. Let us continue to acknowledge the accomplishments of pioneering women of the past and promote and support the goals of African-American women present and future. Their struggles deserve credit and recognition every day of the year, not just during Black History Month.

COMMEMORATING BLACK HISTORY MONTH

SPEECH OF

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1996

Mr. CLAY. Mr. Speaker, in keeping with this year's Black History Month theme, ''African American Women: Yesterday, Today and Tomorrow'' I would like to pay tribute to an outstanding St. Louisan who exemplifies the highest values and qualities of leadership in the African-American community, Mrs. Margaret Bush Wilson.

Mrs. Wilson is a St. Louis native who graduated from Sumner High School and received a B.A. degree in economics, cum laude, from Talladega College. She went on to earn her LL.B from Lincoln University School of Law. Mrs. Wilson has been a highly respected jurist in St. Louis for many years and is admitted to practice before the U.S. Supreme Court. She has also taught at the CLEO Institute and St. Louis University School of Law.

Margaret Bush Wilson has dedicated her life to the fight for civil rights and racial equality, carrying on a family tradition of community service. Mrs. Wilson's mother, Berenice Casey, served on the executive committee of the St. Louis NAACP in the 1920's and 1930's and her father, James T. Bush, Sr., a pioneer real; estate broker in St. Louis was the moving force behind the Shelley versus Kraemer case which led to the landmark U.S. Supreme Court decision outlawing racial restrictive housing covenants.

In addition to being a prominent St. Louis leader, Margaret Bush Wilson has served in many national positions. She was national chairperson of the NAACP Board of Directors from 1975–84. She has also served in the following Federal, State, and local posts: U.S. Attorney, Legal Division, the Rural Electrification Administration of the U.S. Department of Agriculture, assistant attorney-general of Missouri, Legal Services specialist, State Technical Assistance Office, War on Poverty; administrator, community services and continuing education programs, title I, Higher Education Act of 1965 in Missouri, and acting director, St. Louis Lawyers for Housing.

Mrs. Wilson actively serves in numerous organizations committed to education and social justice. She is a member of Alpha Kappa Alpha Sorority and is the recipient of many civic and professional awards including honorary degrees from St. Paul's College, Smith College, Washington University, Kenyon College, Talladega College, Boston University, and the University, of Missouri-St. Louis.

Margaret Bush Wilson is a cherished member of the St. Louis community and a distinguished black woman. She has demonstrated a deep understanding of the history of the black community and displayed the highest level of compassion for equal justice. She has truly dedicated her life to improving the future of the black community.

Mr. Speaker. I am honored to salute Mrs. Margaret Bush Wilson, a force for good in our society who has helped changed the course of African-American history.

THE DEATH OF HIS EMINENCE, JOHN CARDINAL KROL, D.D., J.D.C., ARCHBISHOP EMERITUS OF PHILADELPHIA, 1910–96

HON. JON D. FOX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. FOX of Pennsylvania. Mr. Speaker, I rise today to share my thoughts about a great spiritual leader who led the archdiocese of Philadelphia for nearly 30 years.

This week, the city of Philadelphia, the entire Delaware Valley region, the United States, and people throughout the world are mourning the death of one of the great spiritual leaders of our time, John Cardinal Krol, archbishop emeritus of the archdiocese of Philadelphia. He was 85. He came to Philadelphia an unknown bishop from Cleveland. He leaves with friends in the city, the Nation, and around the world.

In my capacity of public service, I have had the great opportunity to know His Eminence. Through my contacts with members of his flock, I have come to appreciate the spirit, dedication, and integrity of a man who was unwavering in his faith in God, his commitment to his church and its people, and his dedication to the Greater Philadelphia area he served. He was a prince of the church who never lost touch with the common man and woman. He was a doctrinal conservative who had compassion for workers and the poor. He was, at once, a man who moved in powerful worldwide circles which dictated the course of Roman Catholicism and international politics and a shepherd whose humble service to God and His people made him a role model for those of all faiths. He served his people and his church with strong, steady, and effective leadership and with great distinction.

The cardinal was born in Cleveland in 1910, the fourth of eight children of John and Anne Krol, Polish immigrants. One day, the cardinal liked to remember, a coworker asked him four questions about Catholicism that he couldn't answer. Annoyed, he began poking around in theology books. Instead of answers, he found more questions. That search for answers led him, at age 21, to the door of St. Mary's Seminary in Cleveland where he enrolled in 1931 as a candidate for the priesthood. There he developed a reputation for scholastic brilliance and was ordained a priest in 1937.

His obvious intelligence and his devotion to God led him to Rome where he studied canon law. He arrived in a Europe restless under the shadow of Adolph Hitler. He visited Poland in 1939 to seek out the birthplace of his parents and managed to flee just before Nazi troops overran the country. Father Krol returned to this country and began further law studies at Catholic University here in Washington. He obtained his doctorate in canon law in 1942.

A year later, he was named vice chancellor of the Cleveland diocese and, in 1951, he became chancellor. In 1953, he was named auxiliary bishop of Cleveland and, later that year, vicar general of the diocese.

It was from this position he was named archbishop of Philadelphia in 1961.

As a public figure in Philadelphia, Cardinal Krol often moved among the wealthy and powerful in public life. Still, those who know him well described the cardinal as shy, compassionate, caring, and most at ease with children and the disabled.

It was at the Second Vatican Council in1962 that Bishop Krol became friendly with Karol Jozef Wojtyla, the Polish priest who would later become Pope John Paul II. The future pope had been born in a town less than 50 miles from where Bishop Krol's parents hailed, and the two could lapse easily into a local Polish dialect that no one around them could understand.

Bishop Krol had been the only American named the year before to serve on a commission preparing for the Vatican Council. His Holiness, Pope John XXIII, called the meeting of all the world's Catholic bishops in an effort to renew the church for life in modern times. It was to be only the 21st such council in the church's history and the first in a century.

It was amid these preparations that Pope John named Bishop Krol to be archbishop of Philadelphia. He succeeded John Cardinal O'Hara, who had died the previous summer. Then the youngest Catholic archbishop in the United States, Krol approached his new job with trepidation. Still, he later recalled that he was given a warm welcome by the priest, religious, and the people of Philadelphia.

A talented administrator, he kept the archdiocese financially secure at a time when even the Vatican was experiencing monetary problems. He ran the five-county archdiocese like a business and responsibly provided for the 1.5 million Catholics who live there. He maintained the Catholic school system, one of the best in the Nation, despite severe economic pressures and a decline in teaching nuns.

At the same time he was administering the archdiocese with great skill, his stature rose in Rome. During the Vatican Council, Pope John made him one of the five under secretaries. In 1967, Pope Paul VI named Archbishop Krol a cardinal, a prince of the church.

In 1971, the cardinal's fellow bishops elected him to a 3-year term as president of the National Conference of Catholic Bishops, solidifying his position as a premier prelate of the Catholic Church in America.

It is widely believed that Cardinal Krol played a key role in the 1978 conclave that elected Wojtyla, then the archbishop of Krakow, Poland, to the papacy. The two remained close friends and Cardinal Krol was one of the few people in the world who could get through to His Holiness on the telephone, giving him unique input to the decisionmaking process of the Roman Catholic Church.

Poland was always an important cause in Cardinal Krol's life. He made radio broadcasts in Polish to his ancestral land for more than 25 years and headed relief efforts during the economic crises of the 1980's when his friend Lech Walesa and the Solidarity movement were challenging Communist rule.

In this country, he offered advice and direction to several American Presidents including Richard Nixon who asked him to deliver sermons in the White House during his Presidency. He offered prayers at two Republican national conventions and traveled extensively to Israel, Egypt, India, Ireland, Jordan, Lebanon, and Poland. He called for Catholics and Protestants to lay down their arms in Northern Ireland and urged both sides to share the language of peace in the Middle East.

In 1972, he concelebrated Mass with Pope John Paul II, then a cardinal, in a field at Auschwitz honoring the Polish priest and martyr St. Maximilian Kolbe, who volunteered to die in place of a Polish Army sergeant.

When the Vatican was faced with staggering deficits in the early 1980's, Cardinal Krol was appointed to a council of 15 cardinals and helped rescue the Holy See's finances. In 1985, Pope John Paul II appointed Cardinal Krol one of three copresidents over the Extraordinary Synod of Bishops, a special conference summoned by the Pope to evaluate the condition of the church 20 years after the close of Vatican II.

Cardinal Krol submitted his resignation to the Pope on his 75th birthday as required by church law. But its acceptance was delayed out of a reluctance to see him step down. Finally, 2 years later, after the cardinal had become seriously ill, the Pope named Cardinal Anthony Bevilacqua, then bishop of Pittsburgh, to succeed him.

On the occasion of his 75th birthday, the cardinal listed among the high points of his tenure in Philadelphia the canonization in 1977 of his 19th-century predecessor, St. John Neumann, the fourth bishop of Philadelphia; the meeting in Philadelphia in 1976 of the 41st International Eucharistic Congress, a major gathering of Catholics from around the world; Pope John Paul II's visit to Philadelphia in 1979 during His Holiness' first trip to the United States; and the development of the new parishes and the construction of new churches.

When many Catholics fled the city of Philadelphia for the suburbs, Cardinal Krol adopted a policy of keeping as many churches and schools open as possible in innercity neighborhoods despite the fact that the majority of the people served by the churches and schools there were not Catholic.

Cardinal Krol also took satisfaction in the establishment in 1981 of Business Leaders Organized for Catholic Schools [BLOCS], an organization of local corporate executives, Catholic and non-Catholic, that raised millions of dollars for Catholic schools.

Cardinal Krol stayed on the job longer after reaching retirement age than any other American bishop.

The Cardinal, whose name in Polish means king, was uncomfortable with the trappings of his office. He disliked pomp and was happiest when he was with the children of his archdiocese or helping the poor.

Over the years, honors have been showered on the prelate. A score of colleges and universities, including all the Philadelphia-area ones, conferred honorary degrees upon him. His biography lists 45 awards, including ones from Poland, Italy, and the Republic of Chad. He received the Philadelphia Freedom Medal, the city's most prestigious award, in 1978.

The last award listed, and perhaps the most revered by Cardinal Krol, was the Commandery with the Star of the Order of Merit, presented by Polish President Lech Walesa in March 1991. Poland's highest award for people of other nations who are not heads of state, it had not been awarded in 52 years.

The health of Cardinal Krol has not been good for years, Mr. Speaker, but he never lost his sense of humor. ''You get tired and you get into a rocking chair and you can't get it started,'' he quipped. But even when his health was not good, Cardinal Krol kept working on behalf of his church and its people. He traveled to Rome to celebrate the elevation of his successor, Anthony Bevilacqua, to the College of Cardinals in June 1991. And last October, he was at Giants Stadium to welcome his dear friend, the Pope, to America.

Cardinal John Krol died on the Feast of Katherine Drexel, the Philadelphia heiress and nun who he sought to elevate to the status of saint.

The woman, known as Mother Drexel, was beatified November 20, 1988, in a ceremony at the Vatican. Beatification is the second-highest honor the Catholic Church can confer, the next-to-last step in the long process toward granting sainthood to a member.

Cardinal Krol, then a retired archbishop, said at the time that the honor was a dream come true.

The quest to honor Mother Drexel began in 1964 when Cardinal Krol approved a request by the Sisters of the Blessed Sacrament that the church consider the possibility of declaring Mother Drexel a saint.

An heiress who lived in poverty as a nun, Mother Drexel gave $20 million to support the church's work among black people and native Americans. I think it is fitting that Cardinal Krol chose such a person to champion. Her spirit was reflected in his life. Her compassion for those in need was mirrored by his own. Her rejection of wealth and status in favor of a life of service was matched by his rejection of earthly trappings in favor of unfailing spirituality.

Unfortunately, Cardinal Krol's friend, Pope John Paul II, will be unable to attend the funeral services in Philadelphia because of security restrictions but he was saddened by the news of his friend's death. His Holiness said, ''I have received news of the death of Cardinal John Krol, with a sense of great loss. With immense gratitude for his fruitful and untiring cooperation with the Holy See from the time of the Second Vatican Council and with me personally throughout my pontificate, I am certain that his memory will live on in the community he so faithfully served.''

Mr. Speaker, the death of John Cardinal Krol was a loss to the archdiocese of Philadelphia and the entire Nation as well as to the Catholic Church, both here in the United States and throughout the world. Cardinal Krol was a quiet, graceful man in life and he was graceful in death. He chose to return home where he died, in his own bed, surrounded by friends, family, and colleagues. By extension, Mr. Speaker, all of us who ever knew him, who ever benefited by his leadership and faith, who ever felt the grace of this man were there as well. He will be missed but his spirit will live on in the lives of all he touched.

H.R. 1645 AND THE FLOODING IN OREGON

HON. JIM BUNN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. BUNN of Oregon. Mr. Speaker, with the recent floods in the Pacific Northwest, one of the things that became clear to me is that there are times when neighbors doing everything they can to help their neighbors just is not enough. These are the times where people need help that only the State and Federal governments can provide, whether that be through the Federal Emergency Management Agency [FEMA] or the National Guard, or any other Government program designed to help those in the most need. In this case, I was lucky enough to witness first-hand the National Guard in Oregon and the important role in saving lives and property. I am very thankful for having that opportunity.

Immediately after the rains, I observed the flood-damaged areas while riding in a National Guard helicopter. During that ride, we found a family stranded. The National Guard used the helicopter to rescue the family and take them to safety. It is actions like this, that happened all across the flooded area, that show how important the Oregon National Guard is to our State. At this time, I would like to submit for the RECORD comments provided by Major General Rees of the Oregon National Guard which further illustrate the need for the National Guard.

HEADQUARTERS, OREGON NATIONAL GUARD, OFFICE OF THE ADJUTANT GENERAL,

Salem, OR, February 26, 1996.

Maj. Gen. EDWARD J. PHILBIN,

Executive Director, National Guard Association of the United States, Washington, DC.

DEAR ED: Knowing the keen interest you and the leadership of the NGAUS have shown in regard to H.R. 1646, I have decided to write this letter to inform you of our experiences in the recent traumatic flooding in Oregon.

I am proud to say that the men and women of the Oregon National guard, Army and Air, responded magnificently. A total of over 1,200 individuals responded, reaching a peak of 750 on duty at one time.

In a similar flooding in 1964 over 70 lives were lost. In 1996, only 4 perished. Technological improvements such as satellite weather, cell phones, et al, played a significant part. However, a modernized National Guard played a huge role in that ''golden'' 24 hours when everyone must get it right or fail. Mud slides and high water made our highway system a shambles. National Guardsmen in many different modes but primarily in modernized aircraft or aircraft with aircrews equipped with night vision devices and thermal imagers executed 68 persons from extremely perilous circumstances.

To those who say that the Guard is in too many communities and needs to reduce, let me say that we would have failed if we had been concentrated only in mega-armories in metropolitan areas. To those who say that we can share resources with other components, let me say thank you, but I need dual-missioned and highly functional units available at a moment's notice and under the Governor's control.

Geographic dispersal, community involvement, familiarity with municipal government, the right mix of modernized capabilities, and unity of command is what the people of Oregon needed and got in their time or peril.

Only the National Guard can deliver that support. I fear that H.R. 1646 may create some false sense that the Army Reserve will ride to the rescue in a dire local emergency in lieu of a diminished National Guard.

Additionally, I must tell you of the support I received from fellow TAG's and the National Guard Bureau. In the response process, the California National Guard put a C–130 with 240,000 sand bags in to Portland Air National Guard base within 6 hours of the request. In the recovery phase, California, Utah, and Washington put units on stand-by (primarily ribbon-bridge companies and water purification units). This was all done without an interstate compact because we made it work without a compact. However, please do not diminish your advocacy of the national compact. Many important questions such as liability and insurance need to be addressed systematically and not on the tarmac with each event.

Finally, I can say that the foresight shown by previous Oregon Adjutants General in selecting force structure paid great dividends. At the heart of our operation was the 41st Brigade and 116th Brigade combat units with their inherent command, control, and communications. Their Table of Organization and Equipment support units of engineer, medical, and MP's were supplemented by force multipliers from echelon above division ARNG aviation, engineers, and transportation units and ANG support units. (I am also pleased to tell you that critical parts for our CH–47D aircraft were delivered ''just in time'' by our OSA ANG C–26.) A truly balanced force of combat, combat support, and combat service support units made the day.

Keep up the fight, we need an informed approach on this issue, not a quick legislative enactment based on an anecdote.

Best regards,

RAYMOND F. REES,
Major General, OR NG,
Adjutant General.

AFFIRMATIVE STEPS OF THE ST. LOUIS FIRE DEPARTMENT

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. CLAY. Mr. Speaker, it is a well-known fact that in spite of the many gains women have made in the workplace, there are still employers who have yet to recognize their talents and reward them accordingly. This is especially true in law enforcement. I am proud to say that St. Louis officials have taken affirmative steps to resolve this problem. Recently, St. Louis Fire Department chief, Neil Svetanics, appointed the department's first woman captain, Gail Simmons, to the busiest engine company in the city.

I want to share the following editorial regarding the St. Louis Fire Department's effort to recruit and hire women. Entitled ''Climbing The Fire Department's Ladder,'' the editorial appeared in the February 2, 1996, edition of the St. Louis Post-Dispatch. It is my hope that the account will enlighten my colleagues who have questions regarding employment politics that target qualified and deserving women and other minorities.

[From the St. Louis Post-Dispatch, Feb. 29, 1996]

CLIMBING THE FIRE DEPARTMENT'S LADDER

With the elevation of women to the ranks of captain in both the city's Fire and Police departments, it now seems rather ludicrous that society used to ask whether females were capable of becoming police officers and firefighters.

Eventually the question became why so few of them held such jobs. That was the issue the Department of Justice raised during the 1970s to prod fire and police departments across the country to hire more women.

Just recently, the city's Fire Department reached a milestone of sorts by appointing the first woman captain in 139 years. She is Gail Simmons.

Capt. Simmons is one of 118 captains; she's assigned to the city's busiest engine company, No. 28, at 4810 Enright Avenue. Chief Neil Svetanics wants to go further. His goal, he says, is the appointment of the city's first female batallion chief. Whereas a captain commands a fire truck, a batallion chief supervises five firehouses within a district. Reaching that goal will necessarily mean the department will have to accelerate it's recruitment and hiring of women. They now number 10 in a city firefighting force of about 700.

Police Board President Anne-Marie Clarke adds that recruitment of more women is a priority. The department already is way ahead of the Fire Department when it comes to hiring women.

They make up roughly 12 percent of the city's police force, and the board already has

promoted a woman. Antoinette ''Toni'' Filla, to the rank of captain. A 21-year veteran, she commands the Eighth District and formerly headed the internal affairs division.

Capts. Simmons and Filla don't regard their achievements as all that special. But they are special in one important sense. As trailblazers, these two have opened the doors for others who will be less stigmatized by the old question of whether women are physically capable of being cops and firefighters.

A TRIBUTE TO LOUISE ST. JEAN

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention the fine work and outstanding public service of Louise St. Jean. Louise, the department of economic and community development's executive secretary, is retiring at the end of March after 23 years of exemplary service with the County of San Bernardino in California.

Louise was born in San Bernardino at St. Bernardine Hospital. As the youngest of eight children, she was raised on a 100-acre farm in Bloomington where her dad grew boysenberries. Her mother, who is 91, still lives in Bloomington.

Louise began her professional work with San Bernardino County in 1973 as a clerk with the transportation/flood control department. She was promoted in 1975 and served with the county surveyor's office. A short time later, Louise returned to the county and in 1985 was promoted to executive secretary to the director of Economic and Community Development.

Louise was recognized as the department's County Employee of the Year in 1994 by the board of supervisors. She was particularly instrumental in facilitating the public sector approval process for the issuance of over $800 million in tax-exempt housing and industrial development bonds to finance new homes, apartments, and commerce in San Bernardino County.

Louise is also well known for her versatility and professionalism which has allowed her to assume many diverse responsibilities. While she has served primarily as the secretary to the ECD director, she was also the secretary for the county's appointed economic and community development commission and secretary to the Agua Mansa Growth Association comprised of elected officials from the cities of Colton, Riverside and Rialto and the Counties of San Bernardino and Riverside.

Mr. Speaker, I ask that you join me, our colleagues, Louise's husband Ed, their family, and many friends in wishing her many more years of happiness and success in writing that book she has always wanted to write. It is only appropriate that the House recognize Louise St. Jean today for her many years of dedicated service to San Bernardino County.

TRIBUTE TO JIM ELLIOTT

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. KLECZKA. Mr. Speaker, I rise today in tribute to Jim Elliott of Milwaukee, who after 39 years in the labor movement, 22 of them as president of the Milwaukee Building and Construction Trades Council, AFL–CIO, recently retired.

After serving his country in the Air Force, Jim returned to Milwaukee and began working at Otis Elevator, where he joined the Elevator Constructors Local 15. Five years later, while still at Otis, following his parent's examples of union activism and involvement, he was elected full-time business manager for the union, a post he held for 18 years. In 1974, Jim put his years of union experience to work once again and was elected president of the Milwaukee Building and Construction Trades Council, the post he held until his retirement just last month.

During his distinguished career, Jim has served his union brothers and sisters well in various capacities, including the United Way of Greater Milwaukee; the Greater Milwaukee Committee; the Wisconsin Board of Vocational, Technical and Adult Education; the Milwaukee County Labor Council, AFL–CIO; and the University of Wisconsin Board of Regents.

Best wishes, Jim, to you and Sandy, and to your children and grandchildren. Enjoy your well-deserved retirement and thanks for everything over the years. God bless.

PERSONAL EXPLANATION

HON. STEVE C. LaTOURETTE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. LATOURETTE. Mr. Speaker, unfortunately, yesterday I was unavoidably detained. As a result, I was unable to vote on rollcall No. 44. However, had I been able to vote, I would have voted ''yes.''

I ask unanimous consent that my statement appear in the RECORD following rollcall vote No. 44.

HEALTH INSURANCE REFORM BILL

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Ms. WOOLSEY. Mr. Speaker, I rise today in strong support of the Kennedy-Kassebaum-Roukema health insurance reform bill. Of the more than 43 million Americans who still have no health insurance, 21 million lack coverage because of preexisting conditions. An additional 4 million must stay in their jobs because they fear losing coverage if they leave.

The Roukema bill will expand the availability of health insurance by eliminating preexisting condition restrictions and guaranteeing portability. Americans who want to change jobs will no longer be locked into their current jobs because they fear they will lose their health insurance.

Of course, we should continue our efforts to enact comprehensive health care reform legislation that will control costs and ensure universal coverage. While the Roukema bill is by no means the solution to our Nation's health care crisis, it is a good start.

In his State of the Union Address, President Clinton said he would sign the Kennedy-Kassebaum-Roukema bill, and he urged Congress to take quick action on this legislation. The House of Representatives has an opportunity to move the Roukema health care reform bill one step closer to the President's desk by passing it as soon as possible. Unfortunately, some Members of this body want to delay enactment of these much-needed reforms by loading the Roukema bill down with controversial provisions.

Mr. Speaker, we can't afford to let this modest, but essential health care reform plan fall by the wayside. The American people need this health care reform bill, and they need it now. I urge my colleagues to support the Roukema health care reform bill.

A TRIBUTE TO PHYLLIS L. PETERSON

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. MILLER of California. Mr. Speaker, I rise today to pay tribute to Phyllis L. Peterson, who is retiring after 12 distinguished years as president of Diablo Valley College in Concord, CA.

Dr. Peterson's career began 37 years ago as a high school French teacher. She later was recruited into community college administration at De Anza College in Cupertino, CA, and later at Cuyamaca College in San Diego County.

In 1984, Dr. Peterson became the fourth president of Diablo Valley College. During her illustrious career at DVC, she helped develop the Center for Higher Education at DVC's satellite center in San Ramon, CA, and led the college to its highest enrollment of 23,000 students. She guided the college's faculty and staff into an era of shared governance and provided the vision for DVC's nationally acclaimed instructional program.

Dr. Peterson has proven herself a leader in higher education. In 1993, she served as head of the Chief Executive Officers of the California Community Colleges. The University of Texas Community College Leadership Program recognized her as an outstanding community college president and the Association of California Community College Administrators honored her with the Harry Buttimer Distinguished Administrator Award.

Through her accomplishments as a teacher and administrator, Dr. Peterson embodies the very best in our educational leadership. I personally want to thank her for her years of dedicated service to the education community and wish her the very best in the future.

RECOGNITION OF NATIONAL SPORTSMANSHIP DAY

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. KENNEDY of Rhode Island. Mr. Speaker, I rise today in support of National Sportsmanship Day, March 7, 1996. Since 1991, student athletes from across the country have come together to celebrate sportsmanship,

and the importance of fairness, character, and ethics in athletics at all levels. Parents, teachers, coaches, and students of all ages will spend this day participating in creative activities that will emphasize the rewards of being a good sport. Teamwork, cooperation, honesty, and integrity are the themes of the life lessons that are learned by the young people who take part in this day.

For the past 6 years, the Institute for International Sport, located at the University of Rhode Island, has worked hard to help establish greater awareness in the area of physical fitness. In addition to National Sportsmanship Day, the institute works all year to promote initiatives like the Student-Athlete Outreach Program, where student-athletes from high schools and colleges travel to local elementary and middle schools to serve as positive role models and promote good sportsmanship.

I am proud to offer my support to programs like this that provide students of all ages the opportunity to develop the skills that will help them through life. I would like to acknowledge the parents, teachers, coaches, participants, and especially those individuals who have committed their time and efforts to broaden participation in the arena of friendly competition and sportsmanship.

THE CARDIAC ARREST SURVIVAL ACT OF 1995

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. STUDDS. Mr. Speaker, today I rise to introduce the Cardiac Arrest Survival Act of 1995. This legislation would encourage greater training of citizens and professionals who respond first to victims whose heart suddenly stops, known as cardiac arrest, or other cases of serious trauma injury. It would expand the number of health professionals and members of the lay public who are trained to perform life savings techniques, such as cardio-pulmonary resuscitation [CPR], rescue breathing, relieving airway obstruction, and other first aid techniques.

Each year, approximately 350,000 people die when they suffer cardiac arrest. Less than 5 percent of people suffering cardiac arrest outside of a hospital survive, according to the American Heart Association.

I know we can do better than this. We owe it to ourselves and our loved ones to try. For instance, in Seattle, where CPR training is required for high school students, cab drivers, and Seattle sports arena vendors, and is offered free to anyone who wants it, a person is five times more likely to survive a cardiac arrest than in most other parts of the country. In Seattle, the average survival rate for cardiac arrest is 29 percent and rises to 40 percent for victims who receive the quickest emergency response.

As a member of the Health Subcommittee, I have received evidence that strongly suggests that we should be training more people to learn CPR. Merely eight States currently require elementary and secondary school teachers to be trained in CPR and first aid before receiving a teaching certificate. Only 15 States demand that athletic coaches know CPR, while 16 States require students to learn CPR.

But even if we expand these programs, we must ask, ''Are we training the right people?'' A recent study of CPR training courses by Dr. Nisha Chandra, a Johns Hopkins researcher and member of the American Heart Association's Emergency Cardiac Care Committee, found that three out of four of those participating in an American Red Cross CPR training course were under age 40. However, the people most likely to be called on to use CPR in the home, where 70 percent of cardiac arrests occur, are those between 50 and 70. We should be training more older Americans to perform CPR.

The need for CPR training is particularly acute in the 10th Congressional District of Massachusetts where there is a high proportion of elderly residents. I believe it is essential to increase public awareness of this issue. In fact, many of my congressional staff have received CPR training.

But, according to the American Heart Association, CPR training is not enough. To increase survival after cardiac arrest, a sequence of events needs to occur, including early CPR response—within 4 minutes—opening airways and providing oxygen, administering electric shock, known as defibrillation—to restore heart rhythm—and medication. Each of these activities must be successfully linked in a chain of survival. Any weak link in this chain undermines the likelihood of success.

This legislation I am introducing today would encourage States to increase CPR and life saving first aid training for anyone likely to be in frequent contact with people at high risk of cardiac arrest, such as health professional, police and fire personnel, athletic coaches, and lifeguards. In addition, States would be encouraged to train members of the lay public, such as school teachers, high school students, licensed professionals, and even anyone applying for a driver's license.

The Secretary of the Department of Health and Human Services would be directed to develop recommendations to States regarding how to increase training in CPR and other life saving techniques and who should be trained. The Secretary would make recommendations regarding how to increase the availability of automatic external defibrillators on ambulances, in large public buildings, and at large public gatherings, such as sports events.

The Secretary would also recommend approaches to reduce the cost of liability insurance associated with defibrillators to make them more affordable and available. The Secretary would study options for self-insurance by the Federal Government for defibrillators it buys and consider the advisability of establishing an industry funded compensation fund to pay claims arising from devices purchased by private entities.

Finally, the Secretary would monitor the frequency of cardiac arrest and survival and report to the Congress regarding improvement in these areas.

This legislation would not mandate any State or local actions and would authorize only the funds necessary to carry out authorized Federal activities.

I urge my colleagues to join the American Heart Association, the American Red Cross, the American Association of Critical Care Nurses, and the National Association of EMS Physicians in support of this potentially life saving legislation.

COMBATING TERRORISM

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. SOLOMON. Mr. Speaker, I would like to take this opportunity to condemn in the harshest terms the recent wave of suicide-bomb attacks in Israel. These cowardly attacks, carried out by Hamas, indiscriminately maimed and killed hundreds of innocent civilians and must be stopped. How many times must Israel watch her children be butchered in the street while she stands by idly in the name of peace? How long would the United States tolerate this level of terror if these scenes were played out in the streets of New York or Washington?

The time has come for Chairman Arafat and the Palestinian Authority [PA] take action against the perpetrators. If Chairman Arafat is serious about achieving a lasting peace in the Mideast and Palestinian self-determination, then he must step forward and honor his commitment to combat terrorism in areas under controlled of the PA. It is time to start disarming Hamas and apprehending the perpetrators of these heinous crimes. If Chairman Arafat and the PA hope to further appeal to the United States and international community for financial assistance they must send a clear and unmistakable message to Hamas and other terrorist groups that they are not welcome and further attacks on Israel will not be tolerated.

In closing let me send my heartfelt condolences to the friends and families of victims of these horrible bombings and assure the people of Israel that the United States of America is firmly committed to combating terrorism and its roots abroad.

A TRIBUTE TO DR. LEONARD BAILEY

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. LEWIS. Mr. Speaker, I would like to bring to your attention the fine work and outstanding public service of Dr. Leonard Bailey of Loma Linda, CA. On March 12, Dr. Bailey, a pioneer in infant heart transplants, will be appropriately honored for his contributions to the health of children, with the dedication of a 10-acre park named in his honor in Loma Linda.

Dr. Bailey is a world famous authority on infant cardiac transplantation and his education, training, and professional accomplishments are very well known. In 1984, Dr. Bailey first received attention with the transplantation of a baboon heart into a 12-day-old girl. While the infant, known around the world as Baby Faye, died 3 weeks later, she was the first of many infant heart transplants. Eddie Anguiano—who was known as Baby Moses when he was given a human heart transplant as a four-day-old baby in 1984—is today a healthy, active youngster as a result of Dr. Bailey's work.

Dr. Bailey is chairman of the department of surgery and surgeon-in-chief of the Loma Linda University Children's Hospital. He is professor of surgery in the School of Medicine of

Loma Linda University and directs surgical training programs at the University Medical Center.

In 1989, the city of Loma Linda purchased a 10-acre parcel of land adjacent to the Bryn Mawr Elementary School. Elmer Digneo, then mayor of Loma Linda, suggested that because the park was adjacent to an elementary school, it be named after Dr. Bailey for his lifelong dedication to the health of children. On February 13, 1990 the local city council officially named the park the Leonard Bailey Park. Work is now underway to provide diverse recreational use—a baseball diamond, tennis courts, a full-sized soccer field, facilities for little league baseball, and others—at the park. Dr. Bailey joins Mayor Digneo and Hulda Crooks as two local citizens distinguished by parks named in their honor.

Mr. Speaker, I have known Dr. Bailey and have admired his work for a great many years. A photograph of Dr. Bailey and many of the children he has provided with a second chance, hangs proudly in my office. I ask that you join me, our colleagues, and many of Dr. Bailey's friends and colleagues in recognizing his remarkable achievements at the official dedication of the Leonard Bailey Park in Loma Linda.

SALUTE TO MARGARET BUSH WILSON

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. CLAY. Mr. Speaker, in keeping with this year's Black History Month theme, ''African-American Women: Yesterday, Today and Tomorrow'' I would like to pay tribute to an outstanding St. Louisan who exemplifies the highest values and qualities of leadership in the African-American community, Mrs. Margaret Bush Wilson.

Mrs. Wilson is a St. Louis native who graduated from Sumner High School and received a B.A. degree in economics, cum laude, from Talladega College. She went on to earn her LL.B. from Lincoln University School of Law. Mrs. Wilson has been a highly respected jurist in St. Louis for many years and is admitted to practice before the U.S. Supreme Court. She has also taught at the CLEO Institute and St. Louis University School of Law.

Margaret Bush Wilson has dedicated her life to the fight for civil rights and racial equality, carrying on a family tradition of community service. Mrs. Wilson's mother, Berenice Casey, served on the executive committee of the St. Louis NAACP in the 1920's and 1930's and her father, James T. Bush, Sr., a pioneer real estate broker in St. Louis was the moving force behind the Shelley vs. Kraemer case which led to the landmark U.S. Supreme Court decision outlawing racial restrictive housing convenants.

In addition to being a prominent St. Louis leader, Margaret Bush Wilson has served in many national positions. She was national chairperson of the NAACP Board of Directors from 1975 to 1984. She has also served in the following Federal, State, and local posts: U.S. attorney, legal division, the Rural Electrification Administration of the U.S. Department of Agriculture, assistant attorney-general of Missouri, legal services specialist, State Technical assistance Office, War on Poverty; administrator, Community Services and Continuing Education Programs, title I, Higher Education Act of 1965 in Missouri, and acting director, St. Louis Lawyers for Housing.

Mrs. Wilson actively serves in numerous organizations committed to education and social justice. She is a member of Alpha Kappa Alpha Sorority and is the recipient of many civic and professional awards including honorary degrees from St. Paul's College, Smith College, Washington University, Kenyon College, Talladega College, Boston University, and the University of Missouri-St. Louis.

Margaret Bush Wilson is a cherished member of the St. Louis community and a distinguished black woman. She has demonstrated a deep understanding of the history of the black community and displayed the highest level of compassion for equal justice. She has truly dedicated her life to improving the future of the black community.

Mr. Speaker, I am honored to salute Mrs. Margaret Bush Wilson, a force for good in our society who has helped change the course of African-American history.

TECHNOLOGY FOR EDUCATION AND TRAINING

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 1996

Mr. HAMILTON. Mr. Speaker, I am inserting my Washington Report for Wednesday, March 6, 1996 into the CONGRESSIONAL RECORD.

TECHNOLOGY FOR EDUCATION AND TRAINING

Although the Indiana economy has shown some strengths in past months, I sense a great deal of unease as I travel around the 9th District. People are concerned about the economy and job security, and worry about their future and their children's future. And this is not just in Indiana. Many people across the country are uneasy about their economic future in the new global economy that means stronger competition and rapidly advancing technology. Hoosiers are interested in what it will take to better prepare themselves in this new global job market. One idea getting increased attention—especially for rural areas—is distance learning through sophisticated computer links.

OPPORTUNITIES

We often hear of the cyberspace revolution, the Internet, the Web, and going on-line. Behind the new and often confusing terminology is the potential to significantly upgrade the skills of Hoosier students and workers. The economy increasingly demands a workforce that is well-educated, particularly in math and science, and has important communication and computer skills. Rural areas, such as in southern Indiana, often do not have the resources to build new training or education facilities, but can get the latest information and expertise through telecommunications and computer technologies.

''Distance learning'' means using a variety of technologies to reach learners hundreds of miles away. Instead of traditional, instructor-led classroom teaching, people could learn through self-directed and interactive courses run through multi-media computers. Thus, for example, teachers in elementary and secondary schools could bring the vast resources available on the Internet to our students, such as accessing the latest news stories or taking them on a ''virtual field trip'' through the Amazon rain forest without ever learning their class-room. College students could tap into courses being taught at distant campuses in areas such as life sciences, business management or engineering technology. Someone working during the day could spend some time at a business or industry site to improve skills in everything from speech communication to computer-aided design.

FEDERAL GOVERNMENT EFFORTS

The federal government helped lay the groundwork for the Internet, the worldwide connection of computers at libraries, universities, governments, and businesses. It is also helping to build the Information Superhighway—including Indiana's version, Access Indiana—which will make access to the Internet much easier.

The National Science Foundation recently funded the Rural Datafication Project, a nineties version that brought electricity to rural areas some sixty years ago. This project is to determine how rural communities spread over large areas can be given access to the Internet. The federal government also helps promote distance learning and rural student access to previously unavailable courses.

President Clinton recently announced an initiative that makes upgrading the technological literacy of our young people a high priority for his administration. He has proposed creating a $2 billion seed money fund that would help connect all U.S. schools and libraries to the Internet.

INDIANA EFFORTS

In Indiana, Governor Bayh has undertaken several initiatives to improve distance learning and computer use in the schools.

Indiana now ranks among the top ten states in the ratio of students to computer. Indiana is also among those states which have state-supported telecomputing networks for K–12 instruction, and several K–12 schools in the 9th District have already made their debut on the World Wide Web with their own Home Pages posting a variety of information on school activities and educational material.

The Indiana Higher Education Telecommunications System (IHETS) operates a satellite-based TV network that delivers its programs to 300 sites across the state, including 100 K–12 schools, 48 business and industry sites, and 33 hospitals. Most of the programming allows for ''live interaction'' of students off-campus.

The Indiana Partnership for Statewide Education (IPSE), a consortium of Indiana's independent and public higher educational institutions, is developing programs to bring higher education courses via satellite, cable TV, and computers to citizens wherever they may live. It is already offering 300 degree and non-degree courses throughout Indiana. The offerings include undergraduate and graduate, continuing education, professional development, and independent study courses.

Indiana is also active in the Rural Datafication Project, with a site in Moores Hill hosted by the Southeastern Indiana Rural Telephone Cooperative providing an Internet access program. Another project initiated by the Wilson Education Centers in Jeffersonville has connected to the Internet 180 school buildings in 12 counties in the southeastern corner of our state. Various state grants are available to help schools and communities hook up to the Internet.

ASSESSMENT

The solution to the challenge of upgrading the education of our children and the skills of our workers cannot be found in technology alone. But there is no doubt in my

mind that we must take advantage of what technology has to offer. Indiana is taking some important steps to improve its distance learning programs, and these need our support, especially for the rural areas of our state. We cannot afford to have another two-tiered population—those who have access to the information highway and those who do not.

But we need more than technology and hookups. We also need a sustained dialogue among students, teachers, businesses, and community leaders to formulate a workforce development policy that is best suited for the particular needs of our region. Businesses interested in expanding their operations in southern Indiana have to play a role in defining the skills they expect from potential employees. Similarly, teachers know our strengths as well as weaknesses, and are crucial in defending curriculum and teacher training in the new technology so it becomes an integral part of instruction. Combining these recommendations with inputs from the community, we can build on and enhance the various programs already in the works.

Few things are more important to me than the education of our children and good jobs for our communities. Distance learning and improved computer links will play an increasingly important role in our efforts to upgrade our students' and workers' skills. It is an investment in our future worth making.

SALUTE TO THE FEDERATION OF DODECANESE SOCIETIES

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mrs. MALONEY. Mr. Speaker, I rise today to bring to the attention of my colleagues a philanthropic organization that traces its roots back to the Dodecanese Islands of Greece. The Dodecanese Islands include Rhodes, Kos, Patmos, Kasos, Symi, Kalymnos, Haiki, Tilos, Astypalea, Kastelorizo, Nisyros, Karpathos, and Leros. These historic islands housed the Colossus of Rhodes and are where Hippocrates, the father of medicine, founded the first western medical school. These islands are prominently mentioned in Greek history and legend.

When migrating to the United States, the Dodecanese Greeks brought with them their love of Hellenic culture and Democracy. They were the first to form an antifascist movement, in New York City, after Mussolini's ascension to power in Italy. The movement's members played a major role in the liberation of the islands from Italy and Turkey. The Dodecanesians who love democracy and freedom, not only fought in Greece, they served in the armies of Abysinnia, Spain, and the American military on all fronts in the Second World War.

On March 7, 1996, the members of the Dodecanese Societies in my district together with all the members and friends of the society will celebrate the 48th anniversary of the unification of the islands with Greece. The members of the Dodecanese Societies are unique individuals who love their Greek heritage and the United States. They take the best of both worlds, to create a true cultural blend, that is better than the individual.

Today, the society continues its positive role. The Federation serves as a link to the Hellenic past and a springboard to the future. Under the presidency of Professor Christopher I. Koronieos, the organization is concentrating on its young since those individuals will play an important role in the growth and success of the United States. But, they do not forget their heritage and will always fight for freedom and human rights, be it in New York or Imia.

So I ask my colleagues to join me in congratulating the Federation of Dodecanese Societies for their past accomplishments and future endeavors.

CELESTIAL ECONOMICS

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. JACOBS. Mr. Speaker, the great Sid Taylor of the National Taxpayers Union Foundation takes pen in hand once more, and hits the bull's eye.

CELESTIAL ECONOMICS

(By Sid Taylor, Fiscal Poet)

We had a bitter standoff
But, the controversy is through.
We're going to balance the budget
In the fiscal year of 2002.
So, now there's no need to worry,
Our national debt is fine,
The White House and Congress
Agree on a $5 trillion credit line.
The deficits don't really matter,
They're just a little more red ink,
So, like the sinking of the Titanic
$164 billion won't put us in the drink.
Now, about those interest payments
To finance our national debt,
They're only $333 billion a year
So, there's no need to get upset.

SCHOOL PRAYER

HON. DAVID FUNDERBURK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. FUNDERBURK. Mr. Speaker, I believe our leadership should express its concern about the despicable act of an Atlanta TV station toward one of our Presidential candidates. I, for one, regret the way Alan Keyes was treated by being handcuffed and shoved in a parking lot. While I have made no endorsement in this primary, the profamily and provalues message of Alan Keyes deserved to be heard in the Georgia debate.

The 104th Congress has spent its first year addressing economic issues. While these issues are of vital importance to American businesses and families, let us not forget the contract with American families. Especially in the absence of White House leadership, it is now time for us in the second session of the 104th Congress to address the moral and spiritual crisis facing America. The breakdown of families and the disregard of moral values are at the very root of our economic woes.

Many Federal programs may have contributed to increased drug use, promiscuity, breakup of the traditional family unit, alternative lifestyles, and reliance on Government rather than work and individual responsibility. It's time the Federal Government sends our young people and families a clear message regarding values such as hard work, discipline, respect for human life, individual responsibility, and the sanctity of marriage. And since we can still begin each day with prayer in the U.S. House, it's time we return prayer to our schools.

TRIBUTE TO CARDINAL JOHN KROL

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to pay tribute and honor Cardinal John Krol. One of the Philadelphia region's dearest religious leaders, Cardinal Krol passed away early Sunday morning at his home in Pennsylvania.

Born on October 26, 1910, in Cleveland, OH, Cardinal Krol's beginnings were humble and his aspirations never lofty. All that he ever wanted was to be a priest so that he could better serve God and people. During his 27 years as Archbishop of Philadelphia, the Nation's sixth largest archdiocese, Cardinal Krol accomplished that goal, helping to create a better life for the residents of the Delaware Valley and everyone whose lives he touched.

As Archbishop, his accomplishments in the Archdiocese of Philadelphia were great. During his tenure, over 100 new churches were built, the Catholic school system was extended far into the suburbs, and services for refugees, the elderly, youth, and the hungry were expanded.

Best known for his strict conservatism on matters of Church doctrine, such as his opposition to the ordination of women and his strong stand against abortion, Cardinal Krol was steadfast in his beliefs. However, he also pursued a social policy that championed the rights of workers and the poor. Additionally, Cardinal Krol reformed the confusing and cumbersome annulment process in the archdiocese for Catholics who were trapped in marriages without love.

Cardinal Krol is also well known as being a close friend of Pope John Paul II, and by some accounts was instrumental in his election as the first Polish pope by the Cardinal College in 1978. While Pope John Paul II is credited by some as playing a pivotal role in freeing Poland and Eastern Europe from communism, Cardinal Krol also worked to achieve those same goals. Of Polish ancestry himself, Cardinal Krol often made Polish-language broadcasts on Radio Free Europe. Additionally, Cardinal Krol, like Pope John Paul II, supported Lech Walsea and Solidarity in their ultimately successful anti-Communist activities.

A great religious and spiritual leader, Cardinal Krol will be remembered in the hearts of the people of Delaware Valley for many years to come. Mr. Speaker, at this time, I ask my colleagues to join me in paying tribute to the late Cardinal John Krol. He will be greatly missed by his family, friends, and all of the people of the Philadelphia area.

LEGISLATION TO REAUTHORIZE THE SAFE DRINKING WATER ACT

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. POMEROY. Mr. Speaker, I rise today to discuss a bill I introduced to reform the Safe Drinking Water Act [SDWA]. This bill, which is identical to legislation passed unanimously by the Senate, would cut burdensome regulations, eliminate unnecessary testing requirements, and assist communities in making sure their drinking water is clean and safe.

Since I was elected to Congress, I have been working to pass legislation to reauthorize and reform the Safe Drinking Water Act. During the 103d Congress, I joined Congressman Slattery and others in introducing H.R. 3392 which passed the House and was the main bill around which negotiations centered. Unfortunately, Congress adjourned before final action could be completed. I am hopeful that with the overwhelming support this bill received in the Senate, swift action will be taken in the House in the near future.

Over the past 3 years, I have visited several small water systems in North Dakota. Through my visits and conversations with system operators, I have become very familiar with the workings of this law. Many small and rural water systems simply cannot comply with these mandates—they don't have the technology and they don't have the resources. This law has driven many North Dakota communities to the edge of bankruptcy, while others have had to ignore the law in order to survive financially.

I firmly believe the rules of SDWA should fit the communities it is designed to serve. The original law was based on large water systems and subscribes to a one-size-fits-all approach to the problem. I believe a more prudent approach is to take the actual threat to public health into consideration and allow communities to target scarce resources to those needs.

This bill does just that. It reduces the regulatory burden imposed on States and public water systems, increase State authority and flexibility, provides financial assistance for unfunded mandates, and directs the Environmental Protection Agency to consider costs and benefits when setting new standards. Importantly, small systems are given special consideration under the legislation. The bill requires the EPA to consider system size when determining the best available technology to address a risk, permits States to issue variances, and provides for technical assistance grants.

Of particular concern to me regarding the current law are the arbitrary numbers of specific contaminants that must be regulated—without regard to the risk they present. Currently, communities must monitor for 83 contaminants and the EPA will require monitoring for 25 more contaminants every 3 years. The bill passed by the Senate and which I have introduced eliminates this requirement and establishes a process for EPA to select and list contaminants for regulatory consideration based on occurrence and health effects.

I am hopeful that the House of Representatives will follow the Senate's lead and take swift action to move this bill.

SPECIAL APPLICATION OF SECTION 1034 OF THE INTERNAL REVENUE CODE

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mrs. MINK of Hawaii. Mr. Speaker, today I introduced a bill to provide for a special application of section 1034 of the Internal Revenue Code of 1986.

According to section 1034 of the Internal Revenue Code: If a property used by the taxpayer as his principal residence is sold by him and, within a period beginning 2 years before the date of such sale and ending 2 years after such date, property is purchased and used by the taxpayer as his principal residence, gain from such sale shall be recognized only to the extent that the taxpayer's adjusted sales price of the old residence exceeds the taxpayer's cost of purchasing the new residence.

When Hurricane Iniki hit on September 11, 1992, the island of Kauai was totally devastated. Thousands lost their homes along with all of their possessions. The hurricane destroyed documents and caused numerous other problems. The crisis left the County of Kauai unable to process claims already in progress in the usual timely fashion. As a result, the 24 month IRS rollover period permitting nonrecognition of gain, on Ms. Rita Bennington's sale of her old principal residence, expired. The delays caused by the disaster are well documented, however the IRS code has no leniency for such unforeseen circumstances.

My constituent, Ms. Rita Bennington, purchased her new residence within the meaning of section 1034, however was unable to meet its requirements with respect to the sale of her old principal residence, due to the delays caused by Hurricane Iniki. This bill would allow her 2.5 years, instead of 2 years, to complete the transaction thereby allowing her to apply nonrecognition of gain provisions to the sale of her old principal residence.

Natural disasters are truly unfortunate. Nevertheless, individuals who suffer as a direct result of such destruction should not be additionally penalized with the denial of an expected tax deduction. Such circumstances should be given legislative relief.

Mr. Speaker, I urge the immediate consideration of this legislation.

IT IS TIME TO STOP THE FLOW OF ILLICIT DRUGS IN THE UNITED STATES

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. SHAW. Mr. Speaker, I rise today to introduce legislation that will authorize the imposition of trade sanctions on countries which threaten the health and safety of U.S. citizens by failing to cooperate fully with the United States regarding the reduction and interdiction of illicit drugs.

The United States has been saturated by a flood of illegal drugs which has resulted in our national security being seriously threatened. Startling new statistics reflect a resurgent drug crisis and a sharp increase in the use of heroin, cocaine, and crack cocaine, LSD, and marijuana by our children—usually between the ages of 12 and 17. We have attempted to fight the drug war by creating joint Federal-State-local task forces and with the Department of Justice's Weed and Seed sites, and by passing strict sentencing laws for drug traffickers.

Now it is clear, however, that we must not only have a tough domestic drug policy, such as by enforcing minimum mandatory sentences for drug traffickers, we must also take our fight across our borders into other countries. We need to send a strong signal to all foreign governments that we are serious about our war on drugs.

Despite the increase of drug use this past year, the administration continues to grant significant trade benefits to countries whose governments have failed to cooperate with the United States in drug interdiction efforts. Clearly, Members of Congress must now assume this responsibility and ban together to protect our country and children from these drugs.

My bill authorizes the imposition of trade sanctions on countries that fail to cooperate fully with us to stop the flow of illicit drugs. Reducing U.S. trade benefits will make foreign governments that willingly allow these drugs to end up on American streets and in American schools to think twice before they look the other way while drug kingpins in their country cultivate and or transport cocaine right before their eyes.

I urge my colleagues to cosponsor this important legislation and send a strong message to foreign countries that the United States is serious about halting the flow of illicit drugs.

EXTENSION OF AGENCY RULEMAKING PERIOD UNDER TITLE I OF THE INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. MILLER of California. Mr. Speaker, today I am introducing a simple bill that amends title I of the Indian Self-Determination and Education Assistance Act. The act, which was enacted in 1975, empowers tribes and tribal organizations to take over the operation of Federal programs that directly benefit American Indian and Alaska Native tribes. In giving tribes greater control of the programs which affect their lives on a daily basis, we sought to foster true Indian self-determination as well as to limit the growth of the attendant Federal bureaucracy which had sprung up around the Federal Indian programs.

In the 103d Congress, we amended the Indian Self-Determination Act in response to the 6-year refusal of the Departments of the Interior and Health and Human Services to promulgate rules to carry out certain provisions in the act. Through the Indian Self-Determination Act Amendments of 1994, we streamlined the contracting process, curbed the Departments' rulemaking authority, and required the Departments to negotiate new regulations with the Indian tribes.

In order to prevent any further agency intransigence in promulgating regulations pursuant to the Departments' remaining rulemaking authority, the 1994 amendments contained a sunset provision which terminates the Departments' ability to issue regulations if they fail to do so within 18 months of the date of enactment. The Departments' rulemaking authority is set to expire on April 25, 1996.

Since enactment of the 1994 amendments, the tribes and the Departments have proceeded to negotiate a draft set of regulations to carry out the terms of the act. Although the tribes and the Departments finished work on the draft regulations by the end of October 1995, the two Government shutdowns and a spate of bad weather prevented the agencies from publishing the proposed regulations until January 24, 1996. The 60-day public comment period runs until March 25. The tribes and the Departments have both committed to a final meeting prior to publication of the final regulations in order to review, discuss, and reach a consensus regarding the comments received by the Departments.

The tribes and the Departments both fear that there will not be enough time to conduct a final meeting and allow for adequate agency review and integration of tribal comments into the final regulations by April 25. The tribes and agencies are in agreement that they are better off with the negotiated regulations than with no regulations at all. Thus, the tribes and the Departments have asked Congress to amend section 107(a)(2)(B) of the Indian Self-Determination Act to extend the sunset provision by 2 months.

Mr. Speaker, that is what this bill does. I would like to note that not only does this bill have the support of the Indian tribes and the administration, but it enjoys bipartisan support in the Congress. I urge my colleagues to support its swift passage.

THE RICKY RAY HEMOPHILIA RELIEF FUND ACT: HELPING THE VICTIMS OF HEMOPHILIA-ASSOCIATED AIDS

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. STUDDS. Mr. Speaker, I would ask each of my colleagues to imagine that you are the parent of three fine sons, each of whom has inherited the gene for hemophilia. Then imagine, if you can, that each of your sons acquires the AIDS virus through a contaminated blood transfusion. Your first son dies at age 40; the second, at 37, and your surviving son is very sick. Among them, they have nine children—your grandchildren—all of whom will be left fatherless.

At least one family in my congressional district does not have to imagine what that would be like. They know, because it is precisely what has happened to them. The heartbreaking story of the family of Joseph and Jacqueline Savoie is movingly told in an article by Liz Kowalczyk of the Patriot Ledger, published January 6–7, 1996, which I ask to have inserted in the RECORD.

Nor is their story unique. I have received letters from people throughout New England who have lost family members to hemophilia-associated AIDS. At least 8,000 people with hemophilia and other blood-clotting disorders contracted HIV/AIDS from transfusions of contaminated antihemophilic factor [AHF] between 1980 and 1987. This means that as many as half of all individuals who suffer from blood-clotting disorders were exposed to HIV through the use of AHF.

Every death from AIDS is a tragedy that touches many lives. Yet who can fathom the sheer devastation inflicted on families such as these? The enormity of their experience becomes still more compelling when one learns that the Government could have acted to prevent it.

In 1980, when the first gay men began falling ill from the mysterious ailment that would ultimately be called AIDS, the technology became available to pasteurize blood-clotting agents. Yet for 7 years the Reagan administration failed to require the blood products industry to make use of this technology. Nor did the Government require the industry to inform the public about the risks of contamination with blood-borne pathogens such as HIV.

The failures of our public health system that contributed to this catastrophe are documented in a report by the Institute of Medicine of the National Academy of Sciences, commissioned by Secretary Shalala and published last year. The report recommends a series of steps that will help ensure the safety of the blood supply so that future tragedies can be prevented.

Such forward-looking measures are essential. But we also have a responsibility as a society to make restitution to those for whom these steps have come too late. That is why I have joined with Congressmen PORTER GOSS of Florida in introducing bipartisan legislation to provide partial compensation to these individuals and their families. The bill, H.R. 1023, is known as the Ricky Ray Hemophilia Relief Fund Act. It is named for a young man from Florida with hemophilia-associated AIDS, who died in 1992, at the age of 15.

The bill would establish a Federal trust fund to provide $125,000 in compensation to victims or their survivors. This may seem like a substantial amount of money in these budget-cutting days. In fact, it will not even cover the annual medical costs incurred by many of these families. As Steve Savoie wrote to me last year, ''I have been stripped of my dignity and can no longer support my family. * * * The financial stress is a big part of our lives. * * * There are days I can just barely make it through the day, only to get bill collectors calling the house looking for payment.''

The compensation this legislation would provide cannot undo the terrible harm that has been done to Ricky Ray, Joe, Phil, and Steve Savoie, and the thousands like them. But it is the very least we can and must do. I commend Congressman GOSS for introducing this bill, and urge my colleagues to join us and our 181 current cosponsors in supporting it.

[From the Patriot Ledger, Jan. 6–7, 1996]

ANGER, TEARS REVEAL FAMILY'S TRAGEDY

(By Liz Kowalczyk)

For the past five years, Joseph and Jacqueline Savoie have watched life slip away from their three youngest sons. But they couldn't bring themselves to tell people why.

When the boys were born with hemophilia in the 1950s, the Savoies thought that was the worst they would have to face.

Each time Joseph Jr., Steven and Philip hurt themselves playing baseball or climbing a tree, they were guaranteed a series of transfusions and weeks in the hospital.

So when drug companies started selling a blood-clotting solution that their sons could inject at home, the Savoies were thankful.

Then their gratitude turned to outrage.

The same product that granted Joe, Steve and Phil such freedom became a death sentence.

Sometime during the early to mid-1980's each of the three brothers contracted the AIDS virus from contaminated blood used in the clotting solution.

Joe was the first to die of AIDS-related lung cancer in January 1992. He was 40.

Phil, the baby of the family, died June 6 of AIDS-related illnesses, including pneumonia. He was one week short of his 38th birthday.

Steve, 41, is the sole survivor.

''I'm really scared,'' he said. ''Since Thanksgiving, I've had problems with my throat. I'm afraid it's the beginning of things.''

His weight has dropped from 200 to 176 pounds, and his tonsils have become so swollen in the last few days he just eats Cream of Wheat.

Steve's mother lies awake at night and prays.

''We prayed for a miracle, we prayed for drugs, we prayed to every saint, and finally you give up,'' she said. ''You feel like you're sitting on railroad tracks and you know the train is coming but there is nothing you can do to stop it.''

Kathy Savoie, Steve's wife, interjected: ''We're still praying.''

The Savoies told no one but a few close friends and their extended family what was killing their sons. Not their coworkers and not their neighbors in Weymouth and Abington. They worried that people in their suburban communities would ostracize them or ask too many painful questions.

But Steve convinced his family that talking about their very personal tragedy will help ease their frustration.

Steve and Kathy live in Weymouth with their two teenagers, Steven Jr., 14, and Kelly, 17. Kathy and the children have tested negative for HIV, the virus that causes AIDS.

He decided to tell his story after the Supreme Court declined in October to consider a class-action lawsuit, which was brought by AIDS-infected hemophiliacs against four drug companies and the National Hemophilia Foundation.

He and the rest of the family are also frustrated that legislation giving $125,000 to anyone with hemophilia-related AIDS, or to their survivors, has been stalled in Congress for months. Supporters say the money would compensate victims for the Food and Drug Administration's failure to pull the contaminated products off the market sooner.

''It makes me so awful damn mad to think we lost two boys and they sit back and act like it's nothing,'' said Joseph Savoie, a retired Weymouth firefighter who now lives in Abington with his wife.

The Centers for Disease Control estimates that 10,000 hemophiliacs—half of all those in the United States—contracted the AIDS virus before the mid-1980s. That's when drug companies started heat-treating the blood products used in the clotting solution, a procedure that usually kills the virus.

About 2,000 hemophiliacs nation-wide have died of AIDS. In Massachusetts, 358 people are known to have contracted HIV from blood products. Two-thirds of those people have died. Activists estimate that in the suburbs south of Boston about two dozen families have children who are infected.

The numbers haunt Steve Savoie.

''The last time I was in the hospital, I was looking out the window,'' he said, ''I imagined I saw Joe's and Phil's faces. They were

asking me to do something. I'm the only one left.''

''WE WERE HELLIONS''

During the 1950s and 1960s, when Joe, Steve and Phil were children, hemophiliacs had to go to the hospital for blood-clotting transfusions.

Hemophiliacs—who are almost always boys who inherit the condition from their mothers—lack clotting proteins in their blood. Some needed weekly transfusions. Less severe hemophiliacs, like the Savioe brothers, have some clotting power in their blood, and need transfusions only when they get hurt.

''The doctors said not to climb trees, but we did. They said not to ice skate, but we did,'' he said. ''We were hellions.''

Steve ended up in the hospital every couple of months for the little accidents that almost every kid stumbles into. Once, he absentmindedly stuck his tongue to an iced-over porch railing and pulled off the skin. Another time, he tripped over some bricks in a yard while delivering newspapers. The sprained ankle caused internal bleeding.

So in 1968, when the FDA approved the first clotting powder that hemophiliacs could mix with sterile water and inject at home, it seemed like a gift.

But there was a problem. By the late 1970s, the clotting medicine was manufactured from the blood of tens of thousands of donors, many of them intravenous drug users who were paid for their blood.

The collection centers did not screen them for HIV, and just one infected donor could contaminate the entire pool of blood.

Steve said he had no idea how big a risk he was taking each time he injected the solution until one night in 1985 or 1986 when he turned on the national news.

He was shocked by what he heard: There was evidence that the blood products were contaminated with the AIDS virus, and hemophiliacs should order heat-treated blood products. Steve said he immediately called his brothers to warn them.

The next morning, Kathy Savoie called the New England Hemophilia Center at Worcester Memorial Hospital, from which the Savoies ordered their clotting medicine.

''They said we could not get a new supply until ours was gone,'' she said. ''I hung up, we took everything out of the refrigerator and put it all in a big garbage bag. I called them back and said 'We're out of it, so send us the heat-treated stuff.' ''

But it was too late.

Jacqueline Savoie said tests later showed that Joe, an electrician, was infected sometime in the spring of 1984. She's not sure when Phil, a carpenter, contracted the virus.

Steve was so afraid that he waited six months to get tested for HIV, and then he waited another six months to call for the results.

Steve said he doesn't know exactly when he was infected. AIDS first started appearing in the United States in 1981, and the drug companies did not start exclusively selling heat-treated blood products until 1985. His infection was probably sometime in between.

During that period, Steve worked as a carpenter, and as is often the case in his line of work, he was injured several times. He could have contracted the virus in July 1984, the month that he replaced the roof on his house. When the wooden planks he was standing on collapsed from their metal staging, he fell to the ground.

LIVING WITH ANGER

One day last month, Joseph, Jacqueline, Steve and Kathy gathered to talk around the kitchen table at the younger couple's home in Weymouth.

Joseph Savoie retired in 1983 after 30 years as a Weymouth firefighter, and built a house in Abington. All of the couple's other children—Rhona Barone, David Savoie, Joann Dunbar and Dan Savoie—have stuck close to home, settling in either Weymouth or Abington. Another child, also named Joseph, died of meningitis as an infant many years.

But these days many of the family's traditionally boisterous birthday and Christmas parties end in tears, so they just don't get together as often. Joseph and Jacqueline have 27 grandchildren, four great-grandchildren and two more great-grandchildren on the way.

''I had everyone over for Christmas, and I tried to be strong,'' Steve said. ''I didn't want to show my sadness. But it was a terrible night for me.''

Steve is one of the quieter members of the family, and his parents and wife express many of the emotions one would expect him to show. He holds it in.

His wife is hopeful that he will live a long time. His father is sad, and his tears come easily. When his parents talk about the past 10 years, they both have have spurts of anger.

Everyone seems numb.

''There's no sudden impact,'' Joseph Savoie said. ''It's not like you open the door and there it is. We live with each new pain, day to day.''

What makes Joseph and Jacqueline so mad is that all three of their sons were born with mild cases of hemophilia, so mild that if they'd known about the risk of contracting AIDS, they would not have used the clotting product. They would have waited out the pain of an internal injury, or checked into a hospital for a transfusion, which would have greatly lessened the chance of HIV infection.

The more they've found out, the angrier they've become.

Steve said the drug companies should have been purifying their products with heat treatment long before AIDS became a problem. There was suspicion as early as the 1970s that hemophiliacs were contracting hepatitis from the blood products.

He said the National Hemophilia Foundation did not advise members against injecting the products in the early 1980s because it received financial support from the drug companies, Rhone-Poulenc Rorer; Armour Pharmaceutical; Miles, Baxter Healthcare; and Alpha Therapeutic.

The manufacturers have said they acted as quickly as possible, and that little was known about how AIDS was transmitted.

A recent report from the non-profit Institute of Medicine said the FDA depended too heavily on company officials for advice on whether to pull the products off the market.

And even after the companies started the heat treatments in 1983, the companies kept selling the old product for two years, according to Wendy Selig, assistant to Rep. Porter Goss, the Florida Republican who proposed the compensation legislation.

Today many AIDS-infected hemophiliacs are pursuing individual lawsuits. But in many states they are running into obstacles, such as a statute of limitations.

A few people are suing Worcester Memorial Hospital, and Dr. Peter Levine, the former medical director of the hemophilia clinic and now chief executive officer of the hospital. Levine declined to comment.

TOUGH TO KEEP GOING

Before he died, Phil Savoie served on the board of directors of the Committee of Ten Thousand, which spearheaded the class-action lawsuit against the drug companies.

Steve used to ignore his brother's pleas for help with his work.

''I was running from it,'' Steve said. ''I used to take the documents he'd give me and just file them away. They made me too upset.''

Today he wishes he had done more then, and could do more now. He would like people to pressure Congress to pass the compensation bill.

The family recently contacted one lawyer, but was told they might not be able to sue successfully because of the state's statute of limitations in such cases. The family plans to investigate this further.

And while Steve says he'd like to be more active in the fight for compensation, it's become harder to maintain his energy.

He stopped working as a carpenter three years ago when he came down with shingles. He remained fairly healthy until November, when he had to check into Quincy Hospital twice for bleeding in his esophagus. But mostly, he is just exhausted.

''I don't go out much anymore,'' he said. ''There are a lot of lousy moments.''

Steve and Kathy, an auto claims supervisor for a local insurance company, don't have the physical relationship they used to have. To feel close, they sit by a fire and talk. A good day is like the one they spent in Hyannis in October, visiting craft shops and stopping for lunch.

While Kathy is working, Steve does laundry and housework—if he feels well enough.

''He'd rather remodel the entire house than do laundry,'' Kathy said. The last few times he's felt energetic, Steve built rollers for the kitchen drawers and put down a new basement floor.

He gives Kathy pop quizzes about what to do if something goes wrong in the house.

''He's so afraid that I might not be able to keep things going,'' she said. ''He's tried to pick out his funeral plot and I won't. I hate all the planning. I don't want to throw in the towel.''

Sometimes they just sit and cry for hours.

Steve tries to spend as much time as he can with his children. He let them miss a day of school to go sledding. On Thanksgiving eve, he baked nine pumpkin, squash and mincemeat pies with the two teenagers, an effort that left him exhausted and in bed the next day.

''We tell them I'm feeling good and doing all the right things,'' he said. ''We just have to enjoy our time together.''

LEGISLATION INTRODUCED BY REPRESENTATIVE ED MARKEY ON BIOLOGICAL WEAPONS

HON. JOSEPH P. KENNEDY II

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. KENNEDY of Massachusetts. Mr. Speaker, I rise in strong support of legislation introduced by Representatives MARKEY, KASICH, and myself addressing problems associated with biological and chemical weapons and the potential threat to the American public.

Together, we have developed two pieces of legislation: first, the measure deals with access to etiological agents, also commonly referred to as pathogens, toxins, or disease organisms, and second, a measure, which I will introduce in the very near future, deals with the appropriate criminal punishments when these agents are used as a weapon of mass destruction to cause death or inflict harm or damage.

JOHN KASICH, ED MARKEY, and I intend to offer amendments to the comprehensive antiterrorism legislation scheduled for consideration before the House of Representatives next week.

The Kennedy-Kasich-Markey Biological Weapons Restrictions Act of 1996 would add provisions recommended by the Federal Bureau of Investigation, the Justice Department, and the Centers for Disease Control [CDC] to current law on weapons of mass destruction and biological and chemical weapons by making the criminal misuse of such biological organisms a Federal crime.

On the surface, the bipartisan Kennedy-Kasich-Markey legislation is very basic. But it represents some very fundamental and necessary changes to current law to fill some very clear gaps identified by the FBI and Justice Departments.

Specifically, the Kennedy-Kasich-Markey bill and amendment would amend the Federal criminal statute to impose mandatory penalties.

First, against anyone who knowingly develops, produces, stockpiles, transfers, acquires, or attempts to acquire under false pretenses any biological agent, toxin or delivery system for use as weapons, or knowingly assists a foreign or any organization to deliver a weapon of mass destruction intended to kill, injure or otherwise harm any persons living in the United States; and

Second, against anyone who knowingly attempts, conspires, or threatens to use any biological agent, toxin or delivery system for use as a weapon, or knowingly assists a foreign state or any organization to do so.

The legislation would also add the term ''recombinant DNA material'' to the definitions of what constitutes a potential biological weapon if used improperly or as a weapon of mass destruction.

Finally, the legislation would expand the current definition of what constitutes a criminal offense to include those who threaten to use a biological weapon to kill or injure another.

This gap in current law was evident last year, on Good Friday, when, in the weeks following the terrorist incidents in Japan involving the toxin Sarin, an anonymous threat was lodged against Disneyland and its thousands of visitors. The threat demanded a ransom note be paid, or the toxic substance would be released in the Disneyland amusement park. Fortunately, that incident did not result in the threat being carried out, but clearly there is a need to address cases where such threats or other acts of extortion would occur.

In summary, there are two important issues facing this Congress when considering biological or chemical weapons legislation.

The first is how best we can limit access to biological organisms that can be used by a domestic terrorist to make a weapon of mass destruction without inhibiting the very legitimate research of the scientific community in this area. The other issue is how best and how swiftly we will address some very glaring gaps in the current weapons of mass destruction Federal law.

The legislation I have developed, the Kennedy-Kasich-Markey legislation, addresses issues involving the Federal criminal code, title 18 of the United States Code.

The FBI and the CIA have both testified before Congress that terrorism in the form of biological and chemical weapons is the greatest law enforcement challenge of the next decade.

These bills respond to several recent incidents in Ohio, Minnesota, and Mississippi where fringe groups were able to acquire dangerous viruses, pathogens, and toxins but, fortunately, were stopped before a domestic terrorism incident occurred.

In closing, I'd also restate my support for the approach developed by Representative MARKEY, myself, and others.

Congressman MARKEY'S legislation would allow the Centers for Disease Control to develop regulations limiting the relative easy access to these dangerous biological agents to those individuals with insincere motives and illegitimate intentions, while also protecting the very sincere and legitimate scientific research involving pathogenic or etiological material.

There is obviously legitimate day-to-day research involving these dangerous viruses, such as efforts to find an antidote to the Ebola virus, ongoing at dozens, if not hundreds of academic laboratories. This research is ongoing at both Harvard University and Massachusetts Institute of Technology [MIT] in my congressional district. We must take the appropriate steps to protect this legitimate research, and I believe the Markey-Kennedy-Kasich bill is a reasonable step in this direction.

NARCOTICS TRADE

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. GILMAN. Mr. Speaker, I am pleased to join my good friends and colleagues, Mr. SHAW of Florida and Mr. HAMILTON of Indiana, in announcing this new and tougher approach in the battle against the international narcotics trade. Our bill, further linking foreign trade to the deadly narcotics business from abroad, is long overdue.

Vice President GORE said not long ago that the annual cost to our society here at home from drug abuse is a staggering $67 billion each and every year. Most of those drugs come from abroad. While the Vice President's estimate is very low in my opinion, it makes amply clear the seriousness of the threat that illicit drugs from abroad pose for our society here at home. For example, the FBI Director attributes about 90 percent of our crime to drugs.

No nation can and should tolerate such destruction coming from abroad, and not take drastic and dramatic action. If we were to add this $67 billion annual cost from drug abuse to any yearly trade picture with the major drug producing or transit nations—who want easy access to our markets—we would see an overwhelming and staggering U.S. trade deficit each and every year with these same nations.

The American people know something must be done. Just recently, a survey of public opinion on U.S. foreign policy indicated that 85 percent of the U.S. public believes stopping the flow of illegal drugs to our Nation is the most important foreign policy issue, topping even the concern for protecting U.S. jobs. Our bill responds to that justifiable public concern of the American people.

Mr. SHAW'S bill, which I am pleased to be an original cosponsor of, will require the imposition of trade sanctions on countries failing to cooperate fully with U.S. efforts against the production and sale of narcotics as evidenced by 2 consecutive years of decertification.

Under our bill, on the recommendation of the U.S. Trade Representative and the Secretary of State, one or more of these trade sanctions must and should be applied. This will provide the administration with yet another vital weapon against the flow of deadly drugs into our Nation.

I want to compliment Mr. SHAW and Mr. HAMILTON for their leadership in this effort. We are and will continue to be very serious about drugs, and the American people's deep concerns, as this effort being announced today clearly reflects.

TRIBUTE TO GREATER BETHEL A.M.E. CHURCH, MIAMI, FL

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mrs. MEEK of Florida. Mr. Speaker, I rise to pay tribute to Greater Bethel A.M.E. Church, the oldest African-American congregation in the city of Miami.

Since its founding on March 12, 1896, in the home of Mr. A.C. Lightburn, Greater Bethel A.M.E. has been at the center of Miami's spiritual and community development.

Today, in fulfillment of its founder's vision, Greater Bethel A.M.E. Church still nurtures the spirit of its congregation and the entire Miami community.

Standing on the word, under the cross, in its 100 years of existence, 13 men have served as pastor: Rev. W.G. Fields, Rev. W.A. Jackson, Rev. S.J. Johnson, Rev. A.P. Postell, Rev. R.B. Sutton, Rev. H.B. Barkley, Rev. H.W. Fayson, Rev. W.F. Ball, Rev. J.B. Blacknell, Rev. S.A. Cousin, Rev. T.S. Johnson, Rev. Ira D. Hinson, and Rev. John F. White.

As it begins its second century, Greater Bethel A.M.E. Church is responding to many new challenges. Greater Bethel A.M.E. Church provides programs for children and senior citizens. The church provides counseling to drug and alcohol abusers, shelters and clothes the homeless, as well as gives support to people infected with HIV.

A solid rock in Miami's African-American community, Greater Bethel A.M.E. Church continues to uplift and nurture the human spirit while reinforcing the fabric of the community's social and economic well-being.

Greater Bethel A.M.E. Church recognizes that salvation and service go hand in hand. Church members realize, all too well, that you can't speak to someone about God if they are hungry; and that if you're going to save souls, you have to save their bodies too.

Mr. Speaker, I congratulate Greater Bethel A.M.E. Church on the first 100 years and I wish them much success as they carry on their mission through the next 100 years of service and dedication to God and mankind.

LEGISLATION TO REAUTHORIZE THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

HON. JAMES V. HANSEN

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. HANSEN. Mr. Speaker, today I am introducing, by request, legislation to reauthorize

the Advisory Council on Historic Preservation for an additional 5 years. The Advisory Council on Historic Preservation, established by statute in 1966, is charged with a variety of responsibilities in carrying out the National Historic Preservation Act. The authorization for the Advisory Council on Historic Preservation is scheduled to expire at the end of the current calendar year.

On March 20, the National Parks, Forest and Lands Subcommittee has scheduled a hearing to conduct oversight of the process for listing resources on the National Register of Historic Places and the section 106 review process for analyzing impacts to National Register properties, as well as several historic preservation measures currently before the subcommittee. It is my intend to consider this legislation at this hearing. Therefore, I encourage all Members who have an interest in this topic to make their views known to the subcommittee so they can be fully considered.

ADVISORY COUNCIL ON
HISTORIC PRESERVATION,
Washington, DC, February 26, 1996.

Hon. NEWT GINGRICH,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Enclosed is a bill amending the National Historic Preservation Act of 1966, as amended, that will continue the appropriations authorization for the Advisory Council on Historic Preservation. Established in 1966, the Council is an independent Federal agency responsible for advising the President and the Congress on historic preservation matters and commenting to Federal agencies on the effects of their activities upon significant historic properties.

In 1992, the Council requested the President and the Congress to amend Section 212 of the National Historic Preservation Act of 1966 (16 U.S.C. Section 470t) to continue the appropriations authorization for the Council at a level of $5 million from FY 1993 through FY 1996. That amendment was subsequently enacted as Public Law 102–575 on October 30, 1992.

Because the Council's appropriations authorization expires with the current fiscal year, we are now requesting that legislation be passed to continue the necessary authorization. We recommend that the enclosed bill be referred to the appropriate committee for consideration, and that it be enacted. The draft bill would coordinate the Council's reauthorization with current budgetary planning, which attains a balanced budget in FY 2002, by providing appropriations authority from FY 1997 through FY 2002.

Sincerely,

CATHRYN BUFORD SLATER,
Chairman.

A POINT-OF-LIGHT FOR ALL AMERICANS: MARY ELLEN PHIFER-KIRTON

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. OWENS. Mr. Speaker, I rise to join thousands of my constituents and friends in Brooklyn and New York in saluting Mary Ellen Phifer-Kirton as a point-of-light for all Americans.

''First Lady of Brooklyn CORE'' is the title we assigned Mary Phifer in the turbulent sixties, when Brooklyn's chapter of the CORE movement was on the cutting edge of the boldest actions. More than 800 people were arrested challenging discrimination in the construction industry at Downstate Medical Center. We dumped garbage on the steps of Borough Hall to demand better collection in Bedford Stuyvesant. We organized over 100 buildings with rent strikes. Through it all Mary Phifer was our inspiration in Brooklyn CORE.

Mary Phifer moved to Brooklyn from Kannapolis, NC, in 1948. As a single parent she has raised four sons—John, Willis, Bernard, and Quentin—a daughter Teresa, plus several nieces and nephews. In 1975 she married Randolph Kirton. During the entire period of her residency in New York, Mary has always resided in Brooklyn. This adopted daughter of Brooklyn obtained an AA in public administration from Kingsborough Community College and a BS in public administration from Medgar Evers College.

A very special person, Mary Ellen Phifer-Kirton is retiring after 28 years of dedicated service with the New York City Community Development Agency. Mary has been a committed community advocate and volunteer. She serves on the boards of the Association of Community Organizations for Reform Now [ACORN], the Brooklyn chapter of the American Civil Liberties Union, Fort Greene Senior Citizens Council, the Mutual Housing Association of New York, and the United Communities Democratic Club. She is also a member of the Greater Bibleway Temple, 100 Women for Major Owens, and the League of Women Voters, Midwood chapter.

In addition to her lifetime of activism in the world community, Mrs. Phifer-Kirton has devoted 28 years of her civil service career to community action at the New York City Community Development Agency [CDA]. During the 6 years that I served as commissioner of the CDA, Mary was a staff member. Mary has been in the field since April 1967 when she began her first assignment at CDA monitoring the neighborhood summer programs. By May 1981, she was the district officer of all of the CDA funded agencies in the borough of Brooklyn.

Individuals like Mary are all too rare. She cares deeply about the community, so much that she has devoted over two decades of struggle in the fight to improve the lives of others. At a time when voluntarism and community involvement is decreasing, it is appropriate that we join with Mary's friends and family in celebrating this point-of-light in the 11th Congressional District. Before she relocates to Kannapolis, NC, friends and followers of Mary Phifer are assembling for a special tribute to Mary Phifer on Friday, March 8, 1996. We all welcome this opportunity to show how much we appreciate Mary's life of service in New York. She will always be ''First Lady'' in our hearts. And for the people of the Nation Mary Ellen Phifer-Kirton is a great point-of-light.

MELISSA CORNELL NAMED TO CARRY OLYMPIC TORCH

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. FRANK of Massachusetts. Mr. Speaker, one of the few positive issues on which much of the world unites these days is support for the Olympic games. For most Americans, the fact that the games will be held in the United States makes this year's games especially important. And for these reasons, the people of southeastern Massachusetts, and especially the people of the town of Freetown, are proud that Melissa Cornell of Freetown has been named as one of those who will carry the Olympic torch. As the accompanying article from the New Bedford Standard Times shows, Melissa Cornell is an extremely impressive young woman, and I congratulate Lisa Devlin of the I.H. Schwartz Center for nominating her and the U.S. Olympic Committee for selecting her for this honor. Mr. Speaker, the story of this young woman is an inspiring one and I ask that the article from the New Bedford Standard Times about Melissa Cornell and her selection as an Olympic torch bearer be printed here.

[From the New Bedford Standard Times]

COMMUNITY HERO CHOSEN TO CARRY OLYMPIC TORCH

(By Elizabeth Lawton)

In July, the Olympics will be coming to Atlanta. For lifelong resident Melissa Cornell, the festivities have already begun.

Thanks to a nomination sent in to the U.S. Olympic Committee by Lisa Devlin of the I.H. Schwartz Center in New Bedford, stating Melissa's kindness, generosity and willingness to always help others, a package arrived at her Chipaway Lane home via UPS, informing her of being selected to carry the Olympic torch on June 15 in Boston.

''I'm wicked excited, but I didn't really believe it,'' said Melissa.

The road that brought Melissa here has not been without pain and struggles.

Melissa, daughter of Steven and Alice Cornell, was 4 years old when a brain tumor was discovered. She endured three operations that left her partially paralyzed. She was a student at the I.H. Schwartz Center before going on to graduate in 1983 from Apponequet Regional High School in Lakeville.

She has since given freely of her time at the center, and to Easter Seals and many other charitable organizations that she feels she can help.

Melissa's philosophy for life is one of giving back to those who have helped her along the journey. Some might look at Melissa and see her as physically challenged; I had the privilege of spending a recent snowy afternoon watching her teach an 8-year-old to tie shoes, do origami and zipper, all with the use of only her left hand. It was I who felt challenged.

Melissa doesn't allow much to slow her down. ''I like to get up every day and do things,'' she says.

On Feb. 21, Melissa, along with 67 other Massachusetts residents, was honored as a community hero in a reception at Boston City Hall, with the Boston Mayor Thomas Menino welcoming his guests, along with Marion Heard, president of the United Way of Massachusetts Bay, and respresentatives of Coca-Cola Bottlers of New England.

Melissa will receive an official Olympic running uniform that she will wear June 15 as she carries the 3½-pound torch and runs her half mile toward yet another goal: representing Freetown in this official Olympic event.

We all need heroes to help us remember the goodness in all people.

Melissa, we are proud to know you and have you as our hometown hero. We will be with you—if not in body, in spirit—on June 15 as you continue on your journey.

The Olympic Search Committee lists a community hero as someone who performs

outstanding volunteer work, serves as a community leader, role model or mentor, performs acts of generosity or kindness; and performs extraordinary feats locally or nationally.

The statement of purpose of the U.S. Olympic Committee in Atlanta says: ''The committee for the Olympic Games seeks to honor America's community heroes, people whose service to others embraces the Olympic Spirit. For 84 days and 15,000 miles across America, Community Hero Torchbearers will bring the glow of the Olympic Flame to their communities along the route of the 1996 Olympic Torch Relay.''

RURAL AIR SERVICE SURVIVAL ACT

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. POMEROY. Mr. Speaker, today I am introducing legislation to ensure the future of commercial airline service in rural America.

When Congress passed the Airline Deregulation Act in 1978, it was understood that rural air service would deteriorate as airlines raced to compete in high-volume markets. Therefore, to preserve an integrated national air service network, Congress created Essential Air Service, a program to support air carriers that maintain routes in smaller, rural markets. For the last 15 years, EAS has continued to achieve this objective and has received bipartisan support in Congress.

A link to the national air transportation system must be maintained for rural states to foster economic development. The fact is that without reliable air service, it is difficult to retain existing businesses and industries, and even more difficult to attract new ones. As farming operations continue to mechanize and consolidate, rural America must aggressively pursue efforts to diversify its economy.

Key to that diversification is access to the national network of air transportation. With the air service supported by the EAS Program, small cities from North Dakota to Texas and Maine to California can market themselves to investors around the country and indeed around the world. However, if the EAS Program were discontinued and rural air service allowed to evaporate, it would be nearly impossible for communities in rural America to attract new business opportunities.

But EAS is about more than just rural economic development. Air travelers around the country, whether urban or rural, benefit from an interconnected, national air service network. In fact, the majority of passengers on EAS routes are not residents of EAS cities but people from around the country who are able to reach rural destinations thanks to this program.

In recent years, the EAS Program has been under increasing assault in the appropriations process. In fact, the fiscal year 1996 Transportation Appropriations Act reduced the program by over 30 percent, forcing airlines to sharply reduce the number of round trips in small cities across the country, threatening the viability of rural air service. The legislation I am introducing today will extract EAS from the annual appropriations battle and give rural communities and air carriers a greater degree of certainty about the future of their air service.

The Rural Air Service Survival Act would transform EAS, placing the program on solid fiscal grounds by creating a required expenditure within the FAA budget. Funding for the program would be provided by a user fee assessed to foreign carriers that utilize U.S. air traffic control services. As a result, the legislation will have no impact on overall Federal spending. I should also point out that almost every major U.S. competitor nation levies similar overflight fees on foreign carriers.

Senator DORGAN introduced similar legislation in the Senate which was adopted by unanimous vote in the Commerce Committee as an amendment to the FAA reform legislation. I am hopeful that this proposal will be enacted as part of FAA reform when the House and Senate consider this legislation in the coming weeks.

Mr. Speaker, I urge all Members to cosponsor and support the Rural Air Service Survival Act.

WILLIAM V. ''BILL'' MOORE, PHOTOJOURNALIST EXTRAORDINAIRE

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. DELLUMS. Mr. Speaker, I rise today to celebrate and chronicle the 28 year career of Mr. William V. ''Bill'' Moore, a photojournalist, who was honored on March 3, 1996. He is the first African-American full-time staff news cameraman on television in the State of California. He has been affiliated with KTVU Channel 2 in Oakland, CA, and for the past 5 years serving as chief photographer.

Bill is a native of Oakland and graduated from Oakland Technical High School. He attended Laney College and the California College of the Arts and Crafts, majoring in photography. Bill was a freelance photographer for the Associated Press before joining what was then a tiny news staff at KTVU Channel 2.

Bill's assignments ranged from the San Francisco Police Department Press for 5 years to U.S. Presidents since Richard Nixon. In between, he covered and recorded on film and tape the events related to the assassination of San Francisco Mayor George Mascone and the trial of his accused killer, Dan White, the antiwar and civil rights demonstrations of the 1970's; the Oakland-Berkeley hills fire storm of 1991; the 1989 and 1993 earthquakes in the San Francisco Bay Area and Los Angeles as well as the Nicaraguan earthquake in 1988; the O.J. Simpson murder trial; the training camps and opening season games of the Oakland A's, San Francisco Giants, and the San Francisco 49'ers. Bill did films for television on location in Haiti, Italy, and Brazil. His skill with the camera is as legendary as his good natured way of dealing with his fellow workers.

He is married to Belva Davis, an established and accomplished TV news personality, and has 2 children, Steven and Darolyn. Bill is fondly known as Belva's husband. Let the record state that Bill is an all-around-nice-guy, and an accomplished professional.

William V. ''Bill'' Moore, photojournalist extraordinaire, and his contribution in documenting historic domestic and international news are a treasure of human events shaping the development and future of our world.

TRIBUTE TO PLATO (BUDDY) MATHIS

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. STEARNS. Mr. Speaker, I rise today to pay tribute to an outstanding employee who has worked at Munroe Regional Medical Center in my home town of Ocala, FL. Munroe's longest serving employee and his name is Plato ''Buddy'' Mathis. He will be soon retiring.

Mr. Buddy Mathis' loyalty and dedication to Munroe spans over 50 years. He first came to work at the hospital in 1946 as a young boy. In fact, back then he had to stand on a wooden box to perform many of his chores.

Munroe Regional has seen many changes both in its physical makeup, not to mention changes in personnel. But, one thing that did not change over the years at Munroe was Buddy Mathis. He remained a constant in the lives of the people who worked in the medical center and a constant in the community.

Buddy should serve as a role model to all of us. He is the exemplification of the true work ethic. He started working at Munroe when he could barely reach the counter tops without standing on a box. And through the years he moved up, performing a variety of duties, including putting away stock and gathering vegetables from a small garden on the north side of the building. He also assisted fellow employees such as Felicia Stevens—head cook—Mrs. Annie Lee Stroud, and Mrs. Luella Strupp, among others.

In 1951, he joined the military to serve in the Korean war and served for several years. After the war, he returned to Munroe as a cook and was also in charge of inventory. He then attended night school under the GI bill and finished his education.

During the last 10 years, he and Jim Ruth have worked as a team, running the dietary department. Buddy has seen many changes take place in the building and operations of the hospital.

Everybody who has or is still working at the hospital loved working with Buddy and I'm sure they will all hate to see him go. Buddy is respected by all. I am pleased to be able to join with his many, many friends and colleagues in paying tribute to Plato ''Buddy'' Mathis for his hard work through the years and his kindness and generosity over the years.

I sincerely wish him the best in his retirement and congratulate him on his outstanding service to my hometown hospital, Munroe Regional Medical Center.

INTRODUCTION OF A BILL TO DESIGNATE THE UNITED STATES COURTHOUSE IN WASHINGTON, DC, AS THE ''E. BARRETT PRETTYMAN UNITED STATES COURTHOUSE''

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Ms. NORTON. Mr. Speaker, I am pleased to introduce a bill to name the U.S. district courts and circuit court of appeals building for the District of Columbia Circuit after the late chief judge E. Barrett Prettyman. I am very pleased that the Chair of the District of Columbia Subcommittee is an original cosponsor. Senator JOHN WARNER has introduced an identical bill in the Senate.

Judge Prettyman was born in Virginia, where he graduated from Randolph-Macon College in Ashland. He then graduated from Georgetown University School of Law.

Judge Prettyman served on the Federal bench for 26 years. He was the chief judge of the U.S. Circuit Court from 1953 to 1960. He was widely regarded as one of America's leading legal scholars and a pioneer for judicial reform. He sought the advice of his colleagues to better understand the issues to help improve the efficiency of the judiciary. He also testified many times before Congress as a strong advocate for increasing the number of judges on the District's juvenile court.

As a jurist, Judge Prettyman was known for his centrist positions and his thorough opinions. His most notable opinion concluded that the State Department had the authority to bar U.S. citizens from entering certain areas of the world. He wrote: ''While travel is a right, it can be restrained like any other right.'' The Supreme Court ultimately upheld the decision.

Judge Prettyman also championed the cause of the indigent. At Georgetown University, he established a program where lawyers were trained to better assist indigent defendants.

Naming the courts after Judge Prettyman would be a fitting tribute to an outstanding jurist and legal scholar. I strongly urge my colleagues to support this measure.

GIVING CREDIT FOR THE MISSING SERVICE PERSONNEL ACT OF 1995

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. SANDERS. Mr. Speaker, on Saturday, February 10, in signing the National Defense Authorization Act for Fiscal Year 1996, the President signed into law the Missing Service Personnel Act of 1995, which had been incorporated into the authorization bill. The passage of the provisions of the Missing Service Personnel Act is a significant milestone for veterans and for the families of our MIA's, and I rise today to give credit to some of the people, including some of my fellow Vermonters, who worked hard for the passage of these provisions.

Their dedication, commitment, and persistence in the face of overwhelming odds has finally brought to fruition a matter that has been their primary concern for over 13 years. And I am very proud that my fellow Vermonters have played such a significant role in this effort.

I cosponsored the Missing Service Personnel Act of 1995 after being convinced by Patricia Sheerin, Don Amorosi, Sean McGuirl, Walt Handy, and Al Diacetis of the desperate need for this law. The act is the culmination of years of effort on the part of my fellow Vermonters—Tom Cook, Bob Jones, and Brian Lindner, the president, vice president, and chief of research, respectively, of the Northeast POW/MIA Network; and Jim Howley—and the veterans organizations who have supported it, including Vietnam Veterans of America, the American Legion, the Veterans of Foreign Wars, and the Disabled American Veterans. Most notable were the contributions of the family members of the missing and prisoners: Tom Cook, Sharon Roraback, and Sarah Pendris.

Were it not for a special conference held in 1993 by the Northeast POW/MIA Network, we would not today have a law to protect missing service persons, to protect their families from exploitation, and to grant basic human rights to the missing as well as their families. Under the guidance of a former POW, Lt. Col. Orson Swindle, participants in that conference were able to clarify the goals of the proposed Missing Service Personnel Act as originally authored by John Holland. Mr. Swindle pointed a new direction: That while we cannot solve all the problems of the past, we can protect missing service persons in the future, based on what we have learned from past mistakes.

Through her courage and intuition, Vermonter Patricia Sheerin, policy analyst for the Northeast POW/MIA Network, convinced the National Vietnam Veterans Coalition to support the legislation and work for its passage. She also formed a plan and policy uniting veterans organizations and veterans advocates with the sole purpose of correcting and updating the outdated Missing Service Persons Act of 1942.

Crucial to passage of this new law was the support of citizens who were informed about its benefits. Joe and Paula Donaldson of Fair Haven, VT, deserve credit for organizing a weekly vigil as part of this educational effort. Nationwide distribution of information on the progress of the legislation, a responsibility of Bob Necci, helped pave the way to passage of this important act. Education is often the key to success, and such was the case with the Missing Service Personnel Act of 1995.

I commend the supporters of this bill for their loyalty and devotion to the men and women who wear the uniform of the U.S. Armed Forces. These Vietnam veterans and family members of those missing and captured in Vietnam have left a legacy of justice and fair treatment for future soldiers who become missing while fighting to defend our country and our freedom.

THE ABORTION PROVISION IN THE TELECOMMUNICATION BILL

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Ms. BROWN of Florida. Mr. Speaker, the telecommunications bill has been signed into law. It is a bill that I supported and I am pleased to see this important legislation become law.

However, I am outraged at the way in which this extreme Republican leadership snuck a little-known provision into the conference report. In the attempt to eliminate ''obscene'' material from the Internet, this provision included an old, outdated definition of the word ''obscene.'' Known as the Comstock Act, it included as part of the definition of obscene materials ''any drug, medicine, article, or thing * * * intended for producing abortion.'' This obscure, never enforced law dates back to the early 1900's and is clearly an unconstitutional violation of free speech. If enforced, this outdated law would prohibit the discussion of abortion over the telephone, on the computer, or through the mail.

The new telecommunication law makes it a felony, punishable by 5 years for the first offense and 10 years for each subsequent offense, for anyone to discuss abortion on the Internet. I believe that it would be unconstitutional to ban citizens from speaking freely on the issue of abortion.

Women's rights have continually been challenged by this Congress. This is just the latest attempt to silence those who advocate a woman's right to choose. I believe that Congress should act immediately to ensure that free speech is not violated by this law.

I lived through the era before Roe versus Wade. I know what poor women went through in the back alleys when abortion was not legal. Any attempt to restrict this medical procedure is just one more way this Congress is throwing away a woman's right to choose.

Mr. Speaker, It is outrageous that this extreme anti-choice movement would use the new telecommunications law to threaten a person's rights to discuss abortion. Choosing abortion is the most heartwrenching and personal decision a woman may ever make. But It is a decision that should be made between a woman, her doctor, her family, and her spiritual conscience. This Congress should not be meddling with our ability to freely discuss a woman's most personal medical decision.

INTRODUCTION OF THE INFECTIOUS AGENTS CONTROL ACT OF 1996

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. MARKEY. Mr. Speaker, I am introducing today the Infectious Agents Control Act of 1996, which will address the need to keep infectious agents that could pose a serious threat to the public health and safety out of the hands of dangerous people while ensuring that these substances remain available to scientists with a legitimate research need for them.

By now, most of Members of this body have probably read news reports about Larry Wayne Harris, the Ohio white-supremacist who ordered bubonic plague through the mail last summer. It is frightening to think that just about anybody with a 32-cent stamp and a little chutzpah could get a hold of any number of potentially dangerous infectious substances. The Ohio case may be an isolated incident or

it may not be—we really don't know. Why? Because the Federal Government has no system in place today to regulate the transfer of these agents within the United States. I think that's a situation that needs to be corrected, and I am introducing legislation today to do so.

Why worry about the flow of potentially dangerous infectious agents within our borders? Let me read you a few lines from an article on the threat posed by these agents when they are converted into biological weapons, written by U.S. Navy Commander Stephen Rose for the Naval War College Review. Cmdr. Rose writes that:

> Science can now reshuffle the genetic deck of micro-organisms to produce a theoretically unlimited number of combinations, each with its own unique blend of toxicity, hardness, incubation period, etc. In short, it is becoming possible to synthesize biological agents to military specifications. Thus, the world lies on the threshold of a dangerous era of designer bugs as well as designer drugs.

Biological weapons have been called the poor man's atomic bomb. They are relatively cheap to produce, and you get an appallingly big bang for your buck. In fact, experts report that some of the supertoxins that have been developed in recent years are ten thousand times more potent than the nerve gases we are more accustomed to, which have been described as mere perfume in comparison to some of their biological competitors. The Office of Technology Assessment reports that some 15 nations, including Libya, North Korea, and Iraq, are suspected of having biological weapons development programs.

Clearly, the potential of biological weapons to rain devastation down upon their victims should give those charged with preventing international terrorist attacks on our Nation cause for serious concern. However, the lesson we learned from the tragedy at Oklahoma City is that we cannot be satisfied to only look outward for terrorist threats. We must also be vigilant against home-grown threats from paramilitary groups within our borders, which could use biological or chemical weapons against their fellow Americans to further their radical anti-government agendas.

On the morning of March 20, 1995, the Japanese Government was faced with just such a situation. A home-grown Armageddon-group called Aum Shinrikyo released sarin gas—a deadly nerve agent that is 500 times more toxic than cyanide gas—in the Tokyo subway system, killing 12 people and injuring thousands more. According to a staff report on the incident prepared by the Senate Permanent Subcommittee on Investigations, the Aum sect had its own chemical weapons manufacturing plant, for the production of sarin gas, and was trying to develop biological weapons, including botulism and anthrax. To get a sense of power of those weapons, consider this: 3 billionths of an ounce of botulism toxin would be enough to kill me.

Incidentally, the staff report concluded that the Aum sect was ''a clear danger to not only the Japanese Government but also to the security interests of the United States,'' which was the target of much of the Aum leader's rhetoric.

In an effort to reduce the risk of a similar attack in the United States, I am introducing legislation directing the Centers for Disease Control to develop a regulatory regime to control access to those infectious agents that could pose the greatest threat to public health if they fell into the wrong hands. It is my understanding that a working group including representatives of CDC, the Department of Justice, and other relevant Federal agencies already has begun to develop such a regime. My bill would ensure that that work is completed and the system is in place within 1 year of its enactment. I am pleased to be joined in this effort by Budget Chairman JOHN KASICH and Representative JOSEPH P. KENNEDY II.

I am hopeful that this legislation will be given the swift attention that the issue it addresses demands in the House, and that the Senate will take up similar legislation soon.

NATION'S TRUE ECONOMIC PICTURE

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. STEARNS. Mr. Speaker, who said this? ''Washington has abandoned working families. Millions of Americans are running harder and harder just to stay in place. Wages are flat * * *''

On February 20, 1996 the Labor Department released its employment cost index, showing the smallest gain in wages and benefits since the Government began keeping statistics in 1982.

A far more disturbing figure was given about the median family income. Under Ronald Reagan's watch, 1982–89, real income increased an average of 2 percent annually. President Clinton declared in his 1996 State of the Union ''Our economy is the healthiest it has been in three decades.''

How does the current rate of recovery compare to other periods of recovery over the past 35 years? In 1961 through 1969 the increased real gross domestic product was 23.5 percent from the low point of the recession. The 1975–80 figure increased by 20 percent. The 1982–90 recovery saw an increase of 17.9 percent. I wonder how President Clinton could make such a claim about the state of our Nation's economy since the recovery from the recession in March 1991 has only been 13.1 percent so far.

A major factor in the 1992 Presidential election was the economy. ''It's the economy, stupid'' was the hue and cry of the Clinton campaign. Just as President Bush was reminded over and over again during the 1992 campaign about the promise he made: ''Read my lips, no new taxes.'' President Clinton may also come to realize just how salty his words may become. No doubt he will be haunted by ''it's the economy, stupid'' during his campaign for reelection. President Bush took his lickings about his tax promise; President Clinton will be subjected to the same standard of scrutiny and criticism. After all, he did run on improving the economy. He stated that he believed America should come first. That he would make the U.S. economy vibrant and he would be known for his domestic policy, not just his foreign policy. He said America will come first.

Well here we are 4 years later. Guess what? The economy does not seem to be improving, rather it is stagnating. Edward Yardeni, chief economist at Deutsche Morgan Grenfell, has stated: ''The U.S. is already in recession,'' ''even though we haven't had two straight quarters of negative growth in gross domestic product.'' He believes that GDP will shrink at a 1.5 percent annual rate during the first half of 1996. How did he draw this conclusion? Since the Commodity Research Bureau's price index of raw industrial materials fell 6 percent for the 12 months in January, this was the signal that led him to make this conclusion.

Let's be clear about one very important fact. In the third quarter of 1992, the economy grew 5.8 percent—the Commerce Department announced this number after the 1992 election. President Bush tried in vain to get this message across but neither the press nor the media seemed the least bit interested. Why give the American public the facts? For the record, the growth rate for the fourth quarter was an outstanding 8.6 percent. So, President Clinton could claim that under his administration the average annual rate of growth was 2.5 percent since 1993.

Let's examine what happened in 1995, the first year President Clinton's economic policies were fully in effect. Growth that year was a dismal 1.4 percent. How does this compare to other administrations? From 1982 to 1989, the average rate of growth was 3.9 percent. During that same period the annual median family income rose about 2 percent yearly. How does the Clinton administration compare with the Reagan administration? Unfortunately, for all of us the family income has only risen 0.25 percent per annum.

You might say to yourself that all might be true but President Clinton fulfilled his promise and created almost 8 million new jobs. OK, let's take a look at his claim. The Bureau of Labor Statistics backs up the President's numbers. He has lived up to his promise and created 7.5 million new jobs since taking office in January 1993. What is deceptive about these numbers is that the Bureau of Labor Statistics counts people, not the number of hours they work. For instance, two 20 hour per week part-timers are counted as two jobs. If you look at the number of hours worked, then only 758,000 new jobs have been created annually since 1993.

The Wall Street Journal reported on January 24, 1996 that during a Democrat focus group, a pollster announced that thanks to Clinton 8 million new jobs had been created. At that point, one woman yelled out: ''Yeah, I know, I have three of them.'' This response reinforces what the Bureau of Labor Statistics found during its review of the number and types of jobs that were actually created under the Clinton administration.

It has become very apparent, especially in the last few months, that people are feeling insecure and anxious. Many have expressed the fear that if they lose their job they will not be able to find a new job that will provide them with the salary that will allow them to have the same standard of living. What has caused American workers to think this way? There are several factors which account for this negative outlook. Corporate downsizing has had the greatest impact upon middle managers. The statistics bear out the fact that many of these people trying to reenter the market must accept lower pay. Between 1990 and 1992, on average, these workers were forced to take a pay cut of 20 percent. You might find it hard to believe but the median income is less now than it was in 1986.

There is compelling evidence to show that reaching middle class earnings has been on the decline since 1980. According to the University of Michigan's Panel Study on Dynamics, which has tracked the same families since 1968, they found that 65 percent of white American men who turned 21 before 1980 were earning middle class wages—twice the poverty level—by the age of 30. By comparison, only 47 percent of those who reached the age of 21 after 1980 were able to reach this same level of earning power. Blacks do not fare half as well, reaching 29 and 19 percent, respectively.

Since there are more people without a college education than people with the benefit of a higher education, these workers tend to be far more insecure and anxious.

Education can be an influential factor as to how successful an individual will be in securing a well-paid job. Education is becoming a much more important factor in finding good job opportunities than ever before. As a result, the gap in income distribution is increasing, and this is adding to blue collar anxiety.

We must find ways to encourage our workers to get the necessary jobs skills to compete in this high tech global economy. We must also find a way to provide this training to retrain our workers.

We must expand our technological base and find creative and innovative methods to create new industries. In the past, we have been able to transfer a worker's knowledge and ability into learning new skills to allow them to participate in a new job market. A good example of this is when Henry Ford created the automobile and displaced the horse and buggy trade.

What happened is a lesson that we should all try to emulate. These same workers started working in the Ford factories that had displaced them. The telecommunications bill passed by Congress and signed into law by the President will provide the same type of opportunities by creating millions of new jobs.

So far, President Clinton hasn't delivered. If we balance the budget, we will be well on our way to jump starting.

Why is a 7-year balanced budget so important? Many leading economists believe that a balanced budget would result in a drop in interest rates of up to 2 percent. For a 30-year, $75,000 mortgage, that's $37,000 saved over the life of the loan. Americans will have more take home pay because our budget includes a $500 per child tax credit. We also have true welfare reform, which is a No. 1 priority for most Americans.

TRIBUTE TO WALTER W. KRUEGER, A DISTINGUISHED AMERICAN WHO SERVED IN WORLD WAR II AND FOUGHT FOR VETERANS' RIGHTS

HON. FRANK TEJEDA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. TEJEDA. Mr. Speaker, I rise today to pay tribute to the memory of an American soldier, a man who dedicated his life to the defense of the freedoms that we enjoy and to the veterans who paid for those freedoms with their sacrifice. I respectfully request that the U.S. House of Representatives join me in mourning the passage of Walter W. Krueger, a man of both vision and action. Having served this Nation for so long, Walter Krueger understood the problems of our noncommissioned officers. So after his service to this Nation was over, at a time when many hang up their uniforms, salute the flag, and retire, Walter Krueger went to work for the noncommissioned officers of this Nation. And when Walter Krueger went to work, good things happened.

Mr. Krueger served this Nation honorably in the U.S. Army for 33 years. When he retired, he was serving as Command Sergeant Major of the U.S. Army, Europe [ASAREUR]. He served this Nation all over the world, including assignments in Panama, Korea, Europe and Vietnam. During his long and very honorable career, he earned the Combat Infantryman's Badge and the Distinguished Service Medal.

While still serving this Nation in Europe, Mr. Krueger was appointed to the board of directors of the Noncommissioned Officers Association. Upon retirement, he was elected vice president of the association. A year later, he became president.

Walter Krueger's accomplishment as president of the association are legendary. The Organization received a Federal Charter from this U.S. Congress. The association began its medical trust, which awards funds each year to military families who need the assistance. It significantly raised the funding for and number of scholarships awarded to deserving young people. The NCOA operation appreciation program raised funds for equipment to be used by veterans in hospitals. Under his leadership, the organization began the NCOA national defense foundation, which works to ensure that active duty military enjoy their full right to participate in the democracy which they defend. Mr. Krueger received every award offered by the association, as is fitting for a man who led this organization so well and for so long, a man who fought for the rights and benefits due our noncommissioned officers, and who took every opportunity to honor and fight for our veterans.

I respectfully ask that this U.S. House of Representatives note the passage of this singular and distinguished American, and that we send our deepest condolences to Walter Krueger's wife, Betty Krueger, to his mother, Ruth Droes, to his five daughters, Kathy Logan, Karen Pagel, Judy Shaw, Pam Salada, and Patty Krueger, to his eight grandchildren, and to both his sisters. Walter Krueger was a strong family man, who loved this Nation and all that it stands for, who served all of the citizens of this country, first as a member of our armed services and then as an unparalleled advocate for our veterans. I am proud to call him my friend, and I am proud to ask that the House of Representatives of the Nation he loved so much take a moment to return to him a little of the honor and respect he showed us throughout his life.

COMMEMORATING BLACK HISTORY MONTH

SPEECH OF

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1996

Mr. RAHALL. Mr. Speaker, I am as proud as a father today, to have this opportunity to pay tribute to Vicky L. Bandy, of Beckley, WV, during Black History Month. For more than a decade, Ms. Bandy served as my executive assistant here in Washington, and Ms. Bandy was ever as loyal and dedicated as she was a professional, at all times and in all situations. I knew that I could depend upon her in all things.

Mr. Speaker, on February 24, 1996, Ms. Bandy gave a speech at the Beckley Federal Correctional Institution's Black Affairs Banquet, as part of its celebration of Black History Month.

I am privileged to place in the RECORD at this point, Ms. Bandy's stirring words as she encouraged and surely inspired her sisters as she spoke eloquently about their theme: African-American Women: Past, Present and Future. Mr. Speaker, I commend Ms. Bandy's remarks to my colleagues for their reading and their remembrance.

AFRICAN-AMERICAN WOMEN: PAST, PRESENT AND FUTURE

(By Vicky L. Bandy)

''Stony the road we trod, bitter the chastening rod, felt in the days when hope unborn had died.''

Today, we gather 370 years after the first African American landed at Jamestown, Virginia, 133 years after the signing of the Emancipation Proclamation, and 31 years after the Enactment of the Voting Rights Act of 1965, which gave African Americans power at the Ballot Box.

Last October, the African American Community pledged itself to pursue a bold new course with the success of the Million Man March.

The success of the effort is still being felt. But today, ladies, it is our turn. The Theme for the 1996 observance of Black History Month is: African American Women: Past, Present and Future.

As I thought about what I would say, I thought about how far we as African Americans have come. I thought of the stories that were told to me by my Grandmother, Ella Bandy. I recall stories about how this Strong Black Woman worked hard in the fields of Alabama. She would leave her babies in a wagon under a shade tree, while she worked the long rows of the fields. At the end of each row, she would run back to check on her babies. Grandmama was a strong African American Woman. She never gave up, she was a woman of principle; and she never gave in. Grandmama's hands, hard and calloused from toiling in the hot Alabama Sun, so that her children and grandchildren could have a better way of life.

Earlier this week, I witnessed the Swearing-In ceremony of Congressman Kweisi Mfume, as President and CEO of the NAACP, an event that was attended by a very small but elite group of people, among them being the President and Vice President of the United States. I reflected back to the point in time when I would ride in the car with my grandfather on election day—a day that I equated to Thomas 'n Joyland carnival coming to town.

Grand daddy's car windows held many campaign signs belonging to various politicians, seeking a vote in the Black community. I suppose it never occurred to Grand daddy that his granddaughter would grow up to become a part of the Political Process. He did not know that he was molding me for a successful career with your Congressman Nick J. Rahall. Well, Grand daddy did not live to see the end results of the many rides we shared on Election Day, but I will always be grateful to him. For I did not meet the normal standards. Ladies and Gentlemen, you see, I never attended an Ivy League school. I was educated in a four room schoolhouse. My parents were not politically connected, nor did they contribute to a campaign committee. The one thing that they did, was to teach me how to seize an opportunity.

That same lesson is equally important today. Too many of us today let opportunity pass us by, because we look for it in a pretty package, delivered to our doors by Federal Express or priority Mail. Often times, when we do seize the opportunity, we take all of the credit and forget that the way was paved by someone else, who labored and toiled in the fields from sun up to sun down.

''Stony the road we trod, bitter the chastening rod''. I've got mine and you get yours, never offering to lend a hand to help another. Well, I heard the songwriter say ''The only time you should look down on a man, is when you are picking him up''. Imagine Harriet Tubman, Conductor of the Underground Railroad, not reaching back, after seizing the opportunity to become a freed slave. Where would we be had it not been for Sojourner Truth, who traveled the country to proclaim to others the truth about slavery. Would we be able to sit in any seat on a bus today, had it not been for Rosa Parks, who refused to give up her seat in the front of the bus, when Coloreds were not allowed to ride in the front.

African American women; past, present, and future. What about Dr. Mae Jamison, first African American female Astronaut? What about Elizabeth Drewey, first African American Woman elected to the West Virginia House of Delegates? What about Carol Moseley Braun, the first female African American U.S. Senator, and my boss, Hazel R. O'Leary, the first African American and female African American to become Secretary of the U.S. Department of Energy, one who has opened many doors to expose Minority Students to the world of Science. What about your mother and my mother, strong and courageous African American Women, who made tremendous sacrifices and stood firm, despite the obstacles they faced—despite society's denial; despite low paying jobs; despite prejudice and racism—women who because of their determination, paved the way for you and me.

''We have come over a way that with tears has been watered, we have come treading our path thru the blood of the slaughtered.'' But, I would ask you today, what profit a person to gain, if he or she does not reach back to help another? Now that we have arrived, what are we doing to ensure that we will have famous African American Women in the future?

There are young women in our own neighborhoods who need to know that there is a way off of Welfare and on to Faring Well. Each of you today has a Special Gift to give back, so that others can realize their dreams, their hopes, their goals. I challenge you to stir up your gifts, to lift up somebody, to respect each other, to love yourself and to never stop striving to reach for your goals, never give up—don't give in.

We are African American women, marching on till victory is won. Yet with a steady beat, have not our weary feet, come to the place for which our fathers signed? African American women; past, present, and future.

Poet Maya Angelou sums it up by saying: ''You may write me down in history, with your bitter twisted lies. You may trod me in the very dirt, but still, like dust, I'll rise''. We will rise. African American women, past, present, and future.

TRIBUTE TO CAROL JENIFER

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. CONYERS. Mr. Speaker, given that we are so frequently confronted with the troubles and the travails of the Immigration and Naturalization Service, I would like to have the following uplifting article from the May 1995 issue of Management Review inserted into the RECORD. The article, by Anita Lienert, profiles Carol Jenifer, the first African-American woman to manage day-to-day operations in an INS district office. Ms. Jenifer is the District Director of the INS district office at the United States-Canada border located in my hometown of Detroit, MI. I hope and expect that the INS will continue to attract and promote individuals of Ms. Jenifer's caliber.

Carol Jenifer does not look like a huggable person. She wears her hair in a Marine Corps-style buzz cut and shuns makeup and jewelry. Although she's six feet tall, she seems even taller, carrying herself with a military bearing that reflects her years as a police officer in Washington, D.C. She carries a gold badge that says ''District Director'' and has just ordered a Glock handgun to keep in her desk. To get inside her office at the U.S.-Canada border in Detroit, you need to get by a metal detector and armed employees.

So when one of her clients leaps out of a seat in the waiting room at the Detroit branch of the U.S. Immigration and Naturalization Service and gives Jenifer a big hug, it seems somewhat out of place.

''Oh, Miss Jenifer,'' says Chadia Haidous, a Lebanese immigrant ''I just got sworn in today! I'm an American citizen! And now I don't have to worry about my daughter.''

Jenifer, 45, the first African-American woman to manage day-to-day operations at one of the 33 INS district offices in the United States, hugs her back and rejoices with the Haidous family.

Moments later, loping up the back steps to her office that overlooks the Detroit River, Jenifer explains that little Alica Haidous, 11, who was born in Senegal, could have faced deportation because her mother was not a U.S. citizen.

''The family was afraid the daughter would have to go back to Senegal unescorted,'' Jenifer explains. ''I could have stuck to the book, but why? I made a heart decision and I made it in the name of family unity. I could have sent her back and had them petition for her, but I didn't. And now it won't happen because we don't treat our citizens like that.''

Jenifer, who oversees a hectic operation with a $14 million annual budget, considers herself one of the new breed of INS managers. While the southern border with Mexico draws most of the media attention, INS officials say the northern border has its share of illegal immigrants—they just don't talk about how many.

Therefore, it's her mission to walk a tightrope to satisfy a number of different constituents, from American taxpayers who are disturbed by the large number of illegal aliens entering the country, to immigrants who complain about long lines and insensitive treatment at INS offices.

One of Jenifer's first management decisions was to improve the atmosphere by installing brighter lights in the crowded waiting room. She is considering hiring a customer-service representative to handle complaints generated by the 48 million people who pass through INS checkpoints in her jurisdiction each year, including the Detroit-Windsor Tunnel, the Ambassador Bridge and Detroit Metropolitan Airport. She is also determined to hire an inspector who is fluent in Arabic because her client base is 50 percent Middle Eastern and no one in the office is fluent in that language.

Jenifer has made it a point to get to know the names—and personal details—of the 254 employees and one drug-sniffing dog who work with her in patrolling eight ports of entry along 804 miles of water boundary between the United States and Canada.

So far, one of Jenfier's ''employee'' relations challenges has been communicating with the German shepherd: Gitta only responds to commands in German. Even so, Jenifer still knows how to work a room—whether it's full of customers or employees—in a charismatic style reminiscent of Ronald Reagan. She stops often to ask about sick wives or new husbands. But don't confuse her familiarity and warm-and-fuzzy approach with wimpiness. In reality, her management style is much closer to the tenets of Tough Love.

After all, her office deported 1,249 people in 1994. And shortly after the heartwarming scene with the Haidous family, Jenifer stands firm on a $15,000 bond set by her deputy director earlier in the afternoon on a Jordanian immigrant whose wife had blurted out during his naturalization interview that she had been ''paid to marry him.'' He also had prior felony convictions and there was an outstanding warrant for his arrest.

But to get a real feel for Jenifer, you need to see her in action at 7:30 a.m., as a single parent in Detroit getting her two daughters, Eboni and Kia, both 13, off to school, Jenifer skips breakfast and barks orders like ''Kia, did you finish those dishes?'' and ''Eboni, give me that assignment notebook to sign.''

While her girls scurry around, Jenifer straightens her simple black dress, snaps on a beeper and bundles up in a coat and scarf, stopping only to grab her ever-present black leather organizer.

Outside, it's 20 degrees and still dark, with a light snowfall. Sounding like a typical mother, Jenifer grumbles that she can't get the girls to wear their ski caps to school and that they keep pestering her to buy a dog.

''When I applied for the job a year ago, I told my supervisors that the girls were a huge part of my life,'' Jenifer says in the car on the way to work. ''I told them I would have to limit travel because I attend games, go to parent conferences and pick them up after school. It didn't seem to hurt, because I think they wanted someone who could humanize the office.''

At work, her office is decorated with striking paintings of ''buffalo soldiers''—the all-black cavalry who fought and resettled the West. Jenifer explains that since taking the job last spring, she has been worried about every little detail, including whether or not she should have hung the artwork.

''I almost took the pictures down,'' she says. ''I didn't want to overwhelm people who couldn't relate to something like that. But after I thought about it, I realized I needed those men (in the pictures) to watch my back. Management has some pitfalls.''

In private, Jenifer admits that ''being a tall, black female has had its problems.''

Testifying before a congressional committee last fall on equal employment opportunity protection and employment practices at the INS, she described the low points of her career, beginning with her job interview 12 years ago for an INS analyst position.

''The interviewer seemed more surprised that I was articulate and a product of the D.C. public school system than in other qualifying factors,'' Jenifer told the committee. ''It was quite obvious that I did not fit whatever image this manager had regarding African-Americans. He later remarked that one day I would be his 'boss' . . . There remains a perception that my advancement was due to connections and not based on merit.''

She says she had to struggle for every promotion at the federal agency, at one point hiring an attorney to present her concerns about lack of advancement to INS personnel officials.

Despite those early challenges, Jenifer says the transition to her new $88,000-a-year position has been relatively smooth, due in part to her long INS experience that ranges from working as an officer in the detention-and-deportation branch to holding the post of second-in-command in Detroit before she got the director's job. Her boss, Carol Chasse, INS eastern region director, describes Jenifer as ''a shining star.''

''She's got it,'' Chasse says. ''She's a practitioner of good human relations. Leadership in the '90s is about people skills and that's critical here because we deal with huge volumes of people.''

Although Jenifer grew up in Washington, D.C., she never dreamed of working for the INS. The daughter of a bookbinder at the Federal Bureau of Engraving wanted to be a firefighter. ''But back in those days, women didn't get to be firefighters,'' she says. ''I had to settle for police work.'' Her time on the D.C. force included a stint undercover on the prostitution detail.

Jenifer later earned two master's degrees, one in counseling from the University of the District of Columbia and one in public administration for Southeastern University. She said the degrees helped her develop the discipline to manage efficiently.

The first order of almost ever day is meeting with her top managers. Six out of seven of Jenifer's managers are women, which is notable considering there are no female border patrol chiefs in the United States and there are only two female district directors. On the day of the interview, Jenifer seems to be running later for her daily briefing, until she explains that she sets her office clock 15 minutes fast on purpose. She grabs a piece of hard candy from the jar on her desk and heads out right on time.

The meeting is fast-paced and informal, and covers topics ranging from the need for air fresheners in the office bathrooms to a video for employees about avoiding sexual harassment. Jenifer insists that her managers keep their remarks to a minimum, and they give their daily reports in a sort of verbal shorthand that takes a total of 21 minutes.

''E-mail is negative,'' begins administrative officer Judy McCormack.

''No arrests yesterday,'' pipes up James Wellman, acting assistant district director for investigations.

The issue of bathroom air fresheners prompts some discussion. ''I don't care what you get, as long as we get them in there,'' she says to her staff, slightly annoyed after being questioned about what type should be ordered.

Jenifer is anxious to end the meeting and get down into the public waiting room for her daily ''walkaround'' with people who are here to take citizenships tests, file paperwork contesting deportations or apply for green cards. Although she speaks English only, she communicates well, sometimes with gestures or hand-holding or by repeating phrases over and over.

Today, about 75 people are assembled by 9:30 a.m., under disconcerting signs that say things like Fingerprinting—Now Serving #823. Jenifer later explains that the signs record the number of people from January 1 to the present. Still, the signs just seems to magnify the ''Waiting for Godot'' atmosphere in the room. The Detroit office serves about 350 people a day and conducts about 1,300 naturalization interviews a month.

Jenifer doesn't identify herself, but plunges into the crowd, smiling and joking.

''Where are you from?'' she asks one man.

''Nigeria,'' he replies tersely.

''What part?'' Jenifer continues.

''Africa,'' he says.

''I know it's Africa, silly,'' she chides him, laughing. ''I've been there. What part?''

By this time, the man and his companions are smiling. Everyone in the room is staring.

''Lagos,'' he says. ''Have you been there?''

She has been accused of working the crowd, but ''this is some of the most important work I do,'' she explains afterward. ''I got a real feel for front-line work when I worked for the INS processing refugees in Kenya a couple of years ago. It sure gives you a different perspective on naturalization. It makes you realize that these are peoples' lives you're making decisions about.''

Back in her office around 10:15 a.m., Jenifer sucks on another hard candy and meets with Harold Carter, an INS examiner who chairs a committee representing minorities in the Detroit district.

''Come on Harold, get comfortable,'' Jenifer coos as she scrabbles around on her desk looking for a pen. After Carter settles into a chair, she launches into her concerns: ''There are no Hispanics in investigations . . . We don't have any representative [minority] groups at Sault Ste. Marie. We have to show we've tried to reach parity. Can we get people to work up there?

Carter laughs, noting it's pretty cold at the Soo, which is an INS port-of-entry located in Michigan's Upper Peninsula. But they get serious again quickly. After all, there is a class-action suit in Los Angeles about lack of advancement among black INS officers.

After the meeting, she's off to the Detroit-Windsor Tunnel, which runs underneath the Detroit River, but first stops to order Girl Scout cookies from a coworker. ''I should have ordered more,'' she muses. ''My kids know I hide them under my bed.''

Jenifer needs to see how work is progressing at the tunnel and Detroit's Ambassador Bridge—the largest commercial-vehicle entry port in the United States—on the ''Portpass'' program. Portpass allows prequalified drivers to use express lanes, which will speed up the flow of traffic.

''Traffic can be my worst nightmare,'' Jenifer says. ''We have a federal mandate to get people inspected here in less than 20 minutes—and we have to keep it moving or the complaints start backing up.'' The INS inspects people crossing the border, while U.S. Customs agents inspect things, but the two cross-train and work together. To the public, they are virtually indistinguishable.

Touring the new tunnel Portpass office, Jenifer is complimentary about the countertops that will separate staff and customers. ''Good,'' she notes, ''I like them wide so nobody can reach across and grab our people.''

She's less sanguine, however, about the Portpass signs in the traffic lanes at the tunnel. ''The signs are too little,'' she complains. ''I don't know if people will be able to see them.''

At the bridge at noon, Jenifer is still obsessed with signage. She tells Norman Byron, port director for the bridge, that she's worried that people won't be able to see the express lane signs at night. He assures her that they will be well-lit.

The two tour a trailer-type office set up at the foot of the bridge to accommodate the new program and staff. Jenifer checks out every closet and toilet and pushes back part of the wall paneling that has bowed out. She nearly slips coming down the steps in the snow and asks when skid strips will be put in.

''The skid strip for steps costs $3,000 a roll,'' Byron says. ''Some things we can't do until the weather gets warmer.''

Back in Byron's office, Jenifer banters with several INS agents and asks for their recommendations on good places to eat nearby. They direct her to a restaurant in Detroit's nearby Mexican Village that looks like a dive, but turns out to have decent food.

Jenifer orders the quesadillas and chicken enchiladas and ends up taking home a doggie bag of most of the food for her kids. ''I'm a horrendous cook, so I love leftovers,'' She admits.

By 1 p.m., she's on her way to Detroit's Metro airport to check on a request for more INS inspectors to accommodate a 60 percent increase in international passengers since 1993 due to airline mergers. It's a 45-minute drive to the airport, and on the way she talks about the mundane, yet important issues that face single parents, such as getting the laundry done and whether it's wise to hire a housekeeper.

Stuck in rush-hour traffic with Jenifer, you find yourself sharing the problems of raising teenagers and getting along with men. She seems more like an old friend by mid-afternoon than an interview subject. But then, her staff has warned you that Jenifer often ''pulls an Oprah,'' or gets people to tell all unwittingly.

At the INS section of the airport, Michael Freeman, the supervisory immigration inspector at the airport, prints up a computer list of how passengers have increased on each airline since 1989. Jenifer studies the printout and tells him she'll consider hiring 10 or 11 new inspectors to ease the crunch. Jenifer asks Freeman if he's lost weight. It's clear Freeman's busting to tell her something else and he finally does.

''I just found out my wife is having a baby,'' he says. They chat about children and health concerns. If Jenifer ever tires of the INS, she could probably have her own talk show.

She makes it a point to shake hands with or speak to all 12 of the INS inspectors on duty that afternoon before heading back to her office. The new hires, whose desks are piled with books like *The Art of Cross-Examination,* stiffen when Jenifer walks in the room. But within minutes they are relaxed.

Back at the office, Jenifer goes through the paperwork that has sprouted on her desk over the last few hours. Her secretary puts the most urgent notes on her chair. There are employee identification cards to sign, a quarterly meeting with immigration lawyers to arrange and an application for a bowling tournament with the heads of other federal agencies in Detroit, from the Secret Service to the FBI.

''Oh,'' Jenifer groans, ''I need a coach to help me bowl better. I bowled an 80 last time and have yet to live down the shame.''

By 4:45 p.m., Jenifer is walking out the door to pick up the girls. They are waiting for her in the school library, complaining about their eight-grade class pictures.

Jenifer studies the photos as closely as she's looked at any paperwork today. ''Yes,

I'm keeping these for blackmail purposes,'' she says. The three of them burst out laughing.

By 5:15 p.m., the INS manager who insists that ''fair management and families'' are the cornerstones of her personal and professional life, is walking in the side door of her house holding the leftover chicken enchiladas in her free hand.

UNITED STATES-PUERTO RICO POLITICAL STATUS ACT

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. YOUNG of Alaska. Mr. Speaker, today, the introduction of the United States-Puerto Rico Political Status Act will, for the first time in nearly a century of U.S. administration, provide a congressionally recognized framework for the inhabitants of Puerto Rico to freely express their wishes regarding the options for full self-government. I want to acknowledge the insightful leadership of Speaker NEWT GINGRICH in working with the committee to formulate a process to advance the United States-Puerto Rico relationship toward a conclusive one of full self-government. A number of Members have been supportive and instrumental in the development of the legislation, including ELTON GALLEGLY, chairman of the Subcommittee on Native American and Insular Affairs of the Committee on Resources, BEN GILMAN, chairman of the Committee on International Relations, and DAN BURTON, chairman of the Subcommittee on the Western Hemisphere who cochaired with Mr. GALLEGLY the October 17, 1995, joint hearing on the 1993 Puerto Rico status plebiscite. There also has been substantial input from Members on the other side of the aisle.

This matter of tremendous importance to the United States and the nearly 4 million United States citizens in Puerto Rico can only be resolved by adhering to constitutionally and internationally based principles and standards for full self-government. While many may misconstrue this legislation to be designed to benefit one local Puerto Rico political party over another, it is, in fact, a serious bipartisan effort to enact into law a pragmatic process with the long-term objective of resolving the Puerto Rico status dilemma. The legislation divides the process into three manageable stages which follow historical precedent set by the Congress in providing for final political statuses of territories and trust territories during this century.

The first step in the process is the initial decision stage in which voters are asked which fundamental relationship they prefer with the United States—one of separate sovereignty leading to independence or free association or under United States sovereignty leading to statehood.

The second and final steps are the transition and implementation stages which follow the historical patterns of enabling and admission acts for territories becoming States and similar measures for insular areas becoming separate sovereigns.

If this self-determination process does not result in voter approval of one of the rcognized options for full self-government, then by democratic choice of the voters—instead of by Federal mandate—the status quo will continue and Puerto Rico will remain a locally self-governing unincorporated territory under congressional administration.

Under the U.S. Constitution and applicable principles of international law, the three recognized options for full self-government are independence, separate sovereignty in free association with the United States, and full integration into the United States leading to statehood. In order for Congress to determine how to respond to the aspirations of the people of Puerto Rico regarding a permanent, future political status in a manner which promotes and preserves the U.S. long-term national interest, we need to address the status question based on clearly defined principles and standards. This is precisely what the bill does.

Locally conducted plebiscites have been inconclusive, and were unduly influenced by vested interests exploiting the status quo. It is time for the U.S. Congress to meet its responsibility under the Constitution to provide for a self-determination procedure in which the U.S. national interest in resolving the status issue is taken into account, rather than allowing the issue to be dominated by local political rivalries and interference from those who thrive opportunistically on the present territorial status. The United States also has a right of self-determination and this process requires action by both the United States and Puerto Rico in order to advance toward a full self-government relationship.

After 400 years of colonial rule by Spain ended in 1898, it should not have taken another 100 years of American administration for the U.S. Congress to define the options for full and permanent self-government. The United States-Puerto Rico Status Act permits full self-government to be realized in Puerto Rico in definitive steps, with a smooth transition to whatever form of full self-government the people choose: independence, separate sovereignty in free association with the United States, or statehood.

There is an important event which took place recently which is relevant to the introduction of this legislation. On February 29, 1996, I joined three other House committee and subcommittee chairmen from the Committees on Resources and International Relations in responding to Concurrent Resolution 62 of the Puerto Rico Legislature.

In the Concurrent Resolution the legislature asks the 104th Congress to respond to the results of the November 14, 1993, status plebiscite in Puerto Rico, wherein the Commonwealth ballot proposition received a plurality of 48.6 percent votes cast, and to indicate the next steps in resolving Puerto Rico's political status. After extensive research, oversight, and a joint hearing, a substantial record was developed enabling a concise response to Concurrent Resolution 62.

Following is the text of the response to the President of the Senate and Speaker of the House of the Puerto Rico Legislature:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON RESOURCES,
Washington, DC, February 29, 1996.

Hon. ROBERTO REXACH-BENITEZ,
President of the Senate.
Hon. ZAIDA HERNANDEZ-TORRES,
Speaker of the House of Commonwealth of Puerto Rico, San Juan, Puerto Rico.

DEAR MR. REXACH-BENITEZ AND MS. HERNANDEZ-TORRES: The Committee on Resources and the Committee on International Relations are working cooperatively to establish an official record which we believe will enable to House to address the subject-matter of Concurrent Resolution 62, adopted by the Legislature of Puerto Rico on December 14, 1994. While the specific measures addressing Puerto Rico's status which the 104th Congress will consider are still being developed, we believe the history of the self-determination process in Puerto Rico, as well as the record of the Joint Hearing conducted on October 17, 1995 by the Subcommittee on Native American and Insular Affairs and the Subcommittee on Western Hemisphere, lead to the following conclusions with respect to the plebiscite conducted in Pertro Rico on November 14, 1993:

1. The plebiscite was conducted under local law by local authorities, and the voting process appears to have been orderly and consistent with recognized standards for lawful and democratic elections. This locally organized self-determination process was undertaken within the authority of the constitutional government of Puerto Rico, and is consistent with the right of the people of Puerto Rico freely to express their wishes regarding their political status and the form of government under which they live. The United States recognizes the right of the people of Puerto Rico to self-determination, including the right to approve any permanent political status which will be established upon termination of the current unincorporated territory status. Congress will take cognizance of the 1993 plebiscite results in determining future Federal policy toward Puerto Rico.

2. The content of each of the three status options on the ballot was determined by the three major political parties in Puerto Rico identified with those options, respectively. The U.S. Congress did not adopt a formal position as to the feasibility of any of the options prior to presentation to the voters. Consequently, the results of the vote necessarily must be viewed as a an expression of the preferences of those who voted as between the proposals and advocacy of the three major political parties for the status option espoused by each such party.

3. None of the status options presented on the ballot received a majority of the votes cast. While the commonwealth option on the ballot received a plurality of votes, this result is difficult to interpret because that option contained proposals to profoundly change rather than continue the current Commonwealth of Puerto Rico government structure. Certain elements of the commonwealth option, including permanent union with the United States and guaranteed U.S. citizenship, can only be achieved through full integration into the U.S. leading to statehood. Other elements of the commonwealth option on the ballot, including a government-to-government bilateral pact which cannot be altered, either are not possible or could only be partially accomplished through treaty arrangements based on separate sovereignty. While the statehood and independence options are more clearly defined, neither of these options can be fully understood on the merits, unless viewed in the context of clear Congressional policy regarding the terms under which either option could be implemented if approved in a future plebiscite recognized by the federal government. Thus, there is a need for Congress to define the real options for change and the true legal and political nature of the status quo, so that the people can know what the actual choices will be in the future.

4. Although there is a history of confusion and ambiguity on the part of some in the U.S. and Puerto Rico regarding the legal and political nature of the current ''commonwealth'' local government structure and territorial status, it is incontrovertible that

Puerto Rico's present status is that of an unincorporated territory subject in all respects to the authority of the United States Congress under the Territorial Clause of the U.S. Constitution. As such, the current status does not provide guaranteed permanent union or guaranteed citizenship to the inhabitants of the territory of Puerto Rico, nor does the current status provide the basis for recognition of a separate Puerto Rican sovereignty or a binding government-to-government status pact.

5. In light of the foregoing, the results the November 14, 1993 vote indicates that it is the preference of those who cast ballots to change the present impermanent status in favor of a permanent political status based on full self-government. The only options for a permanent and fully self-governing status are: (1) separate sovereignty and full national independence, (2) separate sovereignty in free association with the United States; (3) full integration into the United States political system ending unincorporated territory status and leading to statehood.

6. Because each ballot option in the 1993 plebiscite addressed citizenship, we want to clarify this issue. First, under separate sovereignty Puerto Ricans will have their own nationality and citizenship. The U.S. political status, nationality, and citizenship provided by Congress under statutes implementing the Treaty of Paris during the unincorporated territory period will be replaced by the new Puerto Rican nationhood and citizenship status that comes with separate sovereignty. To prevent hardship or unfairness in individual cases, the U.S. Congress may determine the requirements for eligible persons to continue U.S. nationality and citizenship, or be naturalized, and this will be governed by U.S. law, not Puerto Rican law. If the voters freely choose separate sovereignty, only those born in Puerto Rico who have acquired U.S. citizenship on some other legal basis outside the scope of the Treaty of Paris citizenship statutes enacted by Congress during the territorial period will not be affected. Thus, the automatic combined Puerto Rican and U.S. citizenship described under the definition of independence on the 1993 plebiscite ballot was a proposal which is misleading and inconsistent with the fundamental principles of separate nationality and non-interference by two sovereign countries in each other's internal affairs, which includes regulation of citizenship. Under statehood, guaranteed equal U.S. citizenship status will become a permanent right. Under the present Commonwealth of Puerto Rico government structure, the current limited U.S. citizenship status and rights will be continued under Federal law enacted under the Territorial Clause and the Treaty of Paris, protected to the extent of partial application of the U.S. Constitution during the period in which Puerto Rico remains an unincorporated territory.

7. The alternative to full integration into the United States or a status based on separate sovereignty is continuation of the current unincorporated territory status. In that event, the present status quo, including the Commonwealth of Puerto Rico structure for local self-government, presumably could continue for some period of time, until Congress in its discretion otherwise determines the permanent disposition of the territory of Puerto Rico and the status of its inhabitants through the exercise of its authority under the Territorial Clause and the provisions of the Treaty of Paris. Congress may consider proposals regarding changes in the current local government structure, including those set forth in the ''Definition of Commonwealth'' on the 1993 plebiscite ballot. However, in our view serious consideration of proposals for equal treatment for residents of Puerto Rico under Federal programs will not be provided unless there is an end to certain exemptions from federal tax laws and other non-taxation in Puerto Rico, so that individuals and corporations in Puerto Rico have the same responsibilities and obligations in this regard as the states. Since the ''commonwealth'' option on the 1993 plebiscite ballot called for ''fiscal autonomy,'' which is understood to mean, among other things, continuation of the current exemptions from federal taxation for the territory, this constitutes another major political, legal and economic obstacle to implementing the changes in Federal law and policy required to fulfill the terms of the ''Definition of Commonwealth.''

8. In addition, it is important to recognize that the existing Commonwealth of Puerto Rico structure for local self-government, and any other measures which Congress may approve while Puerto Rico remains an unincorporated territory, are not unalterable in a sense that is constitutionally binding upon a future Congress. Any provision, agreement or pact to the contrary is legally unenforceable. Thus, the current Federal laws and policies applicable to Puerto Rico are not unalterable, nor can they be made unalterable, and the current status of the inhabitants is not irrevocable, as proposed under the ''commonwealth'' option on the 1993 plebiscite ballot. Congress will continue to respect the principle of self-determination in its exercise of Territorial Clause powers, but that authority must be exercised within the framework of the U.S. Constitution and in a manner deemed by Congress to best serve the U.S. national interest. In our view, promoting the goal of full self-government for the people of Puerto Rico, rather than remaining in a separate and unequal status, is in the best interests of the United States. This is particularly true due to the large population of Puerto Rico, the approach of a new century in which a protracted status debate will interfere with Puerto Rico's economic and social development, and the domestic and international interest in determining a path to full self-government for all territories with a colonial history before the end of this century.

9. The record of the October 17, 1995 hearing referred to above makes it clear that the realities regarding constitutional, legal and political obstacles to implementing the changes required to fulfill the core elements of the ''commonwealth'' option on the ballot were not made clear and understandable in the public discussion and political debate leading up to the vote. Consequently, Congress must determine what steps the Federal government should take in order to help move the self-determination process to the next stage, so that the political status aspirations of the people can be ascertained through a truly informed vote in which the wishes of the people are freely expressed within a framework approved by Congress. Only through such a process will Congress then have a clear basis for determining and resolving the question of Puerto Rico's future political status in a manner consistent with the national interest.

Ultimately, Congress alone can determine Federal policy with respect to self-government and self-determination for the residents of Puerto Rico. It will not be possible for the local government or the people to advance further in the self-determination process until the U.S. Congress meets its moral and governmental responsibility to clarify Federal requirements regarding termination of the present unincorporated territory status of Puerto Rico in favor of one of the options for full self-government.

The results of the locally administered 1993 vote are useful in this regard, but in our view are not definitive beyond what has been stated above. The question of Puerto Rico's political status remains open and unresolved.

Sincerely,

DON YOUNG,
Chairman, Committee on Resources.

ELTON GALLEGLY,
Chairman, Subcommittee on Native American and Insular Affairs.

BEN GILMAN,
Chairman, Committee on International Relations.

DAN BURTON,
Chairman, Subcommittee on the Western Hemisphere.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, March 7, 1996, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 8

9:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings to review the status of the reorganization of the Veterans Health Administration and related initiatives to improve VA health care delivery methods.
SD–192

9:30 a.m.
Governmental Affairs
Oversight of Government Management and The District of Columbia Subcommittee
To hold hearings to examine the oversight of government-wide travel management.
SD–342

Labor and Human Resources
To hold hearings on S. 553, to amend the Age Discrimination in Employment Act of 1967 to reinstate an exemption for certain bona fide hiring and retirement plans applicable to State and local firefighters and law enforcement officers.
SD–430

Joint Economic
To hold hearings to examine the employment-unemployment situation for February.
334 Cannon Building

MARCH 11

10:00 a.m.
Finance
Social Security and Family Policy Subcommittee
To hold hearings to examine the Social Security program in relation to future retirees, focusing on the original intent of the program, expectations of different generations, and changes necessary to ensure that retirees born after 1946 will be treated fairly relative to current and past retirees.
SD–215

MARCH 12

9:30 a.m.
Armed Services
To resume hearings on proposed legislation authorizing funds for fiscal year 1997 for the Department of Defense, and the future years defense plan.
SR–222

10:00 a.m.
Budget
To hold hearings to examine immigration and public welfare benefits.
SD–608

Foreign Relations
To hold hearings on the Convention on Chemical Weapons (Treaty Doc. 103–21).
SD–419

Judiciary
Youth Violence Subcommittee
To hold hearings to examine how youth violence programs should be funded in the future.
SD–226

2:00 p.m.
Foreign Relations
African Affairs Subcommittee
To hold hearings to examine the prospects for peace and democracy in Angola.
SD–419

MARCH 13

9:30 a.m.
Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD–366

Governmental Affairs
Permanent Subcommittee on Investigations
To resume hearings to examine global proliferation of weapons of mass destruction.
SD–342

10:00 a.m.
Armed Services
Personnel Subcommittee
To hold hearings on proposed legislation authorizing funds for fiscal year 1997 for the Department of Defense and the future years defense program, focusing on manpower, personnel, and compensation programs.
SR–222

Veterans' Affairs
To hold hearings to examine the reform of health care priorities.
SR–418

10:30 a.m.
Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings to examine recent developments in the Space Station program.
SR–253

2:00 p.m.
Armed Services
To resume hearings on proposed legislation authorizing funds for fiscal year 1997 for the Department of Defense and the future years defense plan.
SR–222

MARCH 14

9:30 a.m.
Energy and Natural Resources
To hold hearings on S. 1425, to recognize the validity of rights-of-way granted under section 2477 of the Revised Statures.
SD–366

Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Paralyzed Veterans of America, the Jewish War Veterans, the Retired Officers Association, the Association of the U.S. Army, the Non-Commissioned Officers Association, and the Blinded Veterans Association.
345 Cannon Building

2:00 p.m.
Armed Services
Readiness Subcommittee
To hold hearings on current and future military readiness as the armed forces prepare for the 21st century.
SR–232A

MARCH 19

9:30 a.m.
Commerce, Science, and Transportation
To hold oversight hearings on activities of the Federal Communications Commission.
SR–253

10:00 a.m.
Budget
To hold hearings on the President's fiscal year 1997 budget proposals.
SD–608

Governmental Affairs
Permanent Subcommittee on Investigations
To hold hearings to examine the asset forfeiture program, focusing on issues relating to the Bicycle Club Casino.
SD–342

MARCH 20

9:30 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1997 for the Department of Defense, focusing on the ballistic missile defense program.
SD–192

Governmental Affairs
Permanent Subcommittee on Investigations
To resume hearings to examine global proliferation of weapons of mass destruction.
SD–342

10:00 a.m.
Veterans' Affairs
To resume hearings to examine the reform of health care priorities.
SR–418

2:00 p.m.
Energy and Natural Resources
Energy Research and Development Subcommittee
To hold hearings on S. 1077, to authorize research, development, and demonstration of hydrogen as an energy carrier, S. 1153, to authorize research, development, and demonstration of hydrogen as an energy carrier, and a demonstration-commercialization project which produces hydrogen as an energy source produced from solid and complex waste for on-site use fuel cells, and H.R. 655, to authorize the hydrogen research, development, and demonstration programs of the Department of Energy.
SD–366

MARCH 26

2:00 p.m.
Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings on the proposed budget request for fiscal year 1997 for the National Aeronautics and Space Administration (NASA).
SR–253

MARCH 27

9:30 a.m.

Commerce, Science, and Transportation

To hold hearings to examine Spectrum's use and management.

SR–253

Governmental Affairs

Permanent Subcommittee on Investigations

To resume hearings to examine global proliferation of weapons of mass destruction.

SD–342

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Veterans of World War I, AMVETS, the American Ex-Prisoners of War, the Vietnam Veterans of America, and the Military Order of the Purple Heart.

345 Cannon Building

APRIL 18

9:30 a.m.

Commerce, Science, and Transportation

To resume hearings to examine Spectrum's use and management.

SR–253

SEPTEMBER 17

9:30 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the American Legion.

335 Cannon Building

CANCELLATIONS

MARCH 7

10:00 a.m.

Foreign Relations

To hold hearings on the Convention on Chemical Weapons.

SD–419

2:00 p.m.

Select on Intelligence

To hold a closed briefing on intelligence matters.

SH–219

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1537–S1610

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 1591–1595, and S. Con. Res. 43. **Page S1598**

Measures Reported: Reports were made as follows:

S. 1594, making omnibus consolidated rescissions and appropriations for the fiscal year ending September 30, 1996. (S. Rept. No. 104–236)

S. 942, to promote increased understanding of Federal regulations and increased voluntary compliance with such regulations by small entities, to provide for the designation of regional ombudsmen and oversight boards to monitor the enforcement practices of certain Federal agencies with respect to small business concerns, to provide relief from excessive and arbitrary regulatory enforcement actions against small entities, with an amendment in the nature of a substitute.

Special report entitled ''Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 1996''. (S. Rept. No. 104–237) **Page S1597**

Measures Passed:

Armed Forces Benefits: Senate passed H.R. 2778, to provide that members of the Armed Forces performing services for the peacekeeping effort in the Republic of Bosnia and Herzegovina shall be entitled to certain tax benefits in the same manner as if such services were performed in a combat zone, clearing the measure for the President. **Pages S1608–09**

Greek Independence Day: Senate agreed to S. Res. 219, designating March 25, 1996 as ''Greek Independence Day: A National Day of Celebration of Greek and American Democracy''. **Page S1609**

Whitewater Investigation: Senate began consideration of a motion to proceed to the consideration of S. Res. 227, to authorize the use of additional funds for salaries and expenses of the Special Committee to Investigate Whitewater Development Corporation and Related Matters. **Pages S1552–95**

Senate will continue consideration of the motion to proceed on Thursday, March 7, 1996.

Nominations Received: Senate received the following nominations:

Eric L. Clay, of Michigan, to be United States Circuit Judge for the Sixth Circuit.

Joseph F. Bataillon, of Nebraska, to be United States District Judge for the District of Nebraska.

Harold Walter Geisel, of Illinois, to be Ambassador to the Republic of Mauritius and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal and Islamic Republic of The Comoros.

Aubrey Hooks, of Virginia, to be Ambassador to the Republic of the Congo.

Robert Krueger, of Texas, to be Ambassador to the Republic of Botswana.

A routine list in the Foreign Service. **Page S1610**

Messages From the House: **Pages S1596–97**

Measures Referred: **Page S1597**

Measures Read First Time: **Page S1597**

Communications: **Page S1597**

Executive Reports of Committees: **Pages S1597–98**

Statements on Introduced Bills: **Pages S1598–S1606**

Additional Cosponsors: **Page S1605**

Authority for Committees: **Pages S1607–08**

Additional Statements: **Pages S1608–09**

Notice of Proposed Rulemaking: **Pages S1547–50**

Recess: Senate convened at 9:30 a.m., and recessed at 7:04 p.m., until 9:30 a.m., on Thursday, March 7, 1996. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1610.)

Committee Meetings

(Committees not listed did not meet)

OMNIBUS APPROPRIATIONS

Committee on Appropriations: Committee ordered favorably reported an original bill (S. 1594) making omnibus consolidated rescissions and appropriations for the fiscal year ending September 30, 1996.

APPROPRIATIONS—DEFENSE

Committee on Appropriations: Subcommittee on Defense held hearings on proposed budget estimates for fiscal year 1997 for the Department of Defense, receiving testimony from John J. Hamre, Under Secretary of Defense, Comptroller/Chief Financial Officer.

Subcommittee will meet again on Wednesday, March 20.

BALLISTIC MISSILE DEFENSE

Committee on Armed Services: Committee concluded hearings to review the current status of the ballistic missile defense program, after receiving testimony from Paul G. Kaminski, Under Secretary of Defense for Acquisition and Technology.

DOE DEFENSE PROGRAMS

Committee on Armed Services: Subcommittee on Strategic Forces concluded hearings to examine the status of the Department of Energy Environmental Management Program and the activities of the Defense Nuclear Facilities Safety Board, after receiving testimony from Thomas P. Grumbly, Assistant Secretary of Energy for Environmental Management; John T. Conway, Chairman, Defense Nuclear Facilities Safety Board; Ambrose L. Schwallie, Westinghouse/Savannah River Co., Aiken, South Carolina; Lincoln E. Hall, Lockheed Martin Energy Systems, Oak Ridge, Tennessee; W. John Denson, Lockheed Martin Idaho Technologies, Idaho Falls; William C. Moffitt, Westinghouse/Hanford Co., Hanford, Washington; Robert G. Card, Kaiser Hill Co., Golden, Colorado; and Donald Ofte, Fernald Environmental Restoration Management Corp., Fernald, Ohio.

ECONOMIC OUTLOOK

Committee on the Budget: Committee concluded hearings to examine the state of the United States economy, economic impact of deficit reduction, and the role of fiscal policy in enhancing long-term prospects, after receiving testimony from Martin N. Baily, Member, Council of Economic Advisors; James R. Capra, Capra Asset Management, Inc., Rye, New York; and Mickey D. Levy, NationsBanc Capital Markets, Inc., New York, New York.

ELECTRIC POWER INDUSTRY

Committee on Energy and Natural Resources: Committee held oversight hearings on issues relating to competitive change in the electric power industry, and on S. 1526, to provide for retail competition among electric energy suppliers, and to provide for recovery of stranded costs attributable to an open access electricity market, receiving testimony from Charles B. Curtis, Deputy Secretary, and Elizabeth A. Moler, Chair, Federal Energy Regulatory Commission, both of the Department of Energy; Cheryl L. Parrino, Wisconsin Public Service Commission, Madison, on behalf of the National Association of Regulatory Utility Commissioners; Daniel W. Fessler, California Public Utilities Commission, San Francisco; Lisa Crutchfield, Pennsylvania Public Utility Commission, Harrisburg; Richard H. Cowart, Vermont Public Service Board, Montpelier; and Robert W. Gee, Texas Public Utility Commission, Austin.

Hearings were recessed subject to call.

NOMINATION

Committee on Foreign Relations: Committee concluded hearings on the nomination of Rita Derrick Hayes, of Maryland, for the rank of Ambassador during her tenure of service as Chief Textile Negotiator, Department of State, after the nominee, who was introduced by Senators Thurmond and Hollings, testified and answered questions in her own behalf.

MINORITIES IN SOUTH ASIA

Committee on Foreign Relations: Subcommittee on Near East and South Asia concluded hearings to examine the treatment of minorities in South Asia, after receiving testimony from Robin Raphel, Assistant Secretary of State for South Asia; David Forte, Cleveland State University, Cleveland, Ohio; Anne Buwalda, The Jubilee Campaign, Vienna, Virginia; Patricia Gossman, Human Rights Watch Asia, Washington, D.C.; and Kristen Obadal, Obadal & McLeod, Alexandria, Virginia.

INTERSTATE TRANSPORTATION OF HUMAN PATHOGENS

Committee on the Judiciary: Committee concluded hearings to examine issues relating to the interstate transportation of human pathogens, after receiving testimony from Representatives Markey and Joseph Kennedy; Mark M. Richard, Deputy Assistant Attorney General, Criminal Division, Department of Justice; James M. Hughes, Director, National Center for Infectious Diseases, Centers for Disease Control and Prevention, Department of Health and Human Services; David N. Sundwall, American Clinical Laboratory Association, Washington, D.C.; Kenneth I. Berns, Cornell University Medical College, New York, New York, on behalf of the American Society of Microbiology; and L. Barth Reller, Duke University Medical Center, Durham, North Carolina, on behalf of the American Type Culture Collection.

NIH

Committee on Labor and Human Resources: Committee held oversight hearings on activities of the National Institutes of Health, receiving testimony from Harold E. Varmus, Director, Francis S. Collins, Director, National Center for Human Genome Research, Richard D. Klausner, Director, National Cancer Institute,

Kenneth Olden, Director, National Institute of Environmental Health Sciences, Zach W. Hall, Director, National Institute of Neurological Disorders and Stroke, Carl Kupfer, Director, National Eye Institute, and Alan I. Leshner, Director, National Institute on Drug Abuse, all of the National Institutes of Health, Department of Health and Human Services.

Hearings continue tomorrow.

SMALL BUSINESS REGULATORY FAIRNESS ACT

Committee on Small Business: Committee ordered favorably reported, with an amendment in the nature of a substitute, S. 942, to promote increased understanding of Federal regulations and increased voluntary compliance with such regulations by small entities, to provide for the designation of regional ombudsmen and oversight boards to monitor the enforcement practices of certain Federal agencies with respect to small business concerns, and to provide relief from excessive and arbitrary regulatory enforcement actions against small entities.

U.S. INTELLIGENCE

Select Committee on Intelligence: Committee concluded hearings on the future of United States intelligence, after receiving testimony from former Senator Rudman and former Secretary of Defense Harold Brown, both on behalf of the Commission on the Roles and Capabilities of the United States Intelligence Community; former Senator Baker; Richard N. Haass, Director, National Security Programs and Senior Fellow, Council on Foreign Relations; and Richard K. Betts, Columbia University, New York, New York.

TELEMARKETING FRAUD

Special Committee on Aging: Committee concluded hearings to examine the scope and trends of telemarketing fraud operations that target the elderly, after receiving testimony from Kathryn E. Landreth, United States Attorney, District of Nevada, and Charles L. Owens, Section Chief, Financial Crimes Section, Federal Bureau of Investigation, both of the Department of Justice; Jodie Bernstein, Director, Bureau of Consumer Protection, Federal Trade Commission; Agnes Johnson, Biddeford, Maine, on behalf of the American Association of Retired Persons; John F. Barker, National Fraud Information Center, and Peder Anderson, both of Washington, D.C.; Edward B. Gould, Jr., Las Vegas, Nevada; and Mary Ann Downs, Raleigh, North Carolina.

House of Representatives

Chamber Action

Bills Introduced: 20 public bills, H.R. 3020–3039; 1 private bill, H.R. 3040; and 1 resolution, H. Res. 373 were introduced. **Pages H1774–75**

Reports Filed: Reports were filed as follows:

H. Res. 369, to provide to the Committee on Government Reform and Oversight special authorities to obtain testimony for purposes of investigation and study of the White House Travel Office matter (H. Rept. 104–472);

H. Res. 371, providing for the consideration of H.R. 3021, to guarantee the continuing full investment of Social Security and other Federal funds in obligations of the United States (H. Rept. 104–473); and

H. Res. 372, providing for the consideration of H.R. 3019, making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget (H. Rept. 104–474).

Pages H1749, H1773–74

Journal: By a yea-and-nay vote of 346 yeas to 65 nays, with 2 voting ''present'', Roll No. 45, the House agreed to the Speaker's approval of the Journal of Tuesday, March 5. **Pages H1723–24**

Cuban Liberty and Democratic Solidarity: By a yea-and-nay vote of 336 yeas to 86 nays, Roll No. 47, the House agreed to the conference report on H.R. 927, to seek international sanctions against the Castro government in Cuba, and to plan for support of a transition government leading to a democratically elected government in Cuba. **Pages H1736–49**

H. Res. 370, the rule which waived all points of order against consideration of the conference report, was agreed to earlier by a yea-and-nay vote of 347 yeas to 67 nays, Roll No. 46. **Pages H1724–36**

Recess: House recessed at 6:46 p.m. and reconvened at 7:10 p.m.

Senate Messages: Message received from the Senate today appears on page H1719.

Amendments Ordered Printed: Amendments ordered printed pursuant to the rule appear on page H1776.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of the House today

and appear on pages H1723–24, H1736, and H1749. There were no quorum calls.

Adjournment: Met at 11 a.m. and adjourned at 7:12 p.m.

Committee Meetings

AGRICULTURE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies continued appropriation hearings. Testimony was heard from congressional and public witnesses.

ENERGY AND WATER APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development continued appropriation hearings. Testimony was heard from congressional and public witnesses.

FOREIGN OPERATIONS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing and Related Agencies held a hearing on Jordan Arms Transfers. Testimony was heard from Walter B. Slocombe, Under Secretary, Policy, Department of Defense; and Robert H. Pelletreau, Assistant Secretary, Near Eastern Affairs, Department of State.

INTERIOR APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior held a hearing on the National Endowment for the Humanities. Testimony was heard from Sheldon Hackney, Chairman, National Endowment for the Humanities, National Foundation on the Arts and the Humanities.

LABOR-HHS-EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education continued appropriation hearings. Testimony was heard from public witnesses.

LEGISLATIVE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Legislative continued appropriation hearings. Testimony was heard from Representative Ehlers; and public witnesses.

The Subcommittee also held a hearing on the Office of Compliance. Testimony was heard from the following officials of that Office: Glen Nager, Chairman, Board of Directors; and Ricky Silberman, Executive Director.

MILITARY CONSTRUCTION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction held a hearing on the Army. Testimony was heard from Robert M. Walker, Assistant Secretary of the Army, Department of Defense.

TRANSPORTATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation held a hearing on Inspector General Reports. Testimony was heard from A. Mary Schiavo, Inspector General, Department of Transportation.

TREASURY-POSTAL SERVICE-GENERAL GOVERNMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Treasury, Postal Service, and General Government held a hearing on issues in Treasury Law Enforcement. Testimony was heard from the following officials of the Department of the Treasury: Robert E. Rubin, Secretary; John W. Magaw, Director, Bureau of Alcohol, Tobacco and Firearms; Charles F. Rinkevich, Director, Federal Law Enforcement Training Center; Eljay B. Bowron, Director, U.S. Secret Service; and George Weise, Commissioner of Customs, U.S. Customs Service.

VA-HUD AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Veterans' Affairs, HUD and Independent Agencies held a hearing on the NSF. Testimony was heard from Neal F. Lane, Director, NSF.

MISCELLANEOUS MEASURES

Committee on Commerce: Ordered reported the following bills: H.R. 2972, amended, Securities and Exchange Commission Authorization Act of 1996; and H.R. 2969, Federal Tea Tasters Repeal Act of 1996.

MEDICAID—BIPARTISAN NATIONAL GOVERNORS ASSOCIATION AGREEMENT

Committee on Commerce: The Committee also continued hearings on the Unanimous Bipartisan National Governors Association Agreement on Medicaid. Testimony was heard from Donna E. Shalala, Secretary of Health and Human Services; Gail Wilensky, Chairman, Board of Directors, Physician Payment Review Commission; and public witnesses.

ERISA TARGETED HEALTH INSURANCE REFORM ACT; CONGRESSIONAL ACCOUNTABILITY ACT REGULATIONS

Committee on Economic and Educational Opportunities: Ordered reported amended H.R. 995, ERISA Targeted Health Insurance Reform Act of 1995.

The Committee also adopted a motion to instruct the Chairman to seek adoption by the House of resolutions regarding the Congressional Accountability Act regulations.

OVERSIGHT—IRS FINANCIAL MANAGEMENT

Committee on Government Reform and Oversight: Subcommittee on Government Management, Information, and Technology held an oversight hearing on IRS Financial Management. Testimony was heard from Gene L. Dodaro, Assistant Comptroller General, Accounting and Information Management Division, GAO; Margaret Milner Richardson, Commissioner of Internal Revenue, IRS, Department of the Treasury; and public witnesses.

REQUIRING TWO-THIRDS MAJORITIES—BILLS INCREASING TAXES

Committee on the Judiciary: Subcommittee on the Constitution held a hearing on H.J. Res. 159, proposing an amendment to the Constitution of the United States to require two-thirds majorities for bills increasing taxes. Testimony was heard from Senator Kyl; Representatives Barton of Texas, Skaggs, Geren of Texas, and Shadegg; Ken Blackwell, Treasurer, State of Ohio; and public witnesses.

MARIJUANA USE IN AMERICA

Committee on the Judiciary: Subcommittee on Crime held a hearing on marijuana use in America. Testimony was heard from public witnesses.

DEFENSE AUTHORIZATION

Committee on National Security: Began hearings on the fiscal year 1997 national defense authorization request. Testimony was heard from the following officials of the Department of Defense: William J. Perry, Secretary; and Gen. John M. Shalikashvili, USA, Chairman, Joint Chiefs of Staff.

FURTHER BALANCED BUDGET APPROPRIATIONS

Committee on Rules: Granted, by a recorded vote of 9 to 2, a modified closed rule providing 1 hour of debate on H.R. 3019, making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget. The rule provides for the adoption in the House and in the Committee of the Whole of an amendment printed in section 2 of the report of the Committee on Rules.

The rule further provides for the consideration of the amendments specified in the report of the Committee on Rules, which shall be considered only in the order specified in the report, may be offered only by a Member designated in the report, shall be considered as read, debatable for the time specified in the report equally divided and controlled by the proponent and an opponent. Said amendments shall not be subject to amendment and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments specified in the report of the Committee on Rules. Finally, the rule provides that the previous question shall be considered as ordered on the bill to final passage without intervening motion except one motion to recommit which, if containing instructions, may only be offered by the Minority Leader or his designee. Testimony was heard from Chairman Livingston and Representatives Istook, Gekas, Morella, Zeliff, Greenwood, Crapo, McIntosh, Obey, Pelosi, Lowey, Rangel, Richardson, Pallone, Sawyer, and Furse.

CONTINUING INVESTMENT OF SOCIAL SECURITY AND OTHER FEDERAL FUNDS

Committee on Rules: Granted, by a voice vote, a closed rule providing for the consideration of H.R. 3021, to guarantee the continuing full investment of Social Security and other Federal funds in obligations of the United States, in the House. The rule provides a motion to recommit which may include instructions only if offered by the Minority Leader or his designee. Testimony was heard from Chairman Archer and Representatives Smith of Michigan and Gibbons.

GLOBAL CHANGE RESEARCH PROGRAMS

Committee on Science: Held a hearing on Global Change Research Programs: Data Collection and Scientific Priorities. Testimony was heard from Robert T. Watson, Associate Director, Environment, Office of Science and Technology Policy; Charles Kennel, Associate Administrator, Office of Mission to Planet Earth, NASA; Brad Hathaway, Associate Director, Defense Management Issues, National Security and International Affairs Division, GAO; Michael MacCracken, Director, Office of the U.S. Global Change Research Program, National Scientific and Technology Council; Arno Ledebuhr, Lawrence Livermore National Laboratory; and public witnesses.

TECHNOLOGY TRANSFER AND INNOVATIVE RESEARCH PROGRAMS

Committee on Small Business: Held a hearing on assessing the Small Business Technology Transfer Pilot Program and Small Business Innovation Research Program. Testimony was heard from Victor S. Rezendes, Director, Energy, Resources and Science Issues, Resources, Community and Economic Development Division, GAO; Daniel O. Hill, Assistant Administrator, Technology Programs, SBA; and public witnesses.

NATIONAL TRANSPORTATION SAFETY BOARD

Committee on Transportation and Infrastructure: Subcommittee on Aviation and the Subcommittee on Railroads held a joint hearing on reauthorizing the National Transportation Safety Board. Testimony was heard from James E. Hall, Chairman, National Transportation Safety Board.

OVERSIGHT—RAIL SAFETY

Committee on Transportation and Infrastructure: Subcommittee on Railroads continued hearings on Rail Safety Oversight: Human Factors and Grade Crossing Issues. Testimony was heard from Robert Lauby, Chief, Railroad Division, National Transportation Safety Board; and Jolene Molitoris, Administrator, Federal Railroad Administration, Department of Transportation.

WATER SUPPLY INFRASTRUCTURE ASSISTANCE ACT

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment approved for full Committee action the following: H.R. 2747, amended, Water Supply Infrastructure Assistance Act of 1995; and 13 water resources survey resolutions.

BROWN/RUDMAN COMMISSION REPORT

Permanent Select Committee on Intelligence: Held a hearing on the Brown/Rudman Commission Report. Testimony was heard from Warren B. Rudman, former Senator, State of New Hampshire; and Harold Brown, former Secretary of Defense.

Joint Meetings

GOVERNMENT PERFORMANCE

Joint Hearing: Senate Committee on Governmental Affairs held joint oversight hearings with the House Committee on Government Reform and Oversight on the implementation of the Government Performance and Results Act of 1993, receiving testimony from Charles A. Bowsher, Comptroller General of the United States, General Accounting Office; Malcolm Holmes, Senior Public Sector Management Specialist, World Bank, former Australia Senior Official Ministry of Finance; Donald F. Ketti, University of Wisconsin, Madison; Robert W. Lauterberg, Virginia Department of Planning and Budget, Richmond; and Frank Fairbanks, Phoenix, Arizona.

Hearings were recessed subject to call.

CHECHEN CONFLICT

Commission on Security and Cooperation in Europe (Helsinki Commission): Commission held hearings to examine issues relating to the Chechen conflict and Russian democratic development, receiving testimony from Anatol Lieven, Senior Fellow, United States Institute of Peace; Jack F. Matlock, Jr., Columbia University, New York, New York, former United States Ambassador to the Soviet Union; and Sergei Kovalev, Moscow, Russia.

Commission recessed subject to call.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST *p. D80)*

H.R. 1718, to designate the United States courthouse located at 197 South Main Street in Wilkes-Barre, Pennsylvania, as the ''Max Rosenn United States Courthouse''. Signed March 5, 1996. (P.L. 104–112)

COMMITTEE MEETINGS FOR THURSDAY, MARCH 7, 1996

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services, business meeting, to consider pending military nominations; to be followed by hearings on the nominations of Kenneth H. Bacon, of the District of Columbia, to be Assistant Secretary of Defense for Public Affairs, Franklin D. Kramer, of the District of Columbia, to be Assistant Secretary of Defense for International Security Affairs, and Alvin L. Alm, of Virginia, to be Assistant Secretary of Energy for Environmental Management, 10 a.m., SR–222.

Committee on Commerce, Science, and Transportation, to hold hearings to examine air bag safety issues, 9:30 a.m., SR–253.

Committee on Energy and Natural Resources, Subcommittee on Parks, Historic Preservation and Recreation, to hold hearings on S. 745, to require the National Park Service to eradicate brucellosis afflicting the bison in Yellowstone National Park, S. 796 and H.R. 238, bills to provide for the protection of wild horses within the Ozark National Scenic Riverways, Missouri, and prohibit the removal of such horses, and S. 1451, to authorize an agreement between the Secretary of the Interior and a State providing for the continued operation by State employees of national parks in the State during any period in which the National Park Service is unable to maintain the normal level of park operations, 9:30 a.m., SD–366.

Subcommittee on Forests and Public Land Management, to hold hearings on S. 393 and H.R. 924, bills to prohibit the Secretary of Agriculture from transferring any national forest system lands in the Angeles National Forest in California out of Federal ownership for use as a solid waste landfill, 1 p.m., SD–366.

Committee on Foreign Relations, Subcommittee on East Asian and Pacific Affairs, to hold joint hearings with the House International Relations Subcommittee on Asia and the Pacific to examine U.S.-Sino relations, focusing on

the intellectual property rights agreement and related trade issues, 2 p.m., 2172 Rayburn Building.

Committee on Governmental Affairs, to resume hearings on S. 356, to declare English as the official language of the Government of the United States, 9:30 a.m., SD–342.

Committee on the Judiciary, business meeting, to resume consideration of S. 269 and S. 1394, proposed Immigration Reform Act, 10 a.m., SD–106.

Committee on Labor and Human Resources, to continue hearings on proposed legislation authorizing funds for the National Institutes of Health, 9:30 a.m., SD–430.

NOTICE

For a Listing of Senate Committee Meetings scheduled ahead, see pages E301–02 in today's Record.

House

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies to continue on congressional and public witnesses, 1 p.m., 2362A Rayburn.

Subcommittee on Interior, public witnesses on Department of Energy and other programs, 10 a.m. and 1:30 p.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, and Education, to continue on public witnesses, 10 a.m. and 2 p.m., 2358 Rayburn.

Subcommittee on Military Construction, on Air Force, 9:30 a.m., B–300 Rayburn.

Subcommittee on National Security, on fiscal year 1997 Defense Budget, 9 a.m., 2360 Rayburn.

Subcommittee on Transportation, on GAO, 10 a.m., and on National Transportation Safety Board, 2 p.m., 2358 Rayburn.

Committee on Committee on Banking and Financial Services, Subcommittee on Domestic and International Monetary Policy, to continue hearings on the Future of Money, Part III, 10 a.m., 2128 Rayburn.

Committee on the Budget, hearing on Corporate Welfare, 11 a.m., 210 Cannon.

Committee on Commerce, Subcommittee on Health and Environment, hearing on Health Care Reform: Reforming the Small Business Marketplace and the Individual Health Insurance Market, 10 a.m., 2322 Rayburn.

Subcommittee on Telecommunications and Finance, to mark up H.R. 3005, Securities Amendments of 1996, 1 p.m., 2123 Rayburn.

Committee on Economic and Educational Opportunities, Subcommittees on Early Childhood, Youth and Families, hearing on Individuals with Disabilities Education Act, 10 a.m., 2175 Rayburn.

Committee on Government Reform and Oversight, to consider the following: Sections 356 and 523 of H.R. 2202, Immigration and National Interest Act of 1995; Special Committee Rules to obtain deposition testimony on the White House Travel Office matter; and a draft report entitled ''National Drug Policy: A Review of the Status of the Drug War,'' 10 a.m., 2154 Rayburn.

Committee on International Relations, Subcommittee on the Western Hemisphere, hearing to review the Administration testimony on the White House Travel Office matter; and the administration's certification program for Narcotics producing and transit countries in Latin America, 10 a.m., 2172 Rayburn.

Committee on Judiciary, Subcommittee on the Constitution, to mark up H.R. 2128, Equal Opportunity Act of 1995, 9:30 a.m., 2226 Rayburn.

Subcommittee on Crime, hearing on the following bills: H.R. 1143, to amend title 18, United States Code, with respect to witness retaliation; H.R. 1144, to amend title 18, United States Code, with respect to witness tampering; H.R. 2092, Private Security Officer Quality Assurance Act of 1995; H.R. 2137, Megan's Law; H.R. 2453, Fugitive Detention Act of 1995; H.R. 2587, War Crime Act of 1995; H.R. 2607, Veterans' Memorials Protection Act of 1995; H.R. 2641, United States Marshals Service Improvement Act of 1995; H.R. 2650, Mandatory Federal Prison Drug Treatment Act of 1995; H.R. 2803, Anti-Car Theft Improvements Act of 1995; H.R. 2804, to amend the auto theft provisions of title 49, United States Code, to add air bag modules to the list of major auto parts protected under such provisions; H.R. 2974, Crimes Against Children and Elderly Persons Punishment and Prevention Act of 1995; H.R. 2980, Interstate Stalking Punishment and Prevention Act of 1996; and H.R. 2996, Law Enforcement and Industrial Security Cooperation Act of 1996, 10 a.m., 2141 Rayburn.

Committee on National Security, Subcommittee on Military Installations and Facilities, hearing on alternative authorities for construction and improvement of military housing, 2 p.m., 2216 Rayburn.

Subcommittee on Military Personnel, to begin hearings on the fiscal year 1996 national defense authorization request, 2 p.m., 2212 Rayburn.

Subcommittee on Military Procurement and the Subcommittee on Military Research and Development, joint hearing on the fiscal year 1997 national defense authorization request, 10 a.m., 2118 Rayburn.

Committee on Resources, Subcommittee on Energy and Mineral Resources, hearing on H.R. 1813, Mineral Management Service Organic Act, 2 p.m., 1324 Longworth.

Subcommittee on Water and Power Resources, oversight hearing on dam safety and deferred maintenance issues at Bureau of Reclamation facilities, 10 a.m., 1334 Longworth.

Committee on Science, Subcommittee on Energy and Environment, hearing on Department of Energy's Restructured Fusion Energy Sciences Program, 9:30 a.m., 2318 Rayburn.

Committee on Small Business, hearing on EPA's Progress in Reducing Unnecessary Regulations and Paperwork Burdens Upon Small Business, 2 p.m., 2359 Rayburn.

Subcommittee on Regulation and Paperwork, hearing on rulemaking at the NLRB, 10 a.m., 2359 Rayburn.

Committee on Transportation and Infrastructure, to mark up the following: a resolution authorizing the 1996 Special Olympics Torch to be run through the Capitol Grounds; a resolution authorizing the use of the Capitol Grounds for the 15th Annual National Peace Officers' Memorial Service; pending water resolutions; H.R. 2747, Water Supply Infrastructure Assistance Act of 1995; and

Views and Estimates Report to the Committee on the Budget, 2 p.m., 2167 Rayburn.

Subcommittee on Aviation, to continue hearings on the Airport Improvement Program, with emphasis on revenue diversion, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Education, Training, Employment and Housing, oversight hearing on the Montgomery GI Bill, 9 a.m., 334 Cannon.

Permanent Select Committee on Intelligence, executive, hearing on China, 10 a.m., H–405 Capitol.

Joint Meetings

Conferees, on H.R. 1561, to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for the United States foreign assistance programs for fiscal years 1996 and 1997, 10:30 a.m., S–116, Capitol.

Joint Hearing: Senate Committee on Foreign Relations, Subcommittee on East Asian and Pacific Affairs, to hold joint hearings with the House International Relations' Subcommittee on Asia and the Pacific to examine U.S.-Sino relations, focusing on the intellectual property rights agreement and related trade issues, 2 p.m., 2172 Rayburn Building.

Next Meeting of the SENATE

9:30 a.m., Thursday, March 7

Senate Chamber

Program for Thursday: After the recognition of five Senators for speeches and the transaction of any morning business (not to extend beyond 11 a.m.), Senate will resume consideration of the motion to proceed to S. Res. 227, extension of Whitewater investigation.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, March 7

House Chamber

Program for Thursday: Consideration of H.R. 3019, further balanced budget appropriations (modified closed rule, 1 hour of general debate);

H.R. 3021, guaranteed continuing investment of social security and other Federal funds in U.S. obligation (closed rule, I hour of general debate); and

H. Res. 369, to provide the Committee on Government Reform and Oversight special authorities to obtain testimony for investigation and study of the White House Travel Office matter.

Extensions of Remarks, as inserted in this issue

HOUSE

Barcia, James A., Mich., E279
Brown, Corrine, Fla., E294
Bunn, Jim, Ore., E283
Clay, William (Bill), Mo., E281, E283, E286
Conyers, John, Jr., Mich., E297
Davis, Thomas M., Va., E279
Dellums, Ronald V., Calif., E293
Fox, Jon D., Pa., E281
Frank, Barney, Mass., E292
Funderburk, David, N.C., E287
Gilman, Benjamin A., N.Y., E291
Hamilton, Lee H., Ind., E286
Hansen, James V., Utah, E291
Jacobs, Andrew, Jr., Ind., E287
Kennedy, Joseph P., II, Mass., E290
Kennedy, Patrick J., R.I., E284
Kleczka, Gerald D., Wis., E284
Lantos, Tom, Calif., E280
LaTourette, Steve C., Ohio, E284
Lewis, Jerry, Calif., E284, E285
Maloney, Carolyn B., N.Y., E287
Markey, Edward J., Mass., E294
Meehan, Martin T., Mass., E279
Meek, Carrie P., Fla., E291
Miller, George, Calif., E284, E288
Mink, Patsy T., Hawaii, E288
Norton, Eleanor Holmes, D.C., E294
Owens, Major R., N.Y., E292
Pelosi, Nancy, Calif., E281
Pomeroy, Earl, N. Dak., E288, E293
Rahall, Nick J., II, W. Va., E296
Sanders, Bernard, Vt., E294
Shaw, E. Clay, Jr., Fla., E288
Solomon, Gerald B.H., N.Y., E285
Stearns, Cliff, Fla., E293, E295
Studds, Gerry E., Mass., E285, E289
Tejeda, Frank, Tex., E296
Weldon, Curt, Pa., E287
Woolsey, Lynn C., Calif., E284
Young, Don, Alaska, E299

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