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House of Representatives

The House met at 12:30 p.m.

MORNING HOUR DEBATES

The SPEAKER. Pursuant to the order of the House of January 21, 1997 the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority and minority leaders and minority whip limited to not to exceed 5 minutes.

SPEAKER TROUBLED BY PARTISAN BEHAVIOR DURING CAMPAIGN FINANCE INVESTIGATION

The SPEAKER pro tempore (Ms. PRYCE of Ohio). Under the Speaker's announced policy of January 21, 1997, the gentleman from Georgia (Mr. GINGRICH) is recognized during morning hour debates for 5 minutes.

Mr. GINGRICH. Madam Speaker, I rise with concern and sadness to report to the House on a letter I am sending the gentleman from Indiana (Mr. BURTON), Chairman of the Committee on Government Reform and Oversight, today. I want to read the letter and then I want to explain why I am sending it and the background of sending it.

''Dear Chairman BURTON: I was deeply troubled by the partisan Democrat behavior shown last week during the vote on granting immunity, to which even the Justice Department is not opposed, to four key witnesses in your campaign finance investigation.

''This is the exact opposite of previous congressional investigations, in which Republican Members worked in a diligent and bipartisan manner with Democrats to uncover the truth. According to David Dorsen, the assistant chief counsel of the Senate Watergate Committee, the 'Watergate Committee voted consistently and unanimously for immunity.' In fact, even during Iran-Contra the Congressional investigative committees voted unanimously to grant a limited form of immunity to Oliver North, John Poindexter and Albert Hakim. There is no logical reason for the Democrats' stonewalling and sharply partisan actions. Again, even the Department of Justice has clearly stated in writing that they have 'no opposition to the committee granting immunity.'

''The Democrats' efforts to block immunity, despite their own administration's willingness to accept it, cannot withstand the public's demand for the truth. For this reason, I encourage you to vote again on the immunity issue. It is obvious that these four witnesses would provide a great deal of clarification and a better understanding of the illegal campaign finance irregularities that took place in the 1996 election cycle.

''The American people have a right to know exactly what happened during the last election cycle. The very foundations of a democracy are a well-informed populace with the right to know the truth and a rule of law ensuring that all are equal in the eyes of justice. Therefore, at this time I strongly urge you to hold a second vote on granting immunity to the four key witnesses who were denied it last week.''

My hope is that by next week the Committee on Government Reform and Oversight could vote. I urge every Democrat who voted no, and it was 19–0, 19 against immunity, to reconsider their vote.

I want to report to the House. Here is what the vote was about. The Department of Justice had cleared, for the purposes of giving testimony, three witnesses, and had cleared for the purposes of testimony in an executive session a fourth witness. Let me report to the House who they are:

Irene Wu, Johnny Chung's office manager and primary assistant at Automated Intelligent Systems, already immunized by the Department of Justice, testified before a grand jury. Instrumental in better understanding Chung's relationships with foreign nationals with whom he attended political fund-raising events, formed corporations, and from whom he received money.

Nancy Lee, an engineer at Automated Intelligent Systems, Inc. Witnesses say Lee solicited contributions to Clinton/Gore '96 from her colleagues and then reimbursed them. That is, of course, illegal. Already immunized by the Department of Justice; testified before a grand jury.

Larry Wong, close friend of Nora and Gene Lum. Believed to have relevant information regarding conduit contributions, that is, contributions that were not really from the person who made them technically, but they came from somebody else, in this case probably foreign money, made by the Lums and others.

And then under a special arrangement, Kent La, president and registered agent of Loh Sun International. Believed to have direct knowledge of Ted Sioeng's activities. At a minimum, La and Sioeng traveled, attended social functions and at least one fund-raiser, and transacted business together. The Department of Justice does not oppose granting congressional immunity with the understanding that the committee will only depose La in executive session at this time.

I am submitting for the RECORD the letters from the Department of Justice, all of them saying, and I would just read one of them because they are repetitive:

''Dear Mr. BENNETT: I am writing in response to your letter of April 7, 1998, requesting the Department of Justice's position on the granting of immunity to Irene Wu. The Department of Justice has no opposition to the Committee granting immunity to Ms. Wu. We

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appreciate greatly your coordinating with us in this matter.''

Madam Speaker, the letters referred to are as follows:

U.S. DEPARTMENT OF JUSTICE,
CRIMINAL DIVISION,
Washington, DC, April 16, 1998.

Mr. RICHARD D. BENNETT,
Chief Counsel, Committee on Government Reform and Oversight, Rayburn House Office Building, Washington, DC.

DEAR MR. BENNETT: I am writing in response to your letter of April 7, 1998, requesting the Department of Justice's position on the granting of immunity to Irena Wu. The Department of Justice has no opposition to the Committee granting immunity to Ms. Wu. We appreciate greatly your coordinating with us on this matter.

Sincerely,

MARK M. RICHARD,
Acting Assistant Attorney General.

U.S. DEPARTMENT OF JUSTICE,
CRIMINAL DIVISION,
Washington, DC, April 16, 1998.

Mr. RICHARD D. BENNETT,
Chief Counsel, Committee on Government Reform and Oversight, Rayburn House Office Building, Washington, DC.

DEAR MR. BENNETT: I am writing in response to your letter of April 7, 1998, requesting the Department of Justice's position on the granting of immunity to Nancy Lee. The Department of Justice has no opposition to the Committee granting immunity to Ms. Lee. We appreciate greatly your coordinating with us on this matter.

Sincerely,

MARK M. RICHARD,
Acting Assistant Attorney General.

U.S. DEPARTMENT OF JUSTICE,
CRIMINAL DIVISION,
Washington, DC, April 16, 1998.

Mr. RICHARD D. BENNETT,
Chief Counsel, Committee on Government Reform and Oversight, Rayburn House Office Building, Washington, DC.

DEAR MR. BENNETT: I am writing in response to your letter of April 7, 1998, requesting the Department of Justice's position on the granting of immunity to Larry Wong. The Department of Justice has no opposition to the Committee granting immunity to Mr. Wong. We appreciate greatly your coordinating with us on this matter.

Sincerely,

MARK M. RICHARD,
Acting Assistant Attorney General.

U.S. DEPARTMENT OF JUSTICE,
CRIMINAL DIVISION,
Washington, DC, April 22, 1998.

Hon. DAN BURTON,
Chairman, Committee on Government Reform and Oversight, U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing in response to your letter of April 7, 1998 requesting the Department of Justice's position on the Committee on Government Reform and Oversight granting immunity to Kent La. As you know, we have met with Dick Bennett, Kenneth Ballen and other members of the Majority and Minority staff in an attempt to accommodate the Committee's desire to obtain Mr. La's testimony and our desire that any action by the Committee not compromise the Department's ongoing criminal investigation. In our view, if Mr. La were to testify publicly at this time, the Department's criminal investigation could in fact be compromised. Even if Mr. La were to testify in a closed session, any disclosure or leak of that testimony, whether intentional or inadvertent, could seriously compromise the investigation and any subsequent prosecutions, under the rulings of *Kastigar, North, Poindexter* and related cases.

During our discussions with the Committee staff, most recently on April 20, 1998, we tried to convey to you that our preference would be to avoid any Committee action to immunize him. Because of your strong interest in securing his information at this time, we nevertheless indicated our willingness not to oppose a grant of immunity to Mr. La under certain conditions. The Department of Justice, therefore, is willing to withdraw its objection to the Committee granting immunity to Mr. La if, and only if, it agrees to adhere strictly to the following conditions in examining Mr. La. Based on our discussions with Committee staff, we understand that these conditions are acceptable to the Committee. The conditions that the Committee agrees to follow in return for the Department of Justice withdrawing its objection to the Committee granting immunity to Mr. La are:

1. The Committee will take Mr. La's deposition in a closed executive session attended only by Mr. La, his counsel, one staff member from the Majority, one staff member from the Minority, and a court reporter.

2. The reporter will make only two copies of the deposition transcript.

3. The Committee staff who took the deposition will be provided one copy of the deposition transcript and will maintain that copy at a mutually acceptable secure location under conditions that assure that only authorized persons may have access to the transcript and that no copies of the transcript may be made. The only persons authorized to have access to the transcript are Members of the Committee, the two staff members who took the deposition, and the majority and minority chief counsel, if they are not the same persons who took the deposition. [The persons described in the preceding sentence are hereinafter referred to as ''the authorized persons.]''

4. The authorized persons may not copy the transcript, but may take notes, as long as they maintain the notes at the same location and under the same conditions as the transcript is maintained. The authorized persons may discuss the transcript with any other authorized persons, but may not discuss any aspect of the substance of the transcript with any other person, including Committee staff, other Members of Congress, or the public until such time as the Justice Department states that it has no objection to public disclosure of the testimony because release of the transcript or its contents would not compromise the criminal investigation.

5. The second copy of the transcript will be provided to a designated attorney within the Department of Justice, but who is not assigned to the Campaign Financing Task Force, who will review the transcript to determine if public release of the testimony could compromise the Department's ongoing criminal investigations. The designated attorney will maintain the transcript in a secure location. No Department of Justice employee other than the designated attorney will be permitted to review the transcript.

6. The Committee will not present Mr. La's public testimony until and unless the Department of Justice attorney has made the determination, discussed in No. 5, above, that public disclosure of the transcript or its contents would not compromise the investigation.

7. The designated attorney will meet with attorneys and investigators conducting the criminal investigation as necessary in order to obtain the facts needed to evaluate the transcript. The designated attorney will not discuss the transcript or its contents with any other employee of the Justice Department, or any person other than the two staff members who took Mr. La's deposition or the majority and minority chief counsel, until and unless the designated attorney has made the determination discussed in No. 5, above.

We recognize that under 18 U.S.C. 6005, the Committee has the statutory authority to vote to grant immunity to a witness regardless of the position of the Justice Department. We believe, however, that the terms and conditions set forth above will satisfy the Committee's needs while hopefully protecting the Justice Department's interest in conducting thorough investigations and prosecutions that are not subject to Kastigar hearings or related challenges. The Department has determined that if the Committee were to grant Mr. La immunity under 18 U.S.C. 6005 at this time and absent the restrictions outlined above, it would clearly compromise the Department's ongoing criminal investigation and make it more difficult to obtain convictions of any person(s) who might eventually be charged with a crime.

Sincerely yours,

MARK M. RICHARD,
Acting Assistant Attorney General.

So what happened is this: The chairman of the committee and his staff worked very closely with the Clinton Administration Justice Department. They actually got the Justice Department to sign off on granting immunity. Everything was done exactly appropriately. In that setting, at a time when the American people could have learned the truth from eyewitnesses who participated in laundering foreign illegal money, a threat to the entire fabric of our political system, for some reason the Democrats voted 19–0 against allowing immunity. That means they voted 19–0 to cover up this testimony, to block it from getting to the American people, and to prevent the Congress from being informed.

Now, I think there are two principles that we ought to live by. One is that the American people have the right to know when the law has been broken. Period. I cannot imagine why any Member of this House would want to block the American people from having the right to know that the law has been broken and who broke it and under what circumstances.

And when the people breaking the law are foreign nationals trying to corrupt the United States by bringing in foreign money, in some cases in a deliberate effort in collusion with billionaires in Asia, we have every reason as a national security matter to protect our political system from this kind of illegal foreign money.

In addition, the American people have the right to expect that the rule of law will prevail, that no one is above the law.

One of the things that the Committee on Government Reform and Oversight is working on is the fact that Webster Hubbell, former number two person in the Justice Department, one of the most powerful men in terms of the justice system in the United States in the government, Webster Hubbell received

more than $700,000, and I want to commend the committee because the committee has discovered he received at least $200,000 more than was previously indicated, after he resigned as Associate Attorney General on March 4, 1994.

Most of the money came from friends of President Clinton and Democratic Party supporters and was coordinated by people such as then U.S. Trade Representative Mickey Kantor, Vernon Jordan, James Riady, the Indonesian who is also implicated in illegal foreign money. By the way, Indonesia is one of the countries involved in the International Monetary Fund bailing out the government which directly involves the Riadys' economic interests and the Lippo Group, which is the conglomerate owned by the Riadys which has large interests across Asia, including in Communist China.

Client records show that Mr. Hubbell did little or no work for most of the money he received from 18 companies and individuals. Now, his government job was $123,000 a year. His income totaled $704,000 after he left his government job. Something very wrong is going on.

The Committee on Government Reform and Oversight has an obligation to find the truth for the American people, to have people sworn under oath testifying, to work with the Justice Department to make sure that we do not disrupt their investigation. But when the Clinton Administration Justice Department says this person can be immunized, there is no excuse, none, for any Member of this House to vote against that immunization. I call on the committee next week to have a second hearing.

I hope every newspaper in this country will look carefully at the issue. Why would any Member vote against that kind of opportunity? I think that it is very important that we continue this.

Mr. WAXMAN. Madam Speaker, will the gentleman yield?

Mr. GINGRICH. Madam Speaker, how much time do I have remaining?

The SPEAKER pro tempore. Fifteen seconds.

Mr. WAXMAN. Madam Speaker, I ask unanimous consent that the Speaker be given 5 additional minutes.

Mr. GINGRICH. I do not think that is possible under the rules.

Mr. STEARNS. Madam Speaker, I object.

The SPEAKER pro tempore. The gentleman's time has expired.

RANKING MEMBER OF COMMITTEE RESPONDS TO SPEAKER'S REMARKS ON CAMPAIGN FINANCE INVESTIGATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Texas (Mr. DOGGETT) is recognized during morning hour debates for 5 minutes.

Mr. DOGGETT. Madam Speaker, I yield to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. I thank the gentleman very much for yielding. I raced over to the House floor. I did not know the Speaker was going to raise the issue of the Government Reform and Oversight campaign finance investigation. But I did want to come to the House floor to inform him and my colleagues what has happened with this investigation.

First of all, in February of last year I went to the gentleman from Indiana (Mr. BURTON) and said, ''Let's do a bipartisan investigation on campaign finance abuses.'' I wrote to the Speaker and asked that we have a House and Senate joint investigation so that we in the House would not duplicate the work being done by the Thompson Committee over in the Senate.

I never received a reply from the Speaker, but the response that I did get from the gentleman from Indiana was that he was going to do his own investigation, thank you very much. Now, after a year and a half, we have spent over $6 million of the taxpayers' money, we have duplicated a great deal of what went on in the Senate committee, and we have nothing to show for it. We have turned up nothing that was not already in the Senate investigation or quite frankly that has already appeared in the press.

The chairman of our committee, the gentleman from Indiana, has had delegated to him unprecedented authority. He had delegated to him powers that no chairman has ever had before. He has the power to unilaterally issue subpoenas.

The gentleman from Indiana has this authority to issue subpoenas unilaterally. He does not have to come to the committee for a vote. He does not have to seek even authorization from his Republican majority. He can just go ahead and issue subpoenas.

Prior to 1997, how many subpoenas were ever issued unilaterally by a chairman of a House committee? Zero. Now, after a year and a half, we have had the gentleman from Indiana issuing 600 subpoenas, all on his own. No one had a review of them. Those subpoenas are part of a thousand subpoenas and information requests issued to Democrats, or Democratic sources, related to Democratic campaign funding issues.

How many has he issued with regard to Republican abuses in the 1996 election? Fourteen. We have not had a single subpoena authorized by the chairman at our request, even though there are important issues to investigate.

The Haley Barbour national review, national committee, whatever it was, that was a source of foreign funding has never been reviewed by our committee. Fund-raising abuses on public property by Republicans, we cannot get the chairman to pay any attention to that. The strange $50 billion tax break for the tobacco companies, the Speaker knows may know something about that because he and Mr. LOTT were the ones who put that through in the middle of the night. We thought that ought to be investigated. None of these things have been investigated.

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The Democrats have been closed out by an effort by the Republicans to do a partisan, reckless investigation. Notwithstanding that, we went along on the only vote where our votes count, and that is on the issue of immunity for witnesses at the request of the chairman once before, and we were all embarrassed by that. The Democrats gave our votes for immunity for a witness who turned out not to have given us honest and credible testimony and a witness who used the immunity granted to him to avoid possible immigration and tax crimes for which he now will never be prosecuted.

Now we are being asked to give immunity to four more people, fairly low-level people. I do not think they have all that much to add to the investigation, but why should we give immunity to these witnesses?

We have not received a proffer from them which would tell us what they know and what they have to say, what to add to the information already available. We have no written proffer from these four people. We have no guarantee that the chairman will conduct the investigation any other way than what he has done up to now.

We wrote to the chairman after that last immunity vote and we said to him, ''We gave you the votes for immunity, and we regret it. We've been embarrassed, as should you be, having given a man immunity for possible offenses that none of us ever knew about. The investigation wasn't done adequately by the majority party staff; and, in the future, if we're going to give immunity to witnesses, we want certain assurances. We want, first of all, the assurances we are going to know what these witnesses are going to say, that work will be done in advance so we don't find giving immunity when it's improper. And, secondly, we want this committee to be conducted the way every other congressional investigation has been conducted.''

Madam Speaker, in the Watergate investigation, in the Iran-Contra and any other investigations, there have always been traditional procedures which are not being followed in this investigation.

The SPEAKER pro tempore (Ms. PRYCE of Ohio). The time of the gentleman from Texas (Mr. DOGGETT) has expired.

Mr. WAXMAN. Madam Speaker, I ask unanimous consent for one additional minute.

The SPEAKER pro tempore. The Chair will clarify for the RECORD that recognition during Morning Hour debate proceeds upon designations by the respective party leaders, and the Chair does not entertain unanimous consent requests to extend debate time.

SPEAKER TROUBLED BY PARTISAN BEHAVIOR IN CAMPAIGN FINANCE INVESTIGATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Florida (Mr. MILLER) is recognized during morning hour debates for 4 minutes.

Mr. MILLER of Florida. Madam Speaker, I yield to the gentleman from Georgia (Mr. GINGRICH), the Speaker of the House.

Mr. GINGRICH. Madam Speaker, I just want to make one comment.

I do not intend to debate my colleague from California, but I would ask every Member of the House who just watched this colloquy to go back in your memory, as I did when I was a young teacher at West Georgia College, to remember what it was like to sit mesmerized watching the Watergate hearings and to see Senator Howard Baker not ask that they go back and investigate Lyndon Johnson; not ask that they go back and find a Democrat; not ask that they have this excuse, that excuse, the next excuse; not say, ''Don't go after the little guys because you have to go after the big guys; you can't go after the big guys because you didn't go after the little guys;'' not give 25 different, phony excuses.

Howard Baker set the standard for this country of a bipartisan, serious effort at getting at the truth. Howard Baker understood that Richard Nixon could not be allowed to take the entire Republican Party and the Constitution down in flames and that his job as a United States Senator was to get at the truth, and Howard Baker again and again and again cooperated with the Democrat Chairman Sam Ervin.

And I would simply ask every one of my colleagues: Look at what you just heard from the ranking Democrat, go back in your memory and remember Howard Baker's effort to find the truth, and then I think you will understand why we are being forced inch by inch to break through the stonewall and the cover-up despite the defense attorney tactics being used by Democrats who ought to be ashamed of it and ought to be helping us get at the truth rather than finding some flimsy excuse to avoid voting for immunity.

Mr. WAXMAN. Madam Speaker, will the gentleman yield?

Mr. MILLER of Florida. Madam Speaker, I yield back the balance of my time.

PARTISAN BEHAVIOR IN CAMPAIGN FINANCE INVESTIGATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from California (Mr. WAXMAN) is recognized during morning hour debates for 5 minutes.

Mr. WAXMAN. Madam Speaker, I am sorry the Speaker would not yield to me because I wanted to tell the Speaker that in the Watergate investigation the Chairman, Sam Ervin, did not accuse the President of the United States of being a scum bag. He did not say that he was out to get him. Those were the very words of the chairman of the Committee on Government Reform and Oversight in remarks in his district when he talked about what he was doing in this investigation.

Are we stonewalling an investigation that is proper and legitimate and is trying to get to the truth under a chairman who is interested in objectivity and facts? The chairman of our committee has acted from the very beginning in the most partisan of manners. He has refused to give us the basic rights to request subpoenas to look at Republican abuses. He has refused to allow the Democrats to play a role. In fact, he does not even let his own members play a role. They delegated authority to him, and he, in turn, has delegated it to his staff.

I might not be a Howard Baker, but the gentleman from Indiana (Mr. DAN BURTON) is no Sam Ervin.

If we would have followed from the very beginning the requests that I made that we do a bipartisan, nonpartisan, fair investigation on campaign finance abuses, we would not be here a year and a half later having spent $6 million with a likelihood that at the end of this year we will have spent $10 million harassing witnesses. And I have a long list of people who have been abused of people who have been hounded either the Republican staff did not know the right people they were going after or people they have gone after to the point of just plain harassment. We would not have that sort of thing.

We have had witnesses in our committee who have been called in for depositions over five times to be asked the same questions over and over again.

Today, we have a woman coming in for the fifth or sixth time; and she already was in depositions in the Senate three separate days and asked the same questions over and over again; and she had never been accused of any wrongdoing. Does anybody know what that means when a witness is brought in day after day after day to answer the same questions over and over again, sitting there with her, as she must, with her attorney to whom she is paying out of her own pocket on a government salary?

Now witnesses have been brought into depositions by the unilateral action of our chairman, and those witnesses have been asked questions that no one ought to be asked about their personal lives. But, as a practical matter, do you know what it means? It means that they can object and then the ruling would go to the gentleman from Indiana (Mr. DAN BURTON) as to whether they would be required to answer questions about their personal lives, their drug use or whatever, which has nothing to do with campaign finance abuse. And then the gentleman from Indiana would rule they have to answer, and they could still refuse, and then they face a contempt of Congress.

Do you know what it is like for somebody to have the full force of the Federal Government, the Congress of the United States, staring at them and telling them they will be in contempt and may go to jail if they do not answer questions about their personal lives? So they answer it.

That is one area where people have been abused, but there is another area that I want to raise with my colleagues, and that is the action of the chairman to unilaterally release the tapes made of conversations that Web Hubbell had with his wife, with his children, with his friends when he was in this prison. He knew that the prison authorities were taping all conversations for security purposes, but he did not care about that because he was not talking about anything that breached security.

Ninety-nine percent of the tapes are conversations with his wife about the children, about their finances, about their sex life, about friends who may be in trouble whom they name, friends who may be having difficulties, the kinds of things that every person talks to a spouse about. And the gentleman from Indiana (Mr. BURTON) has moved to release those tapes to the public.

It was bad enough that his staff was able to sit there in a very prurient manner and listen to those intimate conversations. I had asked my staff to do the same just so we knew what was on those tapes, and they were embarrassed having to listen to such personal conversations.

We have not had the conduct of a chairman who has acted properly, and we should not give him this authority to go any further.

PARTISAN BEHAVIOR IN CAMPAIGN FINANCE INVESTIGATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Indiana (Mr. BURTON) is recognized during morning hour debates for 4 minutes.

Mr. BURTON of Indiana. Madam Speaker, since the beginning of this investigation, the White House and the Democrats on our committee have done everything they possibly can to obstruct our investigation.

Mr. Ruff, the President's counsel, told us initially he was not going to claim executive privilege; this was last January, and then he did. And then we had to move a contempt citation against the President's personal counsel because he would not give us documents that were relevant to the investigation. And, finally, at the last minute, 6 months later, he gave us a letter saying we are going to give you what you want. And then in June he sent me a letter saying, to the best of my knowledge, to the best of my knowledge, you have everything that you have asked for. Three months

later, we got 12 more boxes of documents, and then we found out about the White House videotapes.

Ever since this investigation has gone on, they have tried to drag it out and drag it out and drag it out to keep us from getting at the facts; and we have to deal with that. They drag it out, and then they blame us for taking so long. They keep information from us, and then they blame us for taking so long. They try to keep us from talking to witnesses that want to talk to us, and then they blame us for taking too long.

The four witnesses that he voted against last week for immunity have been approved for immunity by the President's Justice Department, and yet all 19 Democrats voted to obstruct our investigation by not allowing that immunity to take place, even though the President's own Attorney General okayed us getting that immunity, and that is because they are trying to protect this administration and block every single thing that we are trying to accomplish.

Now, they said we have not accomplished anything, that this has been a waste of the taxpayers' money and time.

Let me just go through a few things.

The Democrat National Committee has returned $3 million in illegal foreign contributions that would not have been returned had it not been for the investigations that have taken place. Do we want the Chinese government giving campaign contributions to people running for president in this country? Do we want them to have influence over our foreign policy or our defense policy? I think not. And yet millions of dollars in illegal foreign contributions have come into this country to the DNC and to the President's legal defense fund and been returned, but only because of the investigation we caught him and we had to send it back.

We had White House coffees where they were raising money, where they were renting out the Lincoln bedroom, doing all kinds of things to try to raise money in addition to taking money from foreign sources.

The White House had people running in and out of there who were known drug dealers. Jorge Cabrera was in to meet with the President on a number of occasions. Wang Jun, a convicted drug dealer; Grigory Louchansky, another felon, had access to the President of the United States.

Charlie Trie, one of the President's best friends in Little Rock, was indicted. He fled the country, took the fifth amendment. He finally came back. We had to force that issue.

John Huang, a personal friend of the President who ran the Worthen Bank in Little Rock, Arkansas, a part of the Riady group, John Huang has taken the fifth, but we understand now he is willing to, with limited immunity, talk to us.

But the Democrats will not help us to get the immunity we need to have these people talk, and why do they do that? Because they do not want those people to talk. They do not want the American people to know the fact about these illegal contributions and how foreign entities were buying influence in this government. They do not want the people to know that, because it is explosive and we are bent, hell bent, to get to the bottom of it and to get the facts out.

Because the American people have a right to know if their government is for sale, if their foreign policy is for sale, if their defense capability is for sale. And, if it is, those who are responsible need to be brought to justice, and that is what we are all about.

Now people, like my colleague from California, keep trying to defend their position. It is indefensible, and we are going to stay after until we get the facts out and get the truth out.

TAXPAYERS FORCED TO FUND PARTISAN INVESTIGATION

The SPEAKER pro tempore (Ms. PRYCE of Ohio). Under the Speaker's announced policy of January 21, 1997, the gentleman from Texas (Mr. LAMPSON) is recognized during morning hour debates for 5 minutes.

Mr. LAMPSON. Madam Speaker, I yield to Mr. WAXMAN from California.

Mr. WAXMAN. Madam Speaker, I thank the gentleman for yielding.

I want to make it very clear what has been happening in this investigation. The gentleman from Indiana (Mr. BURTON) has unlimited and unprecedented authority. He can unilaterally issue subpoenas, he can force people in for depositions, he can make people give up information, and then he can also disclose anything he wants to the press. His staff can leak it to the right press people to get the maximum story, and then get their spin on it. Democrats have never been in a position to stop their investigation, to hinder it in any way. They do not even ask us what to do, they just go ahead and do it. The only time we have any say on anything is when there is a question of immunity.

Now, we hear the Speaker and the chairman of the committee coming to the House floor to complain that we are stopping their investigation. Well, the fact of the matter is that after over a year and a half, they have asked, through depositions and otherwise, for information about Democratic campaign abuses, and they have received over 1 million and a half pages regarding Democrats. They have gone after Democrats, at taxpayers' expense, doing research for opposition campaign purposes. This is what this is all about. It is a government-funded Republican campaign to smear Democrats. It is not a legitimate investigation about campaign finance abuses.

These people, by the way, who are complaining today are the same ones who did not want us to have campaign finance reform even considered by the House, until they were forced by some of their own Members to bring it up.

Madam Speaker, I want to point out that this Burton committee has been incompetent. They have blundered, these are not just my statements. I want to read the statements, a series of editorials from the New York Times. The New York Times called it a ''parody of a reputable investigation'', useless and unprofessional, and a ''rogue operation''. The Washington Post earlier last year already noted the ''investigation runs the risk of becoming its own cartoon, a joke, and a deserved embarrassment''. The Los Angeles Times called it a ''partisan sideshow''. The former chief counsel, the Republican chief counsel of the committee, quit last year, and he said, he was unable to conduct an investigation that complied with the standards of professional conduct that he had been accustomed to when he was in the U.S. Attorney's Office. He resigned because he said this whole investigation was incompetent and unprofessional.

Madam Speaker, they have blundered, they have handled it in a partisan way, they have handled it incompetently, and what do they do? They come to the House floor and want to point fingers. They want to blame everybody but themselves. They want to point a finger at the administration, they want to point a finger at me, they want to point a finger at the Democrats, for their incompetence and their blunders.

Oh, how I wish we really had a fair investigation. We pleaded with the Republicans, let us do a fair investigation. I even wrote an editorial in the New York Times, suggesting that if it helped, we ought to appoint some independent investigator to look at the Clinton administration issues, so we could then look at Democrats and Republicans in a fair way. We were told to forget it. They had the subpoena power, they had the millions of dollars of taxpayers' money to spend; they were going to do what they want to do, and that is what they have been doing for the last year and a half. It has been a series of embarrassments for them, and now, to get out of that, they are saying that we should go along and help them with immunity.

They can send this investigation to another committee. They can go to the Committee on House Oversight chaired by the gentleman from California (Mr. THOMAS) where they have stacked it so they have two-thirds of the vote, and they can vote immunity, and then Chairman THOMAS can do the investigation. Fine. If that is what the Republicans want to do, send it to another committee. It could not get any worse. It could not get any worse if they had somebody else trying to do this investigation.

The chairman of the committee, the gentleman from Indiana (Mr. BURTON), is just not the person for the job. We do not put somebody in to investigate

about campaign finance abuses when he himself is being investigated on the issue of his possible campaign finance abuses.

DOUBLE STANDARDS ARE INAPPROPRIATE FOR OUR MILITARY PERSONNEL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Indiana (Mr. BUYER) is recognized during morning hour debates for 5 minutes.

Mr. BUYER. Madam Speaker, before I give remarks, I think the American people can see that the gentleman from California (Mr. WAXMAN) is perhaps one of the most partisan Democrats here in this body. I think he takes pride in that, and I applaud that because there really is not anything wrong with partisan politics; this is a political body, so that is what this is about.

Madam Speaker, I rise as chairman of the Subcommittee on Military Personnel here in the people's House on behalf of the American people and the 1.2 million active military personnel worldwide and those in the Reserves. I am here to send a message to this administration, and in particular to the President, on his conduct as Commander in Chief.

The message is that military personnel look to the Commander in Chief to set the high standard of ethical behavior and morality. Military personnel are required to set a high example of conduct in order to set an example to those they lead. Adherence to high moral standards is the fabric of good order and discipline in the military. When military leaders fall short of this ideal, then there is confusion and disruption.

Today, many see a double standard in the military. There is a double standard because the Commander in Chief has allegedly conducted himself in a manner that would be a court-martial offense for military personnel for sexual assault and sexual harassment regarding the allegations by the Democrat staffer in the White House, Kathleen Willey.

What about the double standard in the White House of those claiming that the Air Force general did not qualify as the Chairman of the Joint Chiefs of Staff because he had a relationship with a woman pending a divorce, and then we look at the President's own admitted adultery.

What about the Secretary of Defense? William Cohen stated in an interview recently that the President's alleged conduct is having no effect on troop morale. I respectfully disagree. This is not just my concern.

Let me share with my colleagues a letter I received recently from a retired Army officer with 30 years of service, Colonel John Hay. What he stated was, ''From the earliest days of service, our new enlisted men and women and officers are taught the necessity of military ethic, chain of command, standards of conduct and principles of leadership; all enforced by the Uniform Code of Military Justice. These standards and values instilled early and continued throughout a career in the military are necessary to maintain the essential trust between the military and the Nation's civilian command authority. These military ethics, values and standards of conduct are generated by the fact that the activities conducted by the Armed Forces are official acts of the Nation. Since ours is a Nation that conducts itself within a set of stated high values, the manner in which our forces perform their duties must be carried out with the same set of high values. Thus, the consistent support of the Nation can only be maintained by expecting and enforcing the highest ethical standards upon every echelon of the military chain of command from the President, as our Commander in Chief, down to and including every individual soldier, sailor, marine and airman.''

The Founding Fathers were concerned about the ethical standards of the military leaders. Madam Speaker, it was John Adams that included the first naval regulations, language that called for naval officers to have high moral and ethical standards. This language was codified for naval officers by Congress in 1956 and for the Army and the Air Force in 1997 in last year's bill.

This language calls for officers to ''show themselves a good example of virtue, honor and patriotism and to subordinate themselves to those ideals, and to guard against and to put an end to all dissolute and immoral practices and to correct all persons who are guilty of them.''

Madam Speaker, there is frustration and confusion in the military. Over the last 18 months, I have traveled to a number of military installations and training centers, not only here in the United States, but all over the world, as I have conducted extensive review in sexual misconduct and sexual harassment in the United States military. I have heard the questions from military personnel about the behavior of the President as the Commander in Chief. As a Member of Congress and as an officer in the Army Reserves, I myself find these questions disturbing.

Each of the services is recruiting young people all across the Nation. At boot camp they are infusing these young men and women with moral values of honor, courage and commitment. They are teaching self-restraint, discipline and self-sacrifice. Therein lies the understanding of deserving honor. Military leaders are required to provide a good example to these young recruits, yet when they look up the chain of command, they see a double standard at the very top.

That is why I have decided to include in my chairman's mark on Thursday for the military personnel section to the National Defense Authorization Act language that will apply John Adam's original guidance on ethical conduct for military officers to our national command authority, in particular the Secretary of Defense and the President, while acting as Commander in Chief.

I hope this language sends a loud and clear message to the administration. They are being watched. From the 18-year-old recruit to the admiral, they all look to the Commander in Chief to set the tone and serve as an example of high moral and ethical behavior.

Madam Speaker, I believe that it is worthier to deserve honor and hold it with humility than to have it, shamelessly flaunt it, and not deserve it.

SELF-DETERMINATION FOR PUERTO RICO: A DREAM DEFERRED

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) is recognized during morning hour debates for 5 minutes.

Mr. ROMERO-BARCELÓ. Madam Speaker, 100 years ago, in 1898 the United States acquired Puerto Rico as a territory. Since then, every time the Congress has considered extending the right of self-determination to the people of Puerto Rico, nativists have raised their voices in protest. Their message is a message of fear.

Less than 2 months ago, March 4 of this year, the House just passed a bill 209-to-208, by scarcely one vote, allowing the people of Puerto Rico to have an act of self-determination. The reason this vote was so close is because of the campaign of fear-mongering that was carried on in this House.

Nativists fear that Puerto Rico will be asked to join the Union as a State. In the nativist mindset, the 3.8 million American citizens of Puerto Rico do not belong in this Union because they do not walk, talk and look like the nativist of the hour. In the mid-1800s a nativist was a Protestant, white Anglo-Saxon male, born in the United States of Protestant parents. Perhaps the profile of a nativist today is the same.

Whoever they are, nativists are prejudiced. And the brand of prejudice they practice is the cultural equivalent of racism. Nativists resist the acculturation, that intercultural borrowing between diverse peoples which results in new and blended social and cultural patterns, even though America's history is a history of acculturation. How else, after all, did we arrive at the image of a great melting pot?

Nativists must think this melting pot business has gone on long enough and it has come time to put an end to it. They are willing to slander people in defense of their image of American cultural purity.

Just listen to what nativists say will happen to the United States if Puerto Rico becomes a State. ''Granting statehood to a land that is alien to us in most ways,'' declares Don Feder of the Boston Herald, will be a milestone on ''the road to national dissolution.'' Columnist George Will implies that the

''fraying of American culture'' and ''the Balkanization of society into grievance groups organized around race and ethnicity,'' which he believes is already under way, would only be exacerbated by the State of Puerto Rico. Others predict that a State of Puerto Rico would be America's own Quebec; it would be violent, it would drain the national Treasury, it would allow gangs to run prisons; it would promote political patronage, and it would rob other States of their representation in Congress.

This is scary stuff, and it is meant to be. People are using fear to paralyze the Democratic process and to deny the 3.8 million American citizens of Puerto Rico the right to self-determination and the right to participate in the Democratic process of this Nation, a right that we defend on foreign soils, a right for which our people have died defending on foreign soils.

Puerto Ricans did not welcome American troops in 1898 for the privilege of transferring our colonial status from Spain to the United States. Our forefathers were certain that the world's most admired democracy would readily confer democracy to the people of Puerto Rico, but it did not.

When U.S. citizenship was extended to our people in 1917, it was devoid of the most fundamental Democratic right, the right of self-government and self-determination. It was not until 1950 that Congress invited the people of Puerto Rico to draft a Constitution as the ruling law of the established local self-government. The right of self-determination and participation in the democratic process of our Nation continues to be a dream deferred.

Yet, the American citizens of Puerto Rico are devoted to this democracy and its ideals, and we have demonstrated our commitment tangibly at the poll booth and at the battlefield. Whenever an election is held in Puerto Rico, 80 to 85 percent of the electorate votes.

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I challenge any State of the Union to try to match that. The fact is, Puerto Rico enjoys the highest rate of voter turnout of any jurisdiction in the world where voting is not mandatory.

And Puerto Ricans have given their lives in defense of U.S. national interests. We have served honorably, in disproportionately high numbers on a per capita basis and in absolute numbers, in every military engagement our Nation has face during this century. Madam Speaker, 48,000 Puerto Ricans fought in the Vietnam War alone, and in the Korean War more Puerto Ricans died on a per capita basis than in 49 of the 50 States of the Union.

''When people fight for a country,'' as Senator DANIEL PATRICK MOYNIHAN has so eloquently expressed, ''they get a claim on a country.'' Puerto Ricans have a claim on these United States, and we make that claim today. It is time for this Nation to turn its back on nativism and honor Puerto Rico's right to self-determination and the right to participate in the democratic process of our Nation.

We beseech the leadership, the Republican leadership in the Senate, to allow this bill in the Senate to go forward as it went forward in the House, so the people of Puerto Rico, the 3,800,000 U.S. citizens, can exercise their right to self-determination and the right to vote.

TAX FAIRNESS?

The SPEAKER pro tempore (Ms. PRYCE of Ohio). Under the Speaker's announced policy of January 21, 1997, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Madam Speaker, I come to the House this afternoon to talk about the U.S. tax system. We have all just paid our taxes, so I think it is appropriate to ask the question: Is the U.S. tax system fair?

Of course not. In fact, it is kind of a preposterous question to ask anyway. We all kind of accept the fact that the Tax Code has become a perverse mess. It is a lot of things, but fair is not one of them. But like so many questions, this one becomes more complicated the more we know about it.

For example, what if we eliminated all the problems with the Tax Code, the loopholes, the needless complexities, the special exemptions and the historical anomalies? What we would be left with in the United States Tax Code is its essence. It would be nothing more than a tax on Americans' incomes at a progressive rate.

So we have to ask ourselves a question: Is a progressive tax on income fair? Well, consider the word ''progressive,'' what it means. It has got sort of a positive connotation today. It is a good thing; its basic definition is ''of or pertaining to progress.'' But before jumping to any conclusions, consider the definition in the dictionary which is number 4, ''increasing in extent or severity.''

The American income tax code has been progressive from the start. In 1913 when the tax was first imposed, the bottom tax rate was 1 percent, rising all the way to 7 percent on income over $500,000. Today the top rate is 39.6 percent as imposed upon all income above $250,000. Obviously, this sort of progressive tax is problematic in its own right, but there is more.

The reason this discussion is important is because we are starting the debate on tax reform. In the late 19th century when the income tax was first debated, the economists used the marginal utility argument as the justification for the progressive tax. Until then, the typical approach was to make everyone pay the same amount so that the more a citizen made, the more they paid. However, the marginal utility theorists argued that the last dollar people made became less important to them as their incomes went up, so to tax citizens ''equally'' one would have to tax wealthy persons at higher rates.

The idea seems pretty commonsensical at first, whether a citizen is Bill Gates or not. Whether Bill Gates earns $1,000 more than above his salary in a year, it does not change his life much. To his cleaning lady, the last $1,000 makes a huge difference in what she can afford. It might make the difference between a good year and a bad year. Thus, marginal utility works.

Not exactly, Madam Speaker. Unfortunately, not all Americans are Bill Gates nor are all Americans like the cleaning lady. For example, contrast a family with an income of $100,000 to a family with an income of $125,000. Does one family really value its last $1,000 more or less than the other? Moreover, is there any way to measure the difference in ''utility'' rationally and precisely enough to base policy decisions affecting millions of Americans upon this?

In fact, this is the first easy question to answer. There is absolutely nothing in the vast edifice of economics that could help us make such a finite decision on progressive tax rates. That is the basic flaw of progressive income tax. There is no objective way to decide what different tax rates should be, and that is why many people support a flat tax.

But ignorance should not be an argument for policy decisions. Unfortunately, the government can get away with it. Americans do not really believe in an income redistribution like the Europeans do, but Americans do not want their taxes raised either. Ultimately, it is a quandary best articulated by George Bernard Shaw who said, ''A government who robs Peter to pay Paul can always depend upon the support of Paul.''

The problem for the United States is that almost everyone is a Peter and even the Pauls are starting to get angry at the system.

So once again I ask: Is it fair? Is the U.S. tax system fair? Absolutely not. But it is not just a matter of convoluted and messy tax codes. It is a question of basic fairness. Is one taxpayer's last dollar bill really worth more or less than another taxpayer's?

Madam Speaker, I call upon the Speaker to put this issue before the House soon so that we can debate ways to simplify our tax system, albeit a flat tax, sales tax, or simply a simplified Tax Code that everyone can understand.

CENTENNIAL ANNIVERSARY OF THE SPANISH-AMERICAN WAR

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Guam (Mr. UNDERWOOD) is recognized during morning hour debates for 4 minutes.

Mr. UNDERWOOD. Madam Speaker, 100 years ago this past Saturday, April 25th, the United States officially declared a state of war with Spain, and

the ''splendid little war'' was officially underway. The Spanish-American War is generally remembered for the destruction of the *Maine*, Roosevelt's Rough Riders, and America's first acquisition of colonies. Many people tend to forget that the American victory was initiated and secured by the American activity not in the Caribbean but in the Pacific. And as we commemorate the centennial anniversary of the Spanish-American War, I would like to draw attention to a couple of unresolved issues which are a legacy of this conflict and our self-perception as an ''anticolonial'' but nevertheless colonial power.

This was the war that clearly established the United States as a colonial power in the world. The island of Guam was first acquired as a coaling station in 1898 and has since become America's foothold in Asia. Over the years Guam has provided a much-needed opportunity for the United States to protect its vast Asian interests and, more importantly, secure its military goals. Guam's strategic location in the western Pacific continues to be its major value to this country, and I am proud to say that we on Guam have realized this value and are more than willing to draw attention to it, particularly to our determination to finally exercise self-determination.

The acquisitions resulting from the 1898 war plunged the United States Government into uncharted political territory. Never before had noncontinental real estate come under its control. Prior to the acquisition of the islands, the continental American territories were intended for eventual incorporation into the Union of States. What then was to be the fate of these new possessions? And this issue continues today.

There are no easy solutions to this particular problem. However, we are currently presented with a rare opportunity to deal with it not only in the case of Puerto Rico, but in the case of Guam.

I would also like to draw attention to an issue with the Philippines. We have, in Wyoming, a structure designated as a memorial to American servicemen attacked and killed in the town of Balangiga, Philippines. One hundred years of misrepresentation and misinformation has gradually transformed this memorial into a symbol of a slanted and mistaken view of history, a reluctance to admit and correct mistakes from the past, and resistance to advance to the future.

On November 7 of last year I introduced H. Res. 312, urging the President to authorize the transfer of ownership of one of the ''Bells of Balangiga'' currently displayed in Wyoming to the people of the Philippines. Contrary to several misconceptions, H. Res. 312 recognizes that the memorial at F.E. Warren Air Force Base has a legitimate but not exclusive right to memorialize tragic events which occurred during the Philippine Insurrection, and does not seek to dishonor the memory of the American troops who perished in the Philippine Insurrection or to disestablish the monument in Wyoming. H. Res. 312 proposes a compromise wherein both the Philippines and the United States will share in the legacy of these historic symbols.

The matter touches upon a greater issue and reflects the true nature of our special relationship with the Republic of the Philippines. In the course of subduing the Philippines right after the Spanish-American War, over 4,000 Americans and over 200,000 Filipinos died. The Bells of Balangiga are a symbol of that conflict. For us, they are the trophies of war that marked the killing of over 50 Americans, and for Filipinos they represent the eventual order to kill every Filipino male over the age of 10 on the island of Samar. If we share these bells, we bring honor to both countries and all who suffered and died.

Today, each and every one of us is faced with a challenge. As we commemorate the centennial of the Spanish-American War, we must decide whether we should focus upon the true dimensions of this historic event, reflecting upon its far-reaching results, take advantage of the knowledge we have gained, learn from our experience, and bring resolution to these issues, or perhaps we should just save all these lofty aspirations for the bicentennial.

THE ''GIVE FANS A CHANCE ACT''

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Oregon (Mr. BLUMENAUER) is recognized during morning hour debates for 5 minutes.

Mr. BLUMENAUER. Madam Speaker, this month a little drama is being acted out in New York City and the venue is Yankee Stadium. What should have been the glorious 75th anniversary of ''the house that Ruth built'' may in fact see the end of a tradition unless New York City comes up with perhaps as much as $1 billion.

This is another example of professional sports, instead of being a source of civic pride, are to be often a symbol of what people do not like. The players now are the television networks, major corporate sponsors, athletic equipment and apparel giants. The fans appear to be almost an afterthought.

This trend, some would suggest, started about 40 years ago when the Brooklyn Dodgers tore the heart out of that community by moving a very profitable franchise to the West Coast in pursuit of greener pastures.

It continues today. I have heard from fans all over America: Houston, Chicago, Sacramento. New York is just simply the most recent and perhaps the most egregious example. And of course it has come full circle because recently the Dodgers were sold again, this time to Rupert Murdoch, and the trend is growing. Over 50 million people live in and around communities with sports teams which have recently moved or are threatening to relocate.

The change of focus away from the fans has become more acute as these leagues have upped the ante. Between now and the year 2006, more than $7 billion will be spent on new stadiums, most of which will be public money. In comparison to the stadiums, teams are cheap. The stadiums currently under construction range in price from perhaps $250 million to, in the case of the New York Yankees, as we have mentioned, perhaps $1 billion or more.

But wait a minute. The average value of a baseball team is only $134 million. The average for a football franchise, $205 million. Thus, these stadiums cost significantly more than the teams themselves; in the case of the Yankees, as much as four times as much.

Madam Speaker, it would be cheaper for the community just to buy the team. Well, there is one city in America that does not have to worry about this little drama. Green Bay, Wisconsin, one thirty-fourth the size of Los Angeles, owns perhaps the most successful franchise in American sports. But the NFL will not let it happen again. They have passed rules against municipal ownership.

The Federal Government must stop aiding and abetting this abuse. We are not innocent bystanders. Besides the massive tax subsidies that we provide for the construction of stadiums, we provide an antitrust exemption that enables professional sports franchises to make billions of dollars. The NFL, for instance, will earn $17.6 billion over the next 5 years. We have made the NFL rich, yet the NFL will not allow another community to own its franchise.

That is why I have introduced the ''Give Fans a Chance Act.'' It would tie the sports broadcast antitrust exemption to the elimination of rules that prohibit public ownership. And it would give communities a voice in relocation decisions.

The advantages are clear: It would end the franchise feeding frenzy; it would make stadium decisions based on what is good for a team and community, not on what looks to be blackmail; it will make it easier to get support for needed stadium expansions; and will help eliminate the cynicism that is permeating professional sports.

Sports fans from coast to coast love this idea. There is a congressional responsibility to help these fans, since we helped create this monster. I urge my colleagues to give fans a chance and support H.R. 590.

PRESIDENT SHOULD SUPPORT RELIGIOUS FREEDOM, RATHER THAN APPEASE OPPRESSIVE GOVERNMENTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Virginia (Mr. WOLF) is recognized during morning hour debates for 5 minutes.

Mr. WOLF. Madam Speaker, yesterday the President of the United States provided one of the most stunning rationalizations in history about the need for appeasement in the face of persecution. I submit today's front page article from the New York Times and encourage my colleagues to read it.

What is so bad about the ''Freedom From Religious Persecution Act'' according to President Clinton? That it will force the administration to ''fudge,'' and that is the President's term, reporting on violations so they would not have to carry out the sanctions imposed by this act.

There apparently was no mention by the President that the bill, the Freedom From Religious Persecution Act, provides a very generous waiver, a total waiver for the President. He can waive the sanctions for national security reasons or if doing so would advance the objectives of the act.

As we consider this act, Madam Speaker, we should know that Catholic priests are in jail in China, Catholic bishops are in jail in China, even evangelical pastors are being persecuted in China. The Chinese government has plundered Tibet. I have been to Tibet. I have visited and gone outside the prisons to hear how they are persecuting Buddhist monks and Buddhist nuns. They are persecuting the Muslims in China, and yet the President says this legislation is a ridiculous act.

What the President and State Department fear most about this bill is the fact that it requires them to look at facts and take action. This administration wants to appease these governments when they are perpetrating evil, the same type of evil that when Ronald Reagan was President of the United States, he talked about the evil empire when he gave that very profound speech in Orlando back in the early 1980s.

President Clinton made his remarks when he stopped by a meeting with prominent evangelical leaders. He went on to describe President Jiang Zemin as a person who ''knows a lot about Christianity in China.'' That is what the President said. ''He knows a lot about Christianity in China.'' He said he ''understands the issue.''

Yes, Jiang Zemin understands the issue. He understands that he puts priests in jail. He understands that he puts bishops in jail. He understands that he puts evangelical leaders and lay pastors in jail. He understands that he persecutes the evangelical church and the Catholic church. He understands that he plunders Tibet and he brutalizes the Buddhist monks and nuns. He understands that he breaks the backs of the Muslims in China. He understands.

What does the President mean, that President Jiang Zemin understands? Does he mean he is sympathetic? Then let him open up the jails and allow these people to come out. And for the President of the United States to say this is wrong.

Madam Speaker, let me remind my colleagues that President Jiang Zemin is president of a country which systematically imprisons Catholic bishops and priests, imprisons protestant pastors and lay people, tortures Buddhist monks and nuns.

Has our President ever been to Tibet? No. Has anybody from the administration been to Tibet? No. I have been there and talked to the monks, and seen the plunder that is taking place. I say this is a shame. Yes, President Jiang Zemin knows about Christianity. He knows how to persecute it.

But, Madam Speaker, Christianity will rise in China. Christianity will be there when President Jiang Zemin is gone. And the Catholic church will prosper and the evangelical church will prosper, and the church will rise up and be there long after President Jiang Zemin is gone from there. But what a disgrace for this President to say and infer that President Jiang Zemin is sympathetic to the church in China.

One other thing I want to raise, Madam Speaker. I want to submit an article which was in Mother Jones magazine showing how USA*Engage, a lobbying group downtown run by Anne Wexler, is attempting to manipulate prominent religious leaders in the United States. One USA*Engage memo obtained by Mother Jones described how Company X is assigned to talk to one of the country's most well-known religious leaders and Company Y is assigned to talk to another prominent leader. It goes on.

I am saddened that USA*Engage and the Wexler group would attempt to manipulate leaders in this country of different denominations, while priests are being persecuted and slavery is taking place in Sudan. 1.1 million Christians have been persecuted in Sudan because of their faith. Because they love Christ and they want to stand for Christ, they are persecuted for Christ. And Anne Wexler and USA*Engage join up, join up to defeat legislation which will send a message to these people that we care, that we remember the words of the Declaration of Independence: We hold these truths to be self-evident, that all men and women are created equal and given rights by their creator God, life, liberty and the pursuit of happiness. And for USA*Engage to attempt to manipulate this progress is very, very sad.

Madam Speaker, yesterday the President of the United States provided one of the most stunning rationalizations in history about the need for appeasement in the face of persecution.

I submit for the record today's front page *New York Times* article and encourage my colleagues to read it. What is so bad about the Freedom from Religious Persecution Act according to President Clinton? That it will force the administration to ''fudge'', and that's the President's term, reporting on violations so they would not have to carry out the sanctions imposed by the act.

There apparently was no mention by the President that the bill provides for very generous waiver authority: he can waive the sanctions for national security reasons or if doing so would advance the objectives of the act.

What the President and the State Department fear the most about this bill is the fact that it requires them to look at the facts and take action. He wants to continue appeasing governments even when they are perpetrating evil.

President Clinton made his remarks when he stopped by a meeting with prominent evangelical leaders. He went on to describe President Jiang Zemin as a person who ''knows a lot about Christianity in China'' He ''understands the issue,'' the President said.

Let me remind you that President Jiang Zemin is the President of a country which systematically imprisons Catholic bishops and priests, imprisons Protestant pastors and laypeople, tortures Tibetan Buddhist monks and nuns and sends its security forces to break up underground worship services. President Jiang Zemin rules a country that uses brave dissidents as pawns in ego-politics—releasing prominent dissidents in exchange for favors by the United States.

I am pleased that Wang Dan and Wei Jingsheng have been released. But it does not reflect progress. The Chinese government has not released Pastor Peter Xu, one of China's most prominent house church leaders; Bishop Zeng Jingmu, a 77-year-old Roman Catholic bishop; or the Panchen Lama chosen by the Dalai Lama, a 5 year-old boy who has not been seen or heard from for over two years. All of these individuals were on the list of thirty prisoners raised by the recent, and highly-touted, religious leader's delegation to China. Not one of the thirty religious prisoners have been released since the delegation's visit.

Sure Jiang Zemin knows about Christianity—he knows how to repress it.

There is a growing movement in the United States demanding that the U.S. government take action against governments that persecute religious believers. That is what President Clinton fears the most—having to take action. To avoid action, he says the administration will be forced to ''fudge'' the facts. What an abomination.

But there is another issue that I wanted to bring to my colleagues attention. The efforts being waged by USA*Engage and some top-dollar Washington lobbyists to defeat the Freedom from Religious Persecution Act by trying to manipulate prominent American religious leaders. I urge all my colleagues to read the recent article in Mother Jones magazine that I am submitting for the record.

Mr. Speaker, I am really saddened by this action. It is so disappointing to see what has been taking place and to what lengths some will go to defeat a bill which seeks only to help people being persecuted for their faith. Catholic bishops and priests are in jail in China. Tibetan Buddhist monks and nuns are being tortured in Tibet. Bahai's are being persecuted in Iran. Muslims and Christians are being persecuted in Sudan. Yet, the lobbying beat goes on. What a sad commentary.

I believe it is entirely inappropriate to manipulate American religious leaders. Yet, according to the article, that appears to be what is happening. One USA*Engage memo obtained by *Mother Jones* describes how company X is assigned to talk to one of this country's most well known religious leaders and company Y is assigned to talk to another prominent leader. It goes on. How disappointing.

Suffering Catholics, Protestants and Muslims in China do not have top-dollar Washington lobbyists. Christian slaves in Sudan cannot hire K Street law firms. Tibetan Buddhists have no funds to launch slick PR campaigns.

The Freedom from Religious Persecution Act is about them. Who speaks for them?

I have been to many of those countries.

I have spoken to many persecuted people. Almost everywhere I go I hear over and over—please speak out for us. We cannot speak for ourselves. We are voiceless, powerless minorities who are being victimized by powerful governments. If the American government does not speak for us, who will?

H.R. 2431 is not about trade—its about taking away taxpayer subsidies (including taxpayer subsidized trade) from governments that persecute people of faith.

H.R. 2431 does not cut off non-humanitarian aid to countries until they are engaged in "widespread, ongoing" and particularly severe kinds of persecution. In the face of killing, rape, torture, imprisonment, enslavement and other violent action, how can the President tell the American people that the United States government will continue trying to "understand" their point of view?

Passage of this bill is important to help those who suffer for their faith.

Madam Speaker, I submit the following article for the RECORD:

[From the New York Times, Apr. 27, 1998]

CLINTON ARGUES FOR "FLEXIBILITY" OVER SANCTIONS—U.S. TEMPTED TO "FUDGE" ON REPRESSIVE NATIONS

(By Elaine Sciolino)

WASHINGTON, April 27.—President Clinton criticized laws today that automatically impose sanctions on countries for behavior that Americans find unacceptable. He said such legislation put pressure on the executive branch to "fudge," or overlook, violations so that it would not have to carry out the sanctions.

Mr. Clinton made his unusually frank remarks during an appearance before a group of about 60 evangelical Christian leaders at the White House. They were meeting with Samuel R. Berger, the national security adviser, in the Roosevelt Room.

Specifically, Mr. Clinton asked the group to withdraw its support for pending legislation that aims to reduce religious persecution overseas by imposing trade and aid sanctions on repressive regimes.

Last week the House International Relations Committee approved, by 31 to 5, a bill that would impose export and aid sanctions on countries that endorse or permit violent attacks on religious believers. Among other provisions, the sanctions would ban imports from such countries, prohibit loans by multilateral institutions and make it easier for victims of religious persecution overseas to qualify for asylum or refugee status.

Mr. Clinton made clear to the visitors just how difficult it is for his Administration to produce honest analyses about a country's behavior when Congress passes laws that require sanctions the moment a country violates what Congress defines as good behavior. legislators weigh in on issues including human rights, drug cooperation and efforts to stop the spread of nuclear weapons.

The President singled out punitive legislation against Russia, Iran and Cuba as examples of Congressional initiatives that boxed him in.

"What always happens if you have automatic sanctions legislation," he said, "is it puts enormous pressure on whoever is in the executive branch to fudge an evaluation of the facts of what is going on. And that's not what you want. What you want is to leave the President some flexibility, including the ability to impose sanctions, some flexibility with a range of appropriate reactions."

Later he repeated the point, saying that automatic sanctioning "creates an enormous amount of pressure in the bowels of the bureaucracy to fudge the finding."

Mr. Clinton did not say whether the Administration had ever "fudged" the facts to avoid imposing sanctions.

But the Clinton Administration, like its predecessors, has been criticized for ignoring or excusing obvious violations of United States sanction laws to justify continuing to do business with certain countries.

Earlier this year, for example, the Administration certified that Mexico, America's second-largest trading partner, was fully cooperating in antidrug efforts despite evidence to the contrary that could have required economic sanctions.

Some lawmakers and arms-control experts have criticized the Administration for not imposing sanctions on China for its sale of germ warfare equipment to Iran and its continued nuclear cooperation with Iran and Pakistan.

In addition, American lawmakers have threatened to improve economic sanctions on Russian enterprises that aid Iran's missile program if Russia does not fulfill its pledges to block the assistance. The Administration has strongly opposed the move.

It has also been cautions in declaring that some foreign companies are trafficking in formerly American-held property in Cuba. Such a declaration would automatically hamper the companies' operations in the United States and their executives' ability to enter the country.

As for Iran, the Administration has avoided deciding whether to impose sanctions against countries or companies that invest heavily in its oil sector, despite legislation requiring the United States to do so.

Mr. Clinton's remarks provided a rare opportunity to observe him in a private setting in which he did not expect reporters to be present.

The meeting was not listed on his public schedule, and he was told only later that a reporter had been invited to attend.

During the meeting, the president of the National Association of Evangelicals, Don Argue, told Mr. Clinton, "These are praying people," and asked how the group's members should pray for him.

The President asked that they never say a prayer for him that they didn't say for his family as well.

The he added, "I'll tell you what the prayer I say every night is: 'To be made an instrument of God's peace, to have the words in my mouth and the meditations in my heart and to be on God's side.' That's about as good as I can do here."

Mr. Clinton also shared a story about his daughter, Chelsea, freshman at Stanford University. He said she often logged on to the Internet in the evening and called him to ask him about something she had read in the early edition of the next day's newspaper.

"She knows I work late," Mr. Clinton said. "So some night at a quarter to one or something, the phone rings. It's Chelsea."

In his remarks, Mr. Clinton also unabashedly boasted that American religious freedom should be the model for countries that persecute their people over religious beliefs.

"The only answer for any of these countries is to basically have a system that America has," Mr. Clinton said. "I've always tried to be a little bit careful about telling anybody that we know best about everything."

But, he added, in this case, "we know best."

Still, he waxed philosophical about the need to understand other countries' "historical nightmares" before judging them too harshly.

"It's also important when you deal with a country to know what its historic bad dreams are," he said.

America's bad dream goes back to the Civil War, he said. Russia's goes back to invasions by Napoleon and Hitler, and China's goes back to internal disintegration.

In trying to persuade Russia that the eastward expansion of NATO was not a threat, for example, Mr. Clinton explained: "You know that NATO would never invade Russia, and it's not rational from our point of view. But then, America was never invaded by Hitler or Napoleon."

Mr. Clinton also described President Jiang Zemin of China as a leader who understands the concerns of the United States and "knows a lot about Christianity" in China. "I think he understands this issue and I think that if we just keep pushing along, I think that he will be more likely than not to advance it," Mr. Clinton said.

He added that he had spent "a lot of time" coaching Mr. Jiang during his trip to Washington last year on how to handle their joint news conference.

Mr. Clinton said he had told Mr. Jiang, "You've got to learn how to smile when they hit you right between the eyes."

"I said, 'That's the way we do it over here.'"

[From Mother Jones, May/June 1998]

SO YOU WANT TO TRADE WITH A DICTATOR

(By Ken Silverstein)

Americans may be fickle when it comes to politics, but as politicians and moviemakers know full well, there's one reliable "gimme": We hate dictators. Tyrants, autocrats, despots—we just don't like them.

So imagine how tough it would be to build a public campaign promoting trade with countries such as Iran, Burma, or Nigeria, whose dictatorial regimes have horrible human rights records. That's the challenge for a coalition of the nation's biggest corporate exporters, including aerospace titan Boeing; construction equipment giant Caterpillar; the country's biggest oil companies, including Unocal, Chevron, Mobil, and Texaco; and other Fortune 500 firms such as IBM and Motorola.

All have money to make overseas, and economic sanctions are just another obstacle. Now the coalition, led by its front group, USA*Engage, will have its two big shots at success.

For starters, it plans to file a lawsuit to overturn the "selective purchasing" laws that have sprung up in 18 different cities across the U.S. banning government contract work from being awarded to companies that trade with tyrannical regimes. More impressively, they have already managed to have a bill introduced in Congress—which appears to have been drafted by their own lobbyists—that would severely restrict the use of sanctions, and would pave the way for greater trade with outlaw nations. How will they convince legislators, or the voting public, that trading with dictators is good? Their strategy is detailed in a series of internal memos obtained by Mother Jones that describe how to spin the most morally questionable of campaigns—with help along the way from religious leaders and institutions such as the Rev. Billy Graham and the Catholic Church.

STEP 1—FIND YOUR SALES TEAM

The anti-sanctions drive is run out of the National Foreign Trade Council, a prominent Washington, D.C., trade association that represents the nation's 500 biggest exporters.

But when it came time for its attack on sanctions, the NFTC needed a cover—provided, preferably, by someone who was liberal, popular, and well-connected. So in early 1997, it hired Anne L. Wexler, who heads the Wexler Group, and recently was ranked one of the capital's 10 most influential lobbyists by Washingtonian magazine.

The ultimate power broker, Wexler has Beltway access to burn, and her liberal credentials include working as a campaign organizer for Eugene McCarthy's 1968 presidential race, doing a stint as a consultant for the government watchdog group Common Cause, and serving, from 1975 to 1977, as the associate publisher of Rolling Stone during its muckraking heyday. Wexler followed that with a job as a top aside in Jimmy Carter's White House before launching her political consultancy, which boasts executives with close ties to President Clinton (Betsey Wright, his chief of staff when he was governor) and to Newt Gingrich (former Pennsylvania Republican Rep. Bob Walker, formerly a close Gingrich ally).

Wexler may have come far from her days as a war protester, but her lobbying efforts still carry a liberal spin. Arguing against sanctions, she says that because they limit investment opportunities for business, ''the only people they end up hurting are U.S. workers.''

The NFTC also lined up important politicians on both sides of Washington's revolving door. It signed up seven lobbyists from Hogan & Hartson. One of them, Republican Clayton Yeutter, while acting as President Reagan's U.S. Trade representative, threatened trade sanctions against Southeast Asian countries that did not open their markets to American tobacco companies.

Another of the group's lobbyists, former Rep. Michael Barnes, a Democrat, demanded that sanctions be imposed on Haiti in 1994 when he worked as a lobbyist for ousted president Jean-Bertrand Aristide. During the first half of 1997 alone the NFTC paid $340,000 to Hogan & Hartson for its campaign against sanctions.

The NFTC also made sure to cement a relationship with a key State Department official, Undersecretary of State Stuart Eizenstat—who chairs the sanctions review team created last year by the State Department—by retaining his former law firm, Powell Goldstein.

STEP 2—PUT ON A HAPPY FACE

With its lobbying army in place, the NFTC next needed to start a front group to head the anit-sanctions drive. Engineered by the Wexler Group, USA*Engage was officially unveiled at an April 1997 press conference, during which it portrayed itself as a dynamic ''broad-based coalition representing Americans from all regions, sectors, and segments of our society.'' The address on USA*Engage's letterhead belongs to the Wexler Group, which is also where the number listed for USA*Engage rings (though callers are routed around the Wexler Group's main switchboard).

In its literature, USA*Engage claims to have more than 600 members. But when contacted, several of the smaller companies listed on its roster responded with puzzlement. Tim Hussey, president and CEO of Hussey Seating of Maine, said he had no idea what USA*Engage was. Richard Gravenhorst, co-owner of Reco Industries, a Louisiana road equipment company, also didn't know about USA*Engage, replying that his firm had little international business. Sanctions, he said, ''[are] certainly not one of our priorities.''

When he is asked about USA*Engage's bloated membership, Frank Kittredge, the NFTC president who doubles as the group's vice chairman, admits that no more than 50 to 100 companies are active participants. ''USA*Engage was formed because a lot of companies are not anxious to be spotlighted as supporters of countries like Iran or Burma,'' he says. ''The way to avoid that is to band together in a coalition.''

So who is behind USA*Engage? The oil industry, for one. Unocal's chief Washington lobbyist, Jack Rafuse, chairs USA*Engage's State and Local Sanctions Committee. Unocal co-owns a billion-dollar natural gas pipeline in Burma, and one of its partners is Burma's State Law and Order Restoration Council (SLORC), the military dictatorship that the State Department says used slave labor to help build the pipeline. Jefferson Watterman International, a Beltway firm that lobbies for Burma, is also a member.

USA*Engage members also include Mobil and Texaco—both of which have major investments in Nigeria and have lobbied to prevent strong sanctions against Gen. Sani Abacha's regime, despite its having imprisoned 7,000 people without charge and, among other atrocities, having executed protester and writer Ken Saro-Wiwa.

USA*Engage's chairman, William Lane, is the Washington director for Caterpillar, a company that has obvious reasons for belong to the coalition. It has its own Burmese dealership, and has business in other nations threatened with or currently under U.S. sanctions, including Sudan, Indonesia, Colombia, and Nigeria. Other USA*Engage members have just as much incentive for wanting to trade with dictators. Boeing, for instance, has long battled the government's threatened sanctions against China, where it sold one-tenth of its airplanes between 1992 and 1994. Another group of coalition members—including Westinghouse and ABB—has been pressing the Clinton administration to lift a ban on nuclear power exports to Beijing.

STEP 3—CALL IN THE RENT-A-SCHOLARS

Once USA*Engage was formed, coalition leaders quickly turned to a web of Beltway think tanks and scholars to provide the sanctions drive with badly needed intellectual ammunition.

The Institute for International Economics (IIE) prepared a study in 1997, released at USA*Engage's debut press conference, which states that sanctions cost the U.S. economy $15–$20 billion, and caused the loss of 250,000 jobs in 1995 alone. The study, confirms an IIE sanctions specialist, Kimberly Elliott, was funded ''in part'' by the NFTC.

Georgetown University law school professor Barry Carter authored another study, paid for by the National Association of Manufacturers (NAM), a USA*Engage member. When it came out, NAM trumpeted the findings, saying the study showed that sanctions come ''with a steep price tag for U.S. commercial interests.'' The coalition also uses reports from prominent think tanks such as the Cato Institute, the Center for Strategic and International Studies, and the Center for the Study of American Business to arm itself with intellectual firepower. All have received funding from companies that belong to USA*Engage.

STEP 4—GET RELIGION, KILL THINE ENEMIES

Once USA*Engage had its research studies in hand, it figured it would have an easier time convincing Congress to lift trade sanctions. But then the coalition faced a new enemy, one that any economic analyst would have a tough time countering: The God Lobby.

In May 1997, Rep. Frank Wolf (R–Va.) and Sen. Arlen Specter (R–Pa.) introduced the Freedom from Religious Persecution Act, which would slap mild sanctions on nations that persecute religious groups as a matter of government policy. The bill boasted a remarkable lineup of organizations that testified on its behalf—from the Christian Coalition to Amnesty International—and had strong backing from the Republican leadership.

USA*Engage sprang into action. On August 29, 1997, Don Deline of Dallas-based Halliburton, a USA*Engage member and the world's second-largest oil field services company, sent a memo to coalition members outlining the group's strategy to defeat the Wolf-Specter bill.

The plan: fight fire with hellfire. According to the memo, Deline met with two officials at the State Department, Deputy Assistant Secretary Bill Ramsay and David Moran, the director of the Office of Economic Sanctions Policy, who both told him they didn't like the bill but were ''constrained for obvious reasons in how active they believe they can be in opposing them.'' Similarly, they suggested that business leaders would be unsuccessful opposing the bill publicly. Instead, they suggest, ''religious leaders and organizations should take the lead for best results.''

The resulting USA*Engage strategy matched members with key religious leaders. Specifically, Deline wrote, ''Boeing will contact Rev. Billy Graham; Marjorie Chorlins will contact Drew Christian,'' whose last name is actually Christiansen, and who represented the U.S. Catholic Conference, the Vatican's organizational arm in the United States.

When asked whether USA*Engage ever tried to get religious leaders to speak out against the Wolf-Specter bill, Deline admitted that the group had ''low-key'' conversations with religious leaders, but says that was it. ''Nobody that I know of is shoving religious leaders out front for their personal gain,'' he says. Chorlins, a lobbyist for Motorola, confirms that she did speak with Drew Christiansen about Wolf-Specter, but then adds her own, nearly identical qualifier: ''Business is not pushing religious leaders out there.''

Says Chorlins, ''I talk to different organizations and communities because I want dialogue, not to push them out front.''

Both Graham and Christiansen eventually did come out against the religious persecution act—just as planned in the memo. Graham traditionally has ignored human rights conditions in the countries, such as China, where he preaches. He also joined Boeing last year in urging Congress to extend China's Most Favored Nation trade status.

And two weeks after Deline's memo, Christiansen, speaking before a House International Relations Committee hearing on the bill, said the U.S. Catholic Conference recommended being ''cautious and deliberate in invoking [sanctions] as a remedy in public affairs.'' Christiansen then made two proposals that came straight out of USA*Engage's playbook: He suggested that the government require extensive public review before imposing sanctions, and advocated that the proposed presidential waiver included in the bill be extended.

Brian F. O'Connell of Interdev, a Seattle-area evangelical group, who also opposes Wolf-Specter, told Mother Jones that a Washington, D.C.-based business group—he won't say which but confirms that he talked to people from USA*Engage about Wolf-Specter—wanted to fly him to Washington to testify against the bill. O'Connell, however, declined the offer.

Gregg Wooding, a spokesman for the Billy Graham Evangelical Association, says Graham would not comment on this story because ''he's not a politician and doesn't like to talk about politics.'' Christiansen also declined to be interviewed.

Ultimately, Congress deferred further consideration of the bill, and it was eventually rewritten to narrow the chances of sanctions and broaden the presidential waiver. A report sent out from Wexler's office to coalition members in February boasted that ''USA*Engage is widely credited for the failure of [Wolf-Specter] to come to a vote in 1997.''

STEP 5—WRITE YOUR OWN BILL

Now, having at least temporarily dispatched Wolf-Specter, USA*Engage was ready to put together its very own sanctions ''reform'' bill. The coalition quickly signed up two Hoosier friends in Congress to sponsor the legislation: Republican Sen. Richard Lugar, of the Senate Foreign Relations Committee, and Democratic Rep. Lee Hamilton, the ranking Democrat on the House International Relations Committee.

When initially asked about her company's role in moving the legislation forward, Wexler replies, ''We don't lobby.'' When pressed, she concedes that her firm ''worked closely'' with members of Congress who worked on the legislation ''so I guess we do lobby.'' However, she says firmly, ''That bill was written on the Hill.''

But a USA*Engage lobbyist memo suggests that the role Hamilton and Lugar played in sponsoring the legislation was largely ceremonial, and that it was the lobbyists who drafted the bill. In a memo dated September 4, less than two months before the bill's introduction, the Wexler Group's Erika Moritsugu wrote Richard Lehmann, a lobbyist for coalition member IBM, telling him that he would be receiving more information from her as soon as ''we work to finalize the bill language.'' According to the memo, Wexler's people were also planning ''a target date for introducing the bill'' and even drafting the ''Dear Colleague'' letters that lawmakers send out to their peers to build support for legislation.

In the memo, Moritsugu also thanked Lehmann for contacting Rep. Jim Kolbe (R–Ariz.). According to other memos, the Wexler Group sent out requests to coalition members asking them to fax in summaries on their progress finding co-sponsors for the legislation. Wexler used this ''Co-Sponsorship Meeting Response Form'' to keep track of how far USA*Engage's tentacles had spread throughout Congress. In the case of Lehmann, they went far: Kolbe signed on as a co-sponsor of the House bill.

On October 23, Hamilton introduced the Enhancement of Trade, Security, and Human Rights through Sanctions Reform Act in the House (Lugar followed suit in the Senate early the following month). The bill would protect overseas contracts signed at the time sanctions are imposed and would require that sanctions expire after two years unless specifically reauthorized.

The legislation also makes the process of imposing sanctions a bureaucratic nightmare while specifically exempting restrictions on the use of measures ''imposed to remedy unfair trade practices.'' In other words, says Mark Anderson, a union officer at the Food and Allied Service Trades who closely monitors USA*Engage, ''sanctions are just fine if the economic interests of a company are threatened by intellectual property theft or expropriation, but they should not be imposed if a dictatorship is killing its people or depriving workers of their rights.''

Meanwhile, the law firm Hogan & Hartson has been scheduling meetings between leading members of USA*Engage and congressional staffers. A series of three internal campaign memos from last fall urged key coalition members to attend engagements set up with a number of Capitol Hill offices, including the Senate Finance Committee.

STEP 6—SEIZE CONTROL

With Congress about to consider the bills, the future looks sunny for USA*Engage. The group mailed out a progress report to member companies stating that the coalition had ''surpassed its 1997 goals across the board.'' Furthermore, USA*Engage's ''continuous and aggressive media education effort'' has paid rich dividends. According to the report, of the 242 newspaper editorials written on the sanctions issue since USA*Engage's founding last year, 180 had been favorable to the coalition, 36 were neutral, and only 26 were hostile.

The progress report also urged supporters not to let up, mentioning that ''member companies are currently deeply involved'' in recruiting more co-sponsors for the Hamilton-Lugar legislation, which already boasts 10 senators and 14 House members.

There's also good news for one of USA*Engage's congressional partners. While Hamilton will retire at the end of his term, Lugar will be up for re-election in 2000 and is apparently tapping into USA*Engage's membership lists. A member of the coalition, who asked to remain anonymous, says that after joining USA*Engage he received an invitation charging a $1,000-a-head fee to a fundraiser for Lugar in March at Washington's exclusive Monocle restaurant.

Along with the sparks that will occur when Congress debates the legislation, coalition members can expect a howl from human rights advocates, such as Simon Billenness of Franklin Research & Development Corp., a progressive investment firm in Boston, who notes the importance economic sanctions played in ending South Africa's apartheid regime. ''If USA*Engage had succeeded with these tactics during the apartheid years, Nelson Mandela might still be in prison,'' he says.

But they can also expect support from sources higher up—and even more important than Billy Graham. The Clinton administration is highly sympathetic to USA*Engage's cause, especially the State Department's sanction review team, headed by Wexler contact Stuart Eizenstat.

As the anti-sanctions laws work their way through Congress, according to the progress report, USA*Engage will assist Eizenstat in dealing with any problems that might arise, such as the weak drug policies in Mexico and Colombia, and the upcoming Nigerian elections—rigged in advance by the country's generals. These cases, the report warns, ''may result in a call for sanctions.''

Not to worry. Eizenstat's sanctions review committee will have a strong say in such matters and, the report assures, ''USA*Engage has encouraged this effort from the outset and will provide private sector input as it unfolds.''

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m.

Accordingly (at 1 o'clock and 36 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BARRETT of Nebraska) at 2 p.m.

PRAYER

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

Your bounty of blessings is with us, O God, and Your grace is Your free gift. From our beginnings, Your strong arm has strengthened us, and Your benedictions have given us hope. In response to Your favor toward us, we have not always answered with good works and noble deeds and have sometimes followed our own way of self-centeredness and personal advantage.

Help us, gracious God, to see more clearly the unity we share and teach us to work together for the common good. While every person differs on the particular road we should follow to accomplish our goals, yet let us in solidarity hold high those ideals and traditions and values that we hold dear and make us proud as we honor and respect each other in all we do. In Your name we pray. Amen.

THE JOURNAL

The SPEAKER pro tempore. 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.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Pennsylvania (Mr. PITTS) come forward and lead the House in the Pledge of Allegiance.

Mr. PITTS 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.

DOLLARS TO THE CLASSROOM ACT

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

Mr. PITTS. Mr. Speaker, the Department of Education is currently spending Federal tax dollars funding the closed captioning of the Jerry Springer Show. Unbelievable. Since when does this talk show have anything to do with teaching our kids basic math, reading, writing, science, or history?

Not only does the Jerry Springer show not improve American education, but over the past few months, it has done seven shows on premarital or adulterous relationships with titles such as ''I am Having Your Man's Baby''.

They have produced another seven shows on the Ku Klux Klan, such as ''I am a Breeder for the Klan'' and ''Christmas with the Klan''. They had eight shows on prostitution, such as ''I am a 13 Year Old Prostitute'' and ''My Wife wants to be a Call Girl''.

If you believe that Federal education tax dollars should be made available to kids in classrooms instead of providing access to programs on prostitution, racism and polygamy, then I urge the Members to support the Dollars to the Classroom Act. This bill block grants 30 Federal education programs requiring 95 cents of every dollar go to classroom use.

REFORM THE IRS

(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, the IRS is trying to kill reform. They are bringing out the big guns, Congress. The Treasury Department says, and I quote, whistle blowers are lying. The IRS is really doing a good job.

Unbelievable. Tell that to the families of Alex Consul and Bruce Baron, both of whom committed suicide. Tell me, how many more Americans must commit suicide? How many more American families must be destroyed? Who is kidding whom? The tail is wagging the dog in America, and Uncle Sam is now barking the praises of the IRS. Beam me up, Mr. Speaker.

No American should fear our government. The most important thing the Congress of the United States can do this year is reform the IRS. With that, I yield back any guts left in this great, august deliberative body.

SUPPORT RESOLUTION TO HELP STATES COMPLY WITH MEGAN'S LAW

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

Mr. GUTKNECHT. Mr. Speaker, I rise today to talk about a very important issue I think to every American, especially American families who have children.

Two years ago, Congress passed Megan's law, which requires States to develop programs to notify communities when sexual predators have been released into their neighborhoods. To date, 45 States have done that.

But I must report that not every State is doing the kind of job that I think needs to be done. In fact, recently, NBC News did a special, and they found in one precinct 222 released sex offenders were living in that one ZIP code. The bad news is that none of the neighbors, none of the families, none of the parents knew who they are or where they were living.

Mr. Speaker, the time has come for Congress to provide some additional leadership to the States. As a result, I have introduced a resolution in the House, and soon it will be introduced in the Senate as well, a resolution which will help States to comply with the requirements under Megan's law, to make it easier for States to comply and notify communities, to notify neighborhoods, and to notify families when sex offenders are moving into their neighborhoods. I encourage my colleagues to join me in this effort by cosponsoring this important resolution.

TRIBUTE TO SHARON AINSLIE

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

Mr. BALLENGER. Mr. Speaker, after many years of being a father figure to a couple hundred teenagers, Sandy Ainslie is retiring as the Headmaster at Episcopal High School in Alexandria, Virginia.

Much credit should and will be given to Sandy Ainslie for his many years of service, but I am here to honor his hard-working, always smiling, wife Sharon. Sharon has worked alongside Sandy through many years of trials and tribulations. She has raised money for the school and helped upgrade the school's facilities and made it a reality that all students attending Episcopal have their own computer. She has helped to instill in these young minds integrity, honesty, and values that will help enable them to prosper in today's ever-changing world.

While always keeping a loving and warm personality, Sharon has supported her husband and the many students of Episcopal High School for many years. So today it is Sharon we honor for her many years of dedication for our youth of tomorrow. Both Sharon and Sandy will be missed by the students, faculty, and alumni all.

SUPPORT SCHOOL CHOICE FOR AMERICA'S FUTURE

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

Mr. JONES. Mr. Speaker, it is sad to say, but America's children are not receiving the education they need and deserve. I believe that we are facing this grim situation because parents, unfortunately, have been edged out of the system.

For years and years, the Federal Government has tried to solve educational problems. In fact, the Federal Department of Education has spent over $444 billion since its establishment in 1980, but it has failed our children. Adding more bureaucrats and ignoring parents and teachers is not the solution.

The Federal Government has had its turn. The solution is to put education decisions back in the hands of parents and teachers where education belongs. It is time to truly repair our damaged education system and to empower parents to choose the school that is best for their children. Support school choice for America's future.

INTERIOR DEPARTMENT NOT MAKING GREAT STRIDES IN IMPLEMENTING RESULTS ACT

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

Mr. GIBBONS. Mr. Speaker, the Interior Department says that it has been making great strides in implementing the Results Act. That is a 1993 law which requires Federal agencies to define their missions, set goals, and plan how to meet those goals, and specifically measure agency progress.

Great strides? In a recent audit by the GAO, the Interior Department received a 29 out of a possible 100. That is right, 29. It has been a while since I have been in school, but I cannot imagine the kind of bell curve that would make 29 a passing grade. Even the Interior Department's own independent acting IG says their plans do not provide a clear picture of the intended performance.

With approximately 87 percent of Nevada being managed by the Federal Government, this news only bolsters and solidifies the fact that the Department is in desperate need of a tutor. A 29 is not great strides. It is not a giant step. A 29 is a huge step backwards.

The only bright side to this is that they have plenty of room for improvement. The school bell has rung, recess time is over, and the Interior Department needs to return to class.

NATIONAL CHILD ABUSE PREVENTION MONTH

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

Mr. LAMPSON. Mr. Speaker, April is National Child Abuse Prevention Month. Communities that care about their children and families can and do work together to find solutions to tough problems. It is because of the partnership of a community in my district and a community in another county that I come before you today.

The Talmud says that he who saves one life saves the world entire. On April 13, nine-year-old Amber from Webster, Texas, was abducted and sexually assaulted. Within 24 hours after her abduction, Amber was found, and the assailant was placed into custody by the Harrison County Deputy Sheriff, Claire Martinez. Today, I would like to commend the Friendswood Police Department and Deputy Martinez for their great work in apprehending the suspect.

Within minutes after Amber's mother reported the abduction, the Webster and Friendswood Police Departments quickly organized themselves and responded to the situation. The result is that nine-year-old Amber is still alive. If the Friendswood Police Department had not developed a procedure for dealing with abductions, the result may have been quite different. The response

by these agencies is commendable, needs to be a model throughout the Nation.

I would ask that Members wear these little blue ribbons today.

WHITE HOUSE NOT COOPERATING WITH INVESTIGATIONS

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

Mr. BRADY. Mr. Speaker, I sometimes wonder why investigations take so long around here. Maybe you do as well. I know that the White House has insisted that they are cooperating fully with the various investigations and investigators charged with finding out the truth about the illegal campaign contributions in the last elections. But I think I now know why we are having so much trouble getting there.

There are 92 witnesses, that is 92 witnesses have either fled the country or taken the fifth amendment, refused to testify. When you are not afraid to tell the truth, if there is nothing to hide, why would 92 American citizens flee this country or hide behind the fifth amendment?

When the FBI director, Louis Freeh, was asked last year if he had ever seen this before, the only similarity he could draw was during the 16 years he spent investigating organized crime cases. I do not know if this is organized crime, but I know the White House is saying it is cooperating fully, but no one is cooperating.

CAMPAIGN FINANCE REFORM INVESTIGATION STYMIED AT EVERY TURN

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

Mr. SESSIONS. Mr. Speaker, during the past few days, we have heard a lot about the ability to hear from witnesses in an objective investigation of the facts surrounding campaign financing. All I hear from the Democrats is that Congress must vote on campaign finance reform.

Well, my committee, the Committee on Government Reform and Oversight, is trying to find out what is wrong with campaign financing. But our investigation had been stymied at every single turn. There are witnesses who have been unavailable to the committee, 46 witnesses who have refused to testify, asserting protections against self-incrimination, and 12 witnesses who have fled the country.

Incredibly, the Democrats on the committee have refused to allow immunity for witnesses that Janet Reno, the Attorney General, says should have immunity. Mr. Speaker, this will prevent us from hearing from those witnesses. My question to the Democrats is this: What are you attempting to hide?

NATIONAL SECURITY DEMONSTRATION SET FOR WEDNESDAY AND THURSDAY

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

Mr. WELDON of Pennsylvania. Mr. Speaker, to begin the markup of the National Defense Authorization bill this week, I want to call to the attention of our colleagues two significant events that will take place tomorrow and Thursday involving national security and threats from weapons of mass destruction.

All day tomorrow in the Rayburn courtyard, we will have a full demonstration of one of our leading new technologies, the Theater High Altitude Area Defense system as well as a Scud missile, the type of missile that killed our 28 troops in Saudi Arabia just 7 years ago. I would encourage our colleagues to visit that exhibit.

On Thursday, we will have 2,000 fire and EMS leaders from across the country assemble in Washington. At noon, we will have a major rally outside the doors of this Chamber to focus on the need for first responders to get full attention and focus as we plus-up money to respond to terrorist acts involving weapons of mass destruction nationwide.

I would encourage our colleagues to visit both events and to become active participants in the rally and the event from our fire and EMS leaders from all of our 50 States.

□ 1415

ELIMINATE THE MARRIAGE TAX PENALTY NOW

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

Mr. WELLER. Mr. Speaker, the question today is, why pass the Marriage Tax Elimination Act? I believe this series of questions best illustrates why.

Do Americans feel that it is fair that working married couples with two incomes pay higher taxes just because they are married? Do Americans feel that it is fair that 21 million married working couples pay, on the average, $1,400 more just because they are married than an identical couple with an identical income living together outside of marriage? Do Americans feel that it is fair that our Tax Code actually provides an incentive to get divorced?

Of course not. That is wrong, and that is why elimination of the marriage tax penalty is so important.

If we think about it, 21 million married working couples, 42 million Americans, pay on the average of $1,400 more just because they are married. That is one year's tuition at Joliet Junior College in the south suburbs of Chicago; three months in a local day care center. It is real money for real people.

Mr. Speaker, let us eliminate the marriage penalty. Let us eliminate it now.

CONGRESS SHOULD MOVE AGGRESSIVELY TO PUT SOCIAL SECURITY FIRST

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

Mr. SMITH of Michigan. Mr. Speaker, a word on Social Security. Today the Social Security trustees released the annual report on their new projections when Social Security runs short of money to pay benefits. Because of the economic growth, because of the good economy with more jobs and higher incomes, they are now projecting that we are going to have an extra year or so before Social Security has less tax revenue coming in than is required to pay benefits. We still have a very, very serious problem.

Mr. Speaker, I urge my colleagues in the House and the Senate, I urge the President not to use this as an excuse to delay and put off and not deal with the serious problems of Social Security. The current good economy is an opportunity to move ahead with long term solutions giving more flexibility for transition.

Mr. Speaker, Social Security is one of the important problems that is facing us right now with an unfunded liability of over $3 trillion. Let us move ahead aggressively with a solution and really put Social Security first.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded voted or the yeas and the nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules, but not before 5 p.m. today.

RHINO AND TIGER PRODUCT LABELING ACT

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2807) to amend the Rhinoceros and Tiger Conservation Act of 1994 to prohibit the sale, importation, and exportation of products labeled as containing substances derived from rhinoceros or tiger, as amended.

The Clerk read as follows:

H.R. 2807

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 ''Rhino and Tiger Product Labeling Act''.

SEC. 2. PROHIBITION ON SALE, IMPORTATION, AND EXPORTATION OF PRODUCTS LABELED AS CONTAINING A SUBSTANCE DERIVED FROM RHINOCEROS OR TIGER.

(a) FINDINGS.—The Congress finds the following:

(1) The populations of several magnificent and unique endangered species of rhinoceros and tigers, such as the Indian rhinoceros, the Javan rhinoceros, the African black rhinoceros, and all of the tiger subspecies, continue to decline.

(2) Growing demand throughout the world for wildlife and wildlife parts and products has created a market in which commercial exploitation has threatened certain rhinoceros and tiger populations.

(3) There are insufficient legal mechanisms enabling the United States Fish and Wildlife Service to forcefully interdict products that are labeled as containing substances derived from rhinoceros or tiger species and prosecute the merchandisers for sale or display of those products.

(4) Although approximately 77,000 import and export shipments occur annually in the United States, the United States Fish and Wildlife Service is able to maintain only 92 wildlife inspectors at 30 ports of entry, including 13 designated ports, to monitor the shipments.

(5) Wildlife inspectors are able to physically inspect only an estimated 5 to 10 percent of all import and export shipments, making the rate of detection of contraband wildlife products extremely low.

(6) Alternatives are available to the traditional medicinal products that contain substances derived from rhinoceros and tiger species.

(7) Public education initiatives directed toward traditional user groups on the endangered status of rhinoceros and tiger species and on the availability of alternative products in traditional medicine have proven useful in reducing the demand for products labeled as containing substances derived from rhinoceros and tiger species, and should be encouraged.

(b) PROHIBITION, PENALTIES, AND ENFORCEMENT.—The Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301 et seq.) is amended by redesignating section 7 as section 8, and by inserting after section 6 the following:

''SEC. 7. PROHIBITION RELATING TO PRODUCTS CONTAINING OR PURPORTING TO CONTAIN ANY SUBSTANCE DERIVED FROM A RHINOCEROS OR TIGER SPECIES.

''(a) PROHIBITION.—No person shall sell, import, or export, or attempt to sell, import, or export any product, item, or substance intended for human consumption containing or purporting to contain any substance derived from any species of rhinoceros or tiger.

''(b) PENALTIES.—

''(1) CRIMINAL PENALTY.—Any person who knowingly violates subsection (a) shall be fined under title 18, United States Code, imprisoned for not more than 1 year, or both.

''(2) CIVIL PENALTIES.—Any person who knowingly violates, and any person engaged in business as an importer, distributor, or retailer of products, items, or substances purporting to contain substances derived from any species of rhinoceros or tiger who violates subsection (a) may be assessed a civil penalty by the Secretary of not more than $25,000 for each violation. A civil penalty under this paragraph shall be assessed, and may be collected, in the manner in which a civil penalty under the Endangered Species Act of 1973 may be assessed and collected under section 11(a) of that Act (16 U.S.C. 1540(a)).

''(c) FORFEITURES.—Any product, item, or substance sold, imported, or exported, or attempted to be sold, imported, or exported, contrary to the provisions of this Act or any regulation made pursuant thereto shall be seized and forfeited to the United States. All equipment, vessels, vehicles, aircraft, and other means of transportation used to aid the selling, exporting, or importing, or an attempt to sell, export, or import, of any product, item, or substance in violation of this Act or any regulation issued pursuant to this Act, may be seized and forfeited to the United States. All laws relating to the seizure, forfeiture, and condemnation of a vessel for violation of the customs laws, the disposition of such vessel or the proceeds from the sale thereof, and the remission or mitigation of such forfeiture, shall apply to the seizures and forfeitures incurred under this Act, insofar as those laws are applicable and not inconsistent with this Act.

''(d) REGULATIONS.—The Secretary, after consultation with the Secretary of the Treasury, the Secretary of Health and Human Services, and the United States Trade Representative, shall prescribe regulations that are necessary and appropriate to carry out the purposes of this Act.

''(e) ENFORCEMENT.—The Secretary, the Secretary of the Treasury, and the Secretary of the department in which the Coast Guard is operating shall enforce this Act in the same manner such Secretaries carry out enforcement activities under section 11(e) of the Endangered Species Act of 1973 (16 U.S.C. 1540(e)).''.

(c) DEFINITION OF PERSON.—Section 4 of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301 et seq.) is amended by—

(1) striking ''and'' at the end of paragraph (4);

(2) striking the period at the end of paragraph (5) and inserting ''; and''; and

(3) adding at the end the following:

''(6) 'person' means—

''(A) an individual, corporation, partnership, trust, association, or other private entity;

''(B) an officer, employee, agent, department, or instrumentality of the Federal Government, of any State, municipality, or political subdivision of a State, or of any foreign government;

''(C) a State, municipality, or political subdivision of a State; or

''(D) any other entity subject to the jurisdiction of the United States.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SAXTON) and the gentleman from California (Mr. MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SAXTON).

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

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

Mr. SAXTON. Mr. Speaker, I am pleased that the House is now considering H.R. 2807, a bill which I introduced with the gentleman from California (Mr. MILLER) entitled the Rhinoceros and Tiger Product Labeling Act.

The fundamental goals of this measure are to eliminate the U.S. market for illegally obtained rhino and tiger products and, by so doing, the incentive to kill these magnificent animals.

All populations of rhinos and tigers have been listed as endangered for over 20 years. Despite this fact, there are thousands of prepackaged oriental medicines sitting on pharmacy shelves throughout America with labels indicating they contain parts of rhinos and tigers.

In fact, according to a recent survey conducted by the World Wildlife Fund, nearly 50 percent of the 110 shops they visited in North America offered medicines for sale containing or claiming to contain rhino and tiger parts. Investigators identified at least 31 types of rhino and tiger medicines that have been produced by 34 different manufacturers.

What is most shocking was the study conclusion that the availability of these products has greatly increased over the last 5 years, while the danger to rhinos and tigers has increased as well.

While these products are primarily manufactured in China, the U.S. has become a major market for their sale. Those who buy these medicines believe they are effective in combating pain, headaches, convulsions and other ills. Unfortunately, those practicing traditional Chinese medicine are not aware that synthetic alternatives are available and that they are directly contributing to the demise of rhinos and tigers.

The underlying problem and the primary reason law enforcement officials are not confiscating these medicines is because it is virtually impossible to conclusively prove that they contain rhino and tiger parts. It would cost thousands of dollars to perform DNA tests on each of these products, and neither the Customs Service nor the Fish and Wildlife Service has sufficient resources to even begin to undertake such a massive job.

The Rhinoceros and Tiger Product Labeling Act, which has now been cosponsored by over 40 Members, will solve that problem. Quite simply, if a label on a product says that it contains rhino and tiger parts, then we accept the truthfulness of the manufacturer's claim and stop the sale in the United States. In other words, the label is enough proof under this law. This will save the Federal Government a substantial amount of money, and it will help to ensure that rhinos and tigers can continue to survive in the wild.

During our subcommittee hearing on H.R. 2807, every witness testified in strong support of the bill and for closing the loophole in our wildlife laws. These groups include the Clinton administration, the American Zoo and Aquarium Association, the International Rhino Foundation, Safari Club International, and the World Wildlife Fund.

In his testimony, Dr. Terry Maple, the president-elect of the American Zoo and Aquarium Association, stated that passage of H.R. 2807, combined with increased appropriations for law enforcement, will certainly be a bold step by the United States in ending the slaughter of rhinoceros and tigers in the world.

I urge an ''aye'' vote on H.R. 2807; and I want to thank my colleagues who have joined in this effort.

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

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume and rise in strong support of this legislation and thank the subcommittee chairman, the gentleman from New Jersey (Mr. SAXTON), for bringing this matter both before the committee and before the House of Representatives.

Over the course of the past hundred years, conflict with humans has brought literally thousands of species to the brink of extinction. In the past, those conflicts were often direct and bloody: the Passenger Pigeon, eliminated from this planet by hunting; great whales almost brought to the same fate by the commercial whaling industry; and the African elephant, whose numbers were decimated by greedy ivory traders.

Today's story of the rhinoceros and the tiger is a little more complicated. Perhaps the conflict is a little less direct, but it is just as bloody. Throughout their range, these two magnificent species have been brought to their knees by habitat destruction and commercial trade in the products made from their carcasses.

While the CITES convention, the Convention on International Trade and Endangered Fauna and Flora, has made great strides in controlling the international trade in rhino horn daggers and in tiger skins, these species continue to decline, due in part to the huge demand for traditional medicines using rhino and tiger products.

A few years ago, Secretary Babbitt and the Clinton administration used their authority under the Pelly Amendment to the Fisherman's Protective Act to impose economic sanctions against Taiwan for failing to control this trade. It was the right decision, and it proved to be immensely helpful in getting the Government of Taiwan to work with the international conservation community to protect these animals.

Unfortunately, the global rules of free trade now prevent the United States from using unilateral economic sanctions to protect wildlife, a lesson we have just had driven home to us by the World Trade Organization in its ruling against U.S. laws protecting the endangered sea turtles from irresponsible shrimp fishing practices.

That makes this legislation even more important. It sends a clear message that any product imported illegally or labeled as containing rhino or tiger parts will, in fact, automatically be considered as contraband. As a result, our Fish and Wildlife agents can act to seize the product and prosecute the seller, many of whom will be committing a double crime by promoting an illegal product and falsifying the contents with synthetic or other substitutes for rhino and tiger ingredients.

I would have preferred that my colleague and I were here today to debate the reauthorization of this Nation's premier wildlife protection law, the Endangered Species Act. Unfortunately, the committee has been unable so far to move this legislation that would responsibly reauthorize a statute designed to protect hundreds of endangered and threatened species worldwide, and it now appears another Congress will pass without full consideration of this important law. Certainly, the protection afforded by the Rhinoceros and Tiger Product Labeling Act will prove invaluable to these two species. I wish we could agree to protect all the endangered species as well.

Mr. Speaker, this legislation is worthy of the support of all of the Members of the House of Representatives. Those of us who have had the opportunity to travel to some of the habitat of rhinoceros, of tigers, of even elephants, have met with government officials in Zimbabwe and other countries where we have seen the contraband that has been seized by poachers who kill these magnificent animals only for a very small part, in some cases the rhinoceros horn, in some cases they kill animals for their gallbladders, they kill them for their bones, for various body parts, and, obviously, the entire animal is decimated. It is destroyed for this trade.

When we see the kinds of risk and the kinds of money that is put into the poaching, the illegal taking of these animals, it becomes very clear that we have got to do what we can, within the laws of the United States and certainly within our international trade agreements, to now make it more and more difficult, to have sanctions on countries that look the other way while these magnificent animals are being violated. They look the other way while illegal traffic is taking part; and, in some instances, governmental officials are taking bribes to allow people to engage in this activity.

There is an effort to make sure that those who would deal and traffic in the parts of rhinos and tigers are kind of caught in a double whammy here. If they truthfully label their product for sale on the shelves of outlets in the United States, they are in violation of the law. If they mislead the public and they hide the fact it has it, they are in violation of the law.

We met and the chairman went to great lengths to meet with the traditional medicine community that assured us there were, in fact, substitutes for these parts of rhinos and tigers that are in keeping with traditional medicine. And what that means and what that tells us is that the slaughter of these animals is simply then about greed and about the illegal trafficking in the parts of these animals.

So I would hope that all my colleagues would support this legislation, and again I want to thank the gentleman from New Jersey (Mr. SAXTON) for his presentation of this bill and to all of the staff on both sides of the committee that have worked hard to bring this legislation to the floor of the Congress. Hopefully, we will make a major contribution in reducing the illegal traffic and the absolutely unnecessary slaughter of these two magnificent creatures.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

As both my friend, the gentleman from California (Mr. MILLER), and I indicated earlier, there has been a broad range of support for this effort, and I want to personally thank the chairman of the Committee on Ways and Means, the gentleman from Texas (Mr. ARCHER), for his cooperation. Inasmuch as this is a trade issue, it was referred to the Committee on Ways and Means and their responsibility was waived by the chairman, and we want to thank him for that.

I also want to mention the gentleman from the other body, Mr. JEFFORDS, has been extremely effective in his leadership in the other body, and I hope that we will together be able to make strides this year in bringing this to fruition.

□ 1430

I would just like to close, Mr. Speaker, by saying that this is not just an issue that is considered here in Congress. I have here a copy of Time Magazine from, I believe, March 1994, and it features an article about this issue, and it has a picture of one of these great cats on the cover; and the headline here on the cover is ''Doomed, Why the Real Tiger is on the Brink of Extinction.'' And it goes on at some length in the feature story to talk about tigers on the brink. ''Once considered a conservation success story, they are again sliding towards extinction. This time the world's nations may not be able to save these great cats.''

And that is what we are here today making an effort to do. And in the story it just points out that the levels of populations throughout that part of the world that the tigers live, that many of the species, the Siberian tiger, for example, the population is down to an estimated 150 to 200 animals. The South China tiger is down to an estimated population of 30 to 80 animals. The Javan tiger has been extinct since the 1980s. The Bali tiger has been extinct since the 1940s. The Caspian tiger has been extinct since the 1970s. The Indochinese tiger is down to a population of 1,000 to 1,700. And the Bengal tiger, which apparently in India is the most healthy of the species, has a population of an estimated 3,300 to 4,700 animals.

So we are hopeful that everyone here today will vote in favor of H.R. 2807, the Rhino Tiger Labeling Act. It is a very simple concept. It simply makes it relatively easy for us to enforce the laws that this House has previously passed. So, Mr. Speaker, I hope everyone will vote yea today.

Mr. YOUNG of Alaska. Mr. Speaker, I rise in support of H.R. 2807, the Rhino and Tiger Product Labeling Act, a bill introduced by the Chairman of the Subcommittee on Fisheries Conservation, Wildlife and Oceans, JIM SAXTON.

There is no question that intense competition for land has resulted in the destruction of critical rhino and tiger habitat. After all, we are talking about some of the most densely populated countries in the world.

Nevertheless, the major cause of the decline of rhinos and tigers is the huge ongoing demand for products made from these animals. For generations, Oriental medicines have contained ingredients of rhino and tiger parts that are consumed to fight headaches and fever in children, kidney and liver problems, convulsions, and heart conditions. In almost all cases, rhino horn and tiger bones are obtained from illegal sources.

We must eliminate the market for these products and stop their importation into the United States. This is the goal of H.R. 2807. Instead of spending thousands of dollars trying to prove whether a particular Chinese medicine contains rhino or tiger parts, this legislation simply prohibits them from entering this country if the label says they contain these highly endangered species.

By closing the U.S. market, the hope is that the demand for these products will end and the financial incentives to illegally kill rhino or tiger will no longer exist.

Furthermore, there are synthetic alternatives to these products and it is essential that the U.S. Fish and Wildlife Service renew their educational efforts. Based on surveys conducted by the Wildlife Conservation Society, the majority of those people consuming traditional medicines have no idea they might be contributing to the destruction of these flagship species.

I urge an aye vote on this bold wildlife conservation legislation which will hopefully stop the slaughter of rhinos and tigers in the wild.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, April 23, 1998.

Hon. DON YOUNG,
Chairman, Committee on Resources, U.S. House of Representatives, Washington, DC.

DEAR DON: I am writing to address certain issues with H.R. 2807, as reported by the Committee on Resources on March 11, 1998, which would amend the Rhinoceros and Tiger Conservation Act of 1994. The bill contains import prohibition and Customs forfeiture provisions, which fall within the jurisdiction of the Committee on Ways and Means.

With respect to the import ban, H.R. 2807, as reported by the Committee on Resources, prohibits any person from selling, importing or exporting or attempting to sell, import, or export any product, item or substance intended for human consumption containing or purporting to contain any substance derived from any species of rhinoceros or tiger, creates criminal and civil penalties, and allows for the forfeiture of such products. Because these provisions fall within the Committee's jurisdiction, the Committee would ordinarily meet to consider the bill. However, because the bill, as reported, applies the ban in compliance with the letter and spirit of U.S. obligations under an existing multilateral agreement governing such trade, I do not believe that a markup of the bill is necessary.

With respect to forfeiture, section 2 of H.R. 2807, as reported, includes language within the jurisdiction of the Committee on Ways and Means. Under normal circumstances the Committee would meet to consider the bill. However, it is my understanding that you will be offering an amendment on the floor of the House of Representatives to substitute the following language so that the existing statutory Customs forfeiture provisions would apply:

(c) Forfeitures.—Any product, item, or substance sold, imported, or exported, or attempted to be sold, imported, or exported, contrary to the provisions of this Act or any regulation made pursuant thereto shall be sized and forfeited to the United States. All equipment, vessels, vehicles, aircraft, and other means of transportation used to aid the selling, exporting, or importing, or an attempt to sell, export, of any product, item, or substance in violation of this Act or any regulation issued pursuant to this Act, may be seized and forfeited to the United States. All laws relating to the seizure, forfeiture, and condemnation of a vessel for violation of the customs laws, the disposition of such vessel or the proceeds from the sale thereof, and the remission or mitigation of such forfeiture, shall apply to the seizures and forfeitures incurred under this Act, insofar as those laws are applicable and not inconsistent with this Act.

Based on your assurances to this effect, and in order to expedite consideration of this legislation, I do not believe that a markup by the Committee on Ways and Means will be necessary on this issue.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 2807, and would ask that a copy of our exchange of letters on this matter be included in the record during floor consideration. Thank you for your cooperation and assistance on this matter.

With best personal regards,

BILL ARCHER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON RESOURCES,
Washington, DC, April 23, 1998.

Hon. BILL ARCHER,
Chairman, Committee on Ways and Means, Longworth HOB, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2807, the Rhino and Tiger Product Labeling Act. Enactment of this bill will help enforce the existing ban on the sale, import or export of products containing rhinoceros and tiger parts and therefore help conservation efforts for these endangered species.

I agree that the Committee on Ways and Means has jurisdiction over import prohibitions and U.S. Customs Service forfeitures. As noted in your letter, current law already prohibits imports and exports of products containing endangered species under the Lacey Act and the Convention on International Trade in Endangered Species of Wild Fauna and Flora. In addition, when H.R. 2807 is considered by the House of Representatives, I do intend to substitute the forfeiture language of the bill you have identified regarding Customs powers, as this provision also duplicates Lacey Act authority for the Secretary of the Interior.

Thank you for your cooperation in this matter, and I will place our correspondence on this issue in the Congressional Record during debate on H.R. 2807.

Sincerely,

DON YOUNG,
Chairman.

Mr. SABO. Mr. Speaker, I rise in strong support of H.R. 2807, the Rhinoceros and Tiger Product Labeling Act. This bill is a key bipartisan step to protect two of our planet's most precious and endangered animals—rhinos and tigers.

Rhinos and tigers are coming perilously close to extinction in the wild because of illegal poaching to support the high demand for traditional medications. Congress has worked to protect these majestic animals by creating the Rhinoceros and Tiger Conservation Fund, and by banning the import or sale of products that contain parts of endangered species.

Despite these laws to protect rhinos and tigers, a loophole allows many products to be sold in the United States that explicitly state—on their labels, no less—that they contain rhino and tiger parts.

Proving that these products contain banned substances can be extremely difficult. Even after performing costly tests, the U.S. Customs Service often can't prove what the labels plainly show—that these products contain rhino and tiger parts and are illegal. The result is that many such products end up in stores across America.

The Rhinoceros and Tiger Labeling Act would stop this costly and confusing exercise, and allow us to accept product labels at their face value. If products say they contain parts of endangered animals, we shouldn't let them in the country.

I strongly support this bipartisan legislation to stop the flaunting of our laws and strengthen protections for endangered species.

Mr. SAXTON. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BARRETT). The question is on the motion offered by the gentleman from New Jersey (Mr. SAXTON) that the House suspend the rules and pass the bill, H.R. 2807, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2807.

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

There was no objection.

CONGRATULATING PEOPLE OF SRI LANKA ON THE 50TH ANNIVERSARY OF THEIR INDEPENDENCE

Mr. BEREUTER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 350) congratulating the people of Sri Lanka on the occasion of the fiftieth anniversary of their nation's independence.

The Clerk read as follows:

H.RES. 350

Whereas on February 4, 1948, the people of Sri Lanka gained their independence from the British;

Whereas the people of Sri Lanka and the United States have a common interest in the promotion and preservation of democratic systems of government;

Whereas the people of Sri Lanka and the United States have had many shared values

and interests, including the desire to promote the peaceful development of the South Asian region;

Whereas Sri Lankan citizens who have visited or lived in the United States, and United States citizens who have visited or lived in Sri Lanka, have done much to improve mutual understanding and build friendship over the past fifty years;

Whereas United States citizens of Sri Lankan origin have contributed greatly to the advancement of knowledge, the development of the United States economy, and the enrichment of cultural life in the United States;

Whereas the ties of trade and investment between the United States and Sri Lanka have grown over fifty years to the benefit of the people of both countries; and

Whereas the fiftieth anniversary of the independence of Sri Lanka offers an opportunity for Sri Lanka and the United States to renew their commitment to international cooperation on issues of mutual interest and concern: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the people of Sri Lanka on the occasion of the fiftieth anniversary of their nation's independence; and

(2) looks forward to broadening and deepening United States cooperation and friendship with Sri Lanka in the years ahead for the benefit of the people of both countries.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. BEREUTER) and the gentleman from Minnesota (Mr. LUTHER) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. BEREUTER).

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

GENERAL LEAVE

Mr. BEREUTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 350.

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

There was no objection.

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

Mr. Speaker, as the author of H. Res. 350, this Member rises to congratulate the people of Sri Lanka on the occasion of the 50th anniversary of their nation's independence.

Mr. Speaker, H. Res. 350 was introduced on February 4, the day that Sri Lanka celebrated the 50th anniversary of their independence, by this Member, by the distinguished gentleman from Indiana (Mr. HAMILTON), the ranking member of the Committee on International Relations, and by the distinguished gentleman from California (Mr. BERMAN), the ranking member of the Subcommittee on Asia and the Pacific.

America's relations with this island nation are very strong and productive. The social and economic progress that Sri Lanka has made in the last five decades is truly encouraging and has laid a strong foundation for its future. Sri Lankan Americans, both Sinhalese and Tamil, have made major contributions to American society, and our relationship has proven mutually beneficial.

While the official celebration will last all year, the precise date of the 50th anniversary was, as I mentioned, February 4. Major celebrations were held on that day, attended by Prince Charles as the head of the British delegation.

Regrettably, the celebrations have been marred by a series of bombings. This tragic fact emphasizes the point that a terrible bloody civil war continues in Sri Lanka that has cost tens of thousands of lives. This Member's purpose in introducing today's resolution is not just to discuss the specifics of the ethnic conflict. No, not at all. Rather, this Member wishes to give the U.S. House of Representatives an opportunity to celebrate and commend the achievements of the people of Sri Lanka, Sinhalese, Tamil and Muslim alike.

H. Res. 350 does precisely that. It congratulates the people of Sri Lanka and points to this occasion as an opportunity to renew the common U.S.-Sri Lankan commitment to international cooperation.

Mr. Speaker, the Committee on International Relations unanimously adopted H. Res. 350. This Member believes that H. Res. 350 represents a fitting and balanced expression of congratulations to the people of Sri Lanka on the occasion of the 50th anniversary of their nation's independence.

This Member also thanks the gentleman from New York (Mr. GILMAN), the distinguished chairman of the Committee on International Relations, for moving this initiative in an expeditious manner. This Member also expresses appreciation to the distinguished gentleman from Indiana (Mr. HAMILTON), the ranking member of the Committee on International Relations, for his constructive additions to this resolution.

Finally, this Member thanks the distinguished gentleman from California (Mr. BERMAN), the ranking member of the Subcommittee on Asia and the Pacific, for his important assistance in speeding this resolution to the House.

Mr. Speaker, I urge unanimous adoption of H. Res. 350.

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

Mr. LUTHER. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of this resolution.

Mr. Speaker, I strongly support this resolution; and I commend the gentleman from Nebraska (Mr. BEREUTER) for his leadership in bringing it before the House today.

Fifty years ago, following the example of our own country, the Sri Lankan people threw off the bonds of empire and entered the ranks of fully and free independent nations. In the five decades since then, notwithstanding economic hardship and civil war, Sri Lanka has proudly maintained its independence, promoted economic development, and fostered a democratic form of government.

Sri Lanka has also been a good friend of the United States. The people of Sri Lanka have earned our respect and admiration. This resolution attempts to convey those sentiments and express our desire to see the bonds of friendship that link our two nations broadened and deepened in the years ahead. It deserves our support, and I urge my colleagues to join me in voting ''yes'' on this important resolution.

Mr. Speaker, I yield 5 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. Mr. Speaker, I certainly would like to add my commendation to the gentleman from New York (Mr. GILMAN), chairman of the Committee on International Relations, and the gentleman from Indiana (Mr. HAMILTON), our ranking Democratic member, and to the gentleman from Nebraska (Mr. BEREUTER), as the chairman of our Subcommittee on Asia and the Pacific for his authorship on this piece of legislation, and also the gentleman from California (Mr. BERMAN), the ranking member of our Subcommittee on Asia and the Pacific.

Mr. Speaker, I rise today in support of the House Resolution 350, a measure congratulating the people of Sri Lanka on the occasion of their 50th anniversary of the independence of the Democratic Socialist Republic of Sri Lanka from Great Britain.

Mr. Speaker, I am honored to be an original cosponsor of this measure. And again, I commend the gentleman from Nebraska (Mr. BEREUTER), chairman of the House Committee on International Relations Subcommittee on Asia and the Pacific, for introducing this legislation.

Mr. Speaker, earlier this year on February 4, Sri Lanka celebrated its 50th anniversary of independence from British colonial rule, which ended on February 4, 1948. I join my colleagues in commemorating the golden jubilee independence celebration of Sri Lanka and offer my sincere congratulations to her excellency, President Chandrika Kumaratunga, and the good people of Sri Lanka.

Sri Lanka, unlike much of Asia, has had a long tradition of a functioning democratic system of government. Since 1931, and even before the grant of its independence, voting rights were exercised by men as well as women. During the five decades since independence, Sri Lanka has held regular national elections as well as provincial and local government elections. The last parliamentary election was held in August of 1994, with a Presidential election taking place in November 1994. With a voter turnout of over 70 percent, President Kumaratunga was overwhelmingly elected into office. The most recent election in Sri Lanka was in the conflict-ridden Jaffna Peninsula,

where in January the people of Jaffna elected local administrators.

Mr. Speaker, the United States is Sri Lanka's largest trading partner, and over 90 American companies have investments there, including Motorola, IMC Agrico, Coca-Cola, and American Express and others. In 1977, Sri Lanka was the first country in South Asia to adopt economic liberalization policies, which shifted the economy away from state controls and subsidies and paved the way for the private sector to become the engine of growth.

Sri Lanka's shift to a market-oriented system has become very successful, with the country recording some 6 percent economic growth in 1997. A major factor aiding Sri Lanka's economic growth has been the highly-educated work force. The government provides free education from elementary school through university levels, and the result has been a national literacy rate of 90 percent. The government also extends free health care services, and Sri Lankans enjoy low infant mortality rates and an average life expectancy of 70 years.

Relations between Sri Lanka and the United States date back to 1850, when an American, John Black, was officially appointed to head up a commercial agency between the governments. With a move to the capital, Colombo, the agency office became a U.S. consulate, and upon independence in 1948, it was elevated to a United States Embassy.

Mr. Speaker, this year Sri Lanka and the United States also celebrate the golden jubilee of establishing diplomatic relations. In honor and in recognition of this occasion, Ambassador Bill Richardson, the United States Representative to the United Nations, and Ambassador Karl Inderfurth, Assistant Secretary of State for South Asian Affairs, recently traveled to Sri Lanka for meetings with President Kumaratunga and other high-ranking dignitaries of the Sri Lankan Government.

Mr. Speaker, despite its prosperity and commitment to democratic principles, Sri Lanka, as we all know, has been years threatened by separatist movements. In its search for peace, the Government of Sri Lanka has proposed extensive devolution of power through constitutional reforms to resolve the present ethnic problem in the country through a negotiated settlement. This is a process supported by our government, and we should all take steps necessary to encourage the Liberation Tigers of Tamil Elam to lay down their arms, stop their terrorism, and enter into peaceful negotiations.

Mr. Speaker, I urge our colleagues to adopt the measure before us that congratulates the people of Sri Lanka on their 50th anniversary. We should all recognize the many accomplishments of our partners in Sri Lanka and the deep and enduring friendship that will always bind the good people of Sri Lanka and the people of the United States.

Mr. Speaker, I yield back the balance of my time.

Mr. GILMAN. Mr. Speaker, I wish that I could join in the enthusiasm that the people of Sri Lanka deserve in celebration of their nation's 50th anniversary. However, the deadly spiral of violence still gripping that beautiful nation makes it difficult to be joyous.

The Tamil Tigers need to change their methods and learn to compromise to obtain their goals. The government must renew its commitment to human rights and get back on the ''high road'' of respect for human rights. One way it can achieve this is by giving free and unrestricted access to the press and human rights organizations.

We must see an end to the ''disappearances'' of persons taken into custody by military and special police units, and the killings of moderate Tamil Parliament members and public execution of suspected ''informers'' or ''traitors'' by the Tamil Tigers.

Our policy towards Sri Lanka needs closer scrutiny. It is currently unbalanced. More attention needs to be placed on giving constructive criticism and suggestions that could lead to peace in that long troubled nation. Until then, any calls for celebration will ring hollow for the Sri Lankan people and their friends.

Mr. PALLONE. Mr. Speaker, I wish to join with my colleagues in paying tribute to the nation and the people of Sri Lanka during this year of celebration of the 50th anniversary of their independence. I want to congratulate the Chairman of the Subcommittee on Asia and the Pacific, Mr. BEREUTER, for introducing this resolution, as well as the Chairman of the International Relations Committee, Mr. GILMAN, the Ranking Democrat of the IR Committee, Mr. HAMILTON, the Ranking Democrat of the Asia and Pacific Subcommittee, Mr. BERMAN, and Mr. FALEOMAVAEGA, a member of the Asia and Pacific Subcommittee, for their support of this initiative. I am proud to join my colleagues, as a co-sponsor of this Resolution.

As the co-chairman of the Congressional Caucus on India and Indian-Americans, I welcome the continuing trend toward more attention to the vitally important South Asia region on the part of Congress, the Administration and the private sector. At the same time, I hope we will continue to encourage greater regional cooperation and confidence building measures among the nations of South Asia.

Mr. Speaker, Sri Lanka has been an independent country for the last 50 years, but relations with the United States have gone as far back as 1850. John Black, an American merchant residing in Colombo, the capital of Sri Lanka, was appointed as the first commercial agent. His job was to assist American shipping with Sri Lanka. Now, 150 years later, the United States is Sri Lanka's largest trading partner, accounting for 30% of Sri Lanka's exports, with 90 U.S. companies having invested in mining and textiles. Furthermore, U.S. investments will reach $500 million after the completion of certain trade agreements.

Bi-lateral relations between the two countries have always remained strong. We can see this in numerous economic and technical support programs, trade and investment agreements, and the continuous exchange of high level officials—the most high-profile being the visit by First Lady Hillary Rodham Clinton in 1995.

We have signed agreements to protect investments and intellectual property rights to foster trade and encourage economic growth. In fact, the U.S. Chamber of Commerce is in Sri Lanka and works with the Sri Lanka government in creating an investment friendly climate.

Sri Lanka rose to international prominence when on July 21, 1960, the Sri Lanka Parliament appointed Ms. Bandaranike as the prime minister of Sri Lanka. Sri Lanka became the first country in the world to appoint a woman as the head of state. Interestingly enough, in a part of the world, where many Westerners believe women are being treated as second class citizens, Sri Lanka became the first country to recognize a women's ability to lead a nation. This led to women heads of government in Bangladesh, Britain, France, India, Israel, Norway, Pakistan, Poland and Turkey.

Sri Lanka was the first country in South Asia to introduce economic liberalization policies (1977) and shifted away from state controls. Recently, Sri Lanka has embarked on market oriented reforms that have allowed the economy to grow by 6% last year.

Unfortunately, Sri Lanka been plagued with ethnic violence. Despite this, Sri Lanka continues to be one of the few countries in South Asia committed to democracy. For the last 50 years, Sri Lanka has held national, provincial and local government elections. Sri Lanka has provided universal adult suffrage, including women. Indeed, Sri Lanka had democratic elections 20 years prior to independence, when it was part of the British Empire. Thus, Sri Lanka is one of the oldest practicing democracies in the developing world.

Mr. Speaker, there is no doubt in my mind that the next 50 years holds tremendous potential for Sri Lanka. With the recent collapse of the East Asian economies, and the South Asian economies remaining stable, is a strong indication that Sri Lanka and the rest of South Asia will demonstrate new economic strength.

Mr. BERMAN. Mr. Speaker, it is my deep pleasure to rise in support of H. Res. 350, which I cosponsored with Mr. BEREUTER, in honor of the people of Sri Lanka on the occasion of the fiftieth anniversary of their nation's independence.

We have a long and deep friendship with Sri Lanka, dating back at least to 1789 when the first American traders visited Colombo, and followed in the early part of the 19th century by American missionaries and educators, who established the first boarding school for girls in Asia in 1824.

We established a consulate as early as 1874.

We are most proud of the role played by Colonel Henry Steel Olcott in promoting the study of Buddhism. The enlightened altruism demonstrated by Colonel Olcott continues to motivate our relations with Sri Lanka.

Today, our relations are being further solidified by our growing economic and political relationship. We are now Sri Lanka's largest trading partner. Most recently, the First Lady visited—the first, I hope, of many such visits, including perhaps that of the President later this year.

As we salute the past, it is also my hope that we will take all possible steps to assist in the resolution of the problems which afflict Sri Lanka today. The conflict which continues to disturb the rich Sri Lankese political culture is deeply disturbing. The recent terrorist bombing at the Temple of the Tooth in Kandy and the

American decision to withdraw Peace Corps Volunteers testifies to the intensity of that internal conflict. I hope that efforts will be taken by all sides to the conflict to seek a peaceful resolution of the civil strife for only by ending this dispute will Sri Lanka realize the very bright future its people deserve.

I urge my colleagues to support this resolution's adoption.

Mr. LUTHER. Mr. Speaker, I urge unanimous support for the resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. BEREUTER) that the House suspend the rules and agree to the resolution, H.Res. 350.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

CONCERNING AFGHANISTAN

Mr. BEREUTER. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 218) concerning the urgent need to establish a ceasefire in Afghanistan and begin the transition toward a broad-based multiethnic government that observes international norms of behavior, as amended.

The Clerk read as follows:

H. CON. RES. 218

Whereas peace and stability has not returned to Afghanistan despite the February 1989 Soviet withdrawal from Afghanistan;

Whereas the Department of State's Country Reports on Human Rights for 1997 states: ''The overall human rights situation [in Afghanistan] is poor . . . political killings, torture, rape, arbitrary detention, looting, abductions and kidnappings for ransom were committed by armed units, local commanders, and rogue individuals'';

Whereas the continuing civil conflict in Afghanistan has had a grievous impact upon the Afghan people, where within its borders occurs the highest rate of infant, child, and maternal mortality in the region;

Whereas neighboring countries have provided support in the form of financial assistance and arms to the different groups warring in Afghanistan, thereby extending the length and expanding the destruction of this internal conflict;

Whereas another byproduct of this conflict is the harboring of Islamic militants and terrorist leaders in Afghanistan;

Whereas due to the tyranny and destruction caused by Taliban rule, Afghanistan is now one of the world's leading producers of opium, and over the past year alone, the production of opiates in Afghanistan has increased and resulted in a growth in the drug trade not only in the Central and South Asian regions but in Russia and the West as well;

Whereas continuing instability serves as an obstacle to international investment and the establishment of developmental projects inside Afghanistan, so necessary to Afghanistan's rejuvenation from years of conflict, and central to promoting political cooperation among Afghan factions;

Whereas the continuing conflict in Afghanistan serves as an impediment to economic prosperity and political development throughout all of South Asia and the newly independent Central Asian nations as well; and

Whereas despite repeated efforts by the United Nations to broker an end to continuing warfare among the country's warring factions, the absence of peace has prevented Afghanistan from addressing the numerous problems facing its citizenry: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) acknowledges that, through determination, tenacity, and courage, the Afghan people successfully waged a war against Soviet expansionism and greatly assisted in bringing an end to the cold war;

(2) calls upon all warring factions and national powers to participate in intra-Afghan dialogue (the ''Frankfurt Process'') and in the peace process and to actively cooperate in the acceleration of endeavors for peace;

(3)(A) deplores continuing human rights violations occurring within Afghanistan, especially against women and female children, who have suffered condoned discrimination and harassment, and the reported widespread execution of prisoners of war and civilians evidenced by the discovery of mass graves which contained an estimated 2,000 corpses; and

(B) supports the intention of the United Nations and the International Committee of the Red Cross to continue their investigation into these reported killings;

(4)(A) welcomes the appointment of Ambassador Lakhbar Brahimi as special envoy of the United Nations Secretary General for Afghanistan and supports his efforts toward attaining a peaceful negotiated settlement with the assistance of the six nations bordering Afghanistan as well as representatives from the United States and Russia; and

(B) encourages a role for Afghan leaders of all factions and ethnic groups in the United Nations negotiation efforts, based on the fact that peace and national reconciliation cannot be imposed on the Afghan people by their neighbors;

(5) urges the nations of the region to cooperate in the peace process and to end immediately the supply of arms, ammunition, military equipment, training or any other military support to all parties to the conflict;

(6) urges appropriate parties in the United Nations, Afghanistan, and its neighbors to work toward the eradication of the production of opium, especially in southern Afghanistan, and to link such efforts wherever possible to realistic income alternatives;

(7) calls upon all parties within Afghanistan to prevent the reoccurrence of actions which impede the ability of humanitarian and international organizations to move food shipments and other forms of humanitarian assistance into Afghanistan;

(8) acknowledges that due to the death and destruction wrought by the February 4, 1998, earthquake in northeastern Afghanistan, where approximately 5,000 people have died and an estimated 30,000 have been left homeless, there is a continuing need for international emergency aid of food, clothing, and shelter;

(9) recognizes the continuing requirement to address the needs of more than 2,500,000 Afghan refugees in neighboring countries, three-quarters of whom are women and children;

(10) acknowledges the necessity of international efforts to clear the estimated 10,000,000 land mines buried in the Afghan countryside; and

(11) calls for the expulsion of all known terrorist leaders from Afghanistan and the closing down of all terrorist training camps operating in the country.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. BEREUTER) and the gentleman from Minnesota (Mr. LUTHER) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. BEREUTER).

GENERAL LEAVE

Mr. BEREUTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this measure.

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

There was no objection.

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

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

Mr. BEREUTER. Mr. Speaker, H. Con. Res. 218, which this Member introduced on February 1, 1998, calls for the urgent need to establish a cease-fire in Afghanistan and begin the transition towards a broad-based multi-ethnic government that observes international norms of behavior.

Today Afghanistan has no internationally recognized government. It is a country torn apart by civil war carried out by two warring factions known as the Taliban and the Northern Alliance. No parties to the conflict are heroic. All must share the blame for the destruction and division.

One of the by-products of the destruction brought about by this extended warfare is that Afghanistan has become one of the world's leading producers of opium. Over the past year alone, the production of opiates in Afghanistan has increased, and results in a growth in the drug trade throughout Central and South Asia, Russia, Europe and the United States.

Other problems currently facing Afghanistan include serious and repeated human rights violations occurring throughout the country, especially the treatment of women. The Department of State's Country Reports on Human Rights for 1997 states,

> The overall human rights situation in Afghanistan is poor. Political killings, torture, rape, arbitrary detention, looting, abductions and kidnappings for ransom were committed by armed units, local commanders and rogue individuals.

At the end of this decade-long conflict it would appear that Afghanistan is beginning the process of resolving these problems, as well as a number of others, including the removal of millions of land mines scattered throughout the Afghan countryside; the repatriation of over 2 million Afghan refugees currently residing in Pakistan and Iran; as well as the cessation of safe haven for terrorist leaders and activities in this war-torn Nation.

The United States officially supports no party or faction in this conflict and backs the United Nations negotiation efforts to establish a coalition government where all factions are fairly represented. Recently, on April 17, the United States Ambassador to the United Nations, the Honorable Bill Richardson, brokered an agreement from the two opposing factions to establish a cease-fire and participate in structured peace talks.

If the factions follow through with their commitments, it will mark the first talks since the Islamic militia took control of the capital 1½ years ago. Fighting broke out which appeared to jeopardize the negotiations. However, recognizing the renewed U.S. attention to Afghanistan, the Taliban and the Northern Alliance have begun these important talks.

This Member commends Ambassador Richardson and his staff, as well as the Pakistani Prime Minister Nawaz Sharif, for their efforts in successfully bringing the two warring factions to the negotiating table. In their opening statements, representatives of the two factions declared their willingness to work towards a peaceful resolution of the Afghan conflict. This Member sincerely hopes that this round of negotiations will bring enduring peace to the people of Afghanistan.

In the past, similar efforts have ended in failure as agreements reached in 1992 and 1993 quickly collapsed into more fighting. But this initiative comes at a time when internal and outside parties to the conflict seem at least more ready to work towards achieving stability in Afghanistan before all hope of stability and economic development is lost. The return of stability would in turn encourage international investment projects to the region, beneficial to South Asia and the newly independent Central Asian nations as well.

Mr. Speaker, H. Con. Res. 218 was considered by the Subcommittee on Asia and the Pacific on March 5, 1998 and was favorably reported to the full committee. On April 1 the Committee on International Relations unanimously approved this important resolution.

In conclusion, this Member again expresses appreciation to the gentleman from New York (Mr. GILMAN) chairman of the Committee on International Relations, and the distinguished gentleman from California (Mr. BERMAN) the ranking member of the Subcommittee on Asia and the Pacific, for their support and cosponsorship of H. Con. Res. 218. This Member would also thank the distinguished gentleman from California (Mr. ROHRABACHER) for his advice and support on this resolution. The gentleman from California (Mr. ROHRABACHER) has visited Afghanistan on numerous occasions, and has taken an active interest in Afghanistan's history and in resolving the bitter dispute which has consumed this country for the past 10 years.

Mr. Speaker, at this critical point of the ongoing peace negotiations, this Member urges this body to send a strong message that the United States Government and the Congress, which in the past assisted Afghanistan in the war against communist aggression, are supportive of the desire for peace by so many, indeed almost all of the Afghan people. Accordingly, this Member urges adoption of H. Con. Res. 218.

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

Mr. LUTHER. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of this resolution.

Mr. Speaker, I strongly support this resolution. I again commend the gentleman from Nebraska for his leadership in drafting the resolution and bringing it before the House today. The scene of bitter fighting for more than 18 years, Afghanistan today is virtually forgotten by the international community. There are few nations in the world whose prospects look bleaker than Afghanistan. But I am pleased to say that over the past weekend, the various Afghan factions held the first round of what we all hope will be talks leading to the reestablishment of a just peace in Afghanistan.

This resolution seeks to refocus world attention upon Afghanistan at this important time. It calls for an end to the fighting in Afghanistan, for respect for human rights, and for the eradication of the heroin trade and the export of terrorism. This resolution deserves our support. I urge our colleagues to join me in voting ''yes'' on this important measure.

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

Mr. BEREUTER. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. ROYCE) who has been very responsive to the concerns of many people in his district concerned with the continued conflict in Afghanistan. For his active interest in the issue, I commend him.

Mr. ROYCE. Mr. Speaker, I want to commend the gentleman from Nebraska, chairman of the Subcommittee on Asia and the Pacific, for offering this very important resolution on the tragedy that is going on in Afghanistan.

What this resolution does is bring attention to a country which has been largely forgotten. America was intensely focused on Afghanistan after the Soviet invasion and throughout the years of its occupation. The Red Army was driven out in the face of a courageous resistance by the Afghan people, with the aid of America. Looking back, that unfortunately for Afghanistan was the easy part. It has been much harder winning the fight for peace and stability in Afghanistan since then, but the United States has an interest in trying. We must try.

The Afghan people are suffering. They have one of the highest infant mortality rates in the world. Millions of Afghans live as refugees, some in neighboring countries. Tragically, some of this suffering is almost a deliberate policy of the ruling Taliban in much of Afghanistan. This regime bans girls and women from attending schools, and it is blocking the delivery of humanitarian aid to thousands of suffering people in Afghanistan. The U.S. has an interest in seeing this stopped.

More direct interests are at stake, too. Afghanistan is now one of the world's leading producers of opium. This reaches America's shores. Afghanistan harbors terrorists who have the potential to attack our Nation. Terrorists with Afghan roots have wreaked havoc throughout the world. This resolution addresses all these American interests.

For too long the U.S. has been indifferent to the fate of Afghanistan. That has been changing a bit of late. My conversations with the former king of Afghanistan, King Zahir Shah, have led me to believe there is reason for hope. Events are moving rapidly. There are plans for peace talks among the factions.

This resolution says that what happens in Afghanistan matters to the U.S. and that we have an interest in seeing the peaceful resolution of this long-running and depressing conflict. I urge its adoption by my colleagues.

Mr. BEREUTER. Mr. Speaker, I want to commend the gentleman from California (Mr. ROYCE) for his excellent statement.

Mr. GILMAN. Mr. Speaker, I want to commend the distinguished Chairman of the Asia and Pacific Subcommittee, the gentleman from Nebraska, Mr. BEREUTER and its Ranking Minority Member, the gentleman from California, Mr. BERMAN, for initially crafting this important piece of legislation.

H. Con. Res. 218 calls attention to the urgent needs of the Afghan people who have been suffering for years from the aftermath of the cold war. The current civil conflict has led to a breakdown in civil society. Large areas of Afghanistan are now training grounds for terrorism and the world's largest production grounds for opium. Millions of land mines are killing scores of people daily and women are treated as chattel.

The war has created a huge humanitarian crises in the north where more than 2,000,000 refugees are in need of humanitarian assistance. We commend our colleague, the gentleman from California, Congressman ROHRABACHER for filling in for the State Department and AID by raising the funds to ship plane loads of medical equipment to the refugees. I hope that the administration takes this resolution as a signal that it should be doing more to resolve the crises there and that it especially supports the inter-Afghan dialogue process which would serve as a long term solution to the problems.

Accordingly, I urge my colleagues to support the resolution.

Mr. LUTHER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BEREUTER. Mr. Speaker, I ask unanimous support for this resolution.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. BEREUTER) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 218, as amended.

The question was taken.

Mr. BEREUTER. 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. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

SENSE OF CONGRESS REGARDING LITTLE LEAGUE BASEBALL

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and concur in the Senate concurrent resolution (S. Con. Res. 37) expressing the sense of the Congress that Little League Baseball Incorporated was established to support and develop Little League baseball worldwide and that its international character and activities should be recognized.

The Clerk read as follows:

S. CON. RES. 37

Whereas Little League Baseball Incorporated is a nonprofit membership organization, chartered by the Congress of the United States in 1964 to promote, develop, supervise, and assist youth worldwide in participation in Little League baseball and to instill in youth the spirit and competitive will to win, values of team play, and healthful association with other youth under proper leadership;

Whereas Little League Baseball Incorporated has chartered more than 18,000 local Little League baseball or softball leagues in 85 countries, across 6 continents, through which more than 198,000 teams and 3,000,000 youth worldwide come together in healthy competition, learning the value of teamwork, individual responsibility, and respect for others;

Whereas Little League Baseball Incorporated provides administrative and other services, including financial assistance from time to time, to such leagues without any obligation to reimburse Little League Baseball Incorporated;

Whereas Little League Baseball Incorporated has established a United States foundation for the advancement and support of Little League baseball in the United States and around the world, and has also created in Poland through its representative, Dr. Creighton Hale, the Poland Little League Baseball Foundation for the construction of Little League baseball facilities and playing fields, in which youth may participate worldwide in international competitions, and is providing all the funds for such construction;

Whereas the efforts of Little League Baseball Incorporated are supported by millions of volunteers worldwide, as parents, league officials, managers, coaches, and auxiliary members and countless volunteer agencies, including sponsors, all of whom give their time and effort without remuneration, in service to others, to advance the goals of Little League Baseball Incorporated and thereby assist the economic transformation of societies worldwide, the improvement in the quality of life of all citizens and the promotion of a civil international community; and

Whereas, as demonstrated by the success of its efforts worldwide, Little League Baseball Incorporated is the largest nongovernmental international youth sports organization in the world and continues to grow: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That (a) it is the sense of the Congress that Little League Baseball Incorporated is international in character and has engendered international goodwill through its worldwide activities, particularly among the youth of the world.

(b) The Congress reaffirms that Little League Baseball Incorporated was established to support and develop Little League baseball worldwide, through the chartering of local leagues and the provision of assistance to such local leagues, through the creation or location of facilities in other countries, and the provision of other support as appropriate, including financial support, without right of reimbursement or repayment.

(c) The Congress calls upon the parliamentary bodies and government officials of other nations, particularly those that participate in Little League baseball, to recognize and celebrate the international character of Little League baseball.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from Minnesota (Mr. LUTHER) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

(Mr. SMITH of New Jersey asked and was given permission to revise and extend his remarks.)

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this measure.

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

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I urge my colleagues to vote unanimously in favor of S. Con. Res. 37. This resolution makes clear that Little League Baseball Incorporated is a bona fide nongovernmental organization and that it should be treated as such by our government and those of other nations.

Little League Baseball Incorporated is a nonprofit membership organization that was chartered by Congress in 1964 to promote participation by children around the world in Little League baseball. Unfortunately, the charter did not explicitly use the words ''nongovernmental organization.'' That phrase and its acronym, NGO, were not in vogue in those days. So there has been some confusion, particularly in nations where Little League baseball is relatively new, about the undeniable fact that this organization indeed is a not-for-profit organization.

Because the U.S. Congress originally chartered this organization, it falls to us to clarify the matter. This resolution calls on the parliamentary bodies and government officials of other nations to recognize and celebrate the international charter of Little League Baseball, the largest nongovernmental international youth sports organization in the world, with over 18,000 local leagues in 85 countries supported by a network of many thousands of volunteers and coaches around the world.

S. Con. Res. 37 was introduced by Senator COVERDELL and has already passed the Senate. It also passed the Subcommittee on International Operations and Human Rights by a voice vote on February 12 of this year. On April 1 the full Committee on International Relations ordered the bill favorably reported, again by a unanimous vote.

Mr. Speaker, I want to point out the relentless dedication of the gentleman from Pennsylvania (Mr. MCDADE) on this issue. The gentleman from Pennsylvania helped draft the Senate resolution as well as a parallel House Resolution. He brought the resolution to the attention of our subcommittee and full committee, and he has pushed every step of the way to ensure the success of this resolution. He deserves the credit for its passage on the floor today.

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

Mr. LUTHER. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of this resolution.

Mr. Speaker, I rise in support of this resolution expressing the sense of Congress that Little League baseball is international in character and has engendered international good will.

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I commend the gentleman from Pennsylvania for introducing the companion measure in the House.

The resolution affirms congressional support for the Little League organization and calls upon other governments to recognize and celebrate the international character of Little League baseball. In the House, the companion to this resolution has received widespread bipartisan support.

Mr. Speaker, we all know Little League is a good organization, encouraging good, healthy life-styles for our young people, and I am happy to support its activities for kids around the world. I urge adoption of this resolution.

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

Mr. GILMAN. Mr. Speaker, I rise in support of S. Con. Res. 37, the Little League Baseball Resolution.

Senator COVERDELL and Representative MCDADE introduced this resolution last year in support of the international activities of little league baseball. The Senate has already acted on this resolution, and I support House passage today. The measure is broadly supported in the House, with a total of 42 cosponsors.

This non-controversial measure is designed to reaffirm the importance and the values exemplified by the long-standing American institution known as ''little league baseball''.

In addition, it expresses the sense of Congress that Little League Baseball Incorporated was established to develop Little League Baseball worldwide recognizing that its international activities are similar to other non-governmental organizations.

As a former president of our local Little League in my hometown in Middletown, NY, I am pleased to recommend approval of this resolution, affirming our support for the worthy international activities of Little League Baseball.

Mr. McDADE. Mr. Speaker, it is my very great pleasure to rise today in support of Senate Concurrent Resolution 37 which I wrote, on behalf of Little League Baseball, Incorporated.

I'd like to thank my good friend, the gentleman from New Jersey, Mr. SMITH, for bringing this resolution to the floor. I would also like to express my gratitude to the Chairman of the International Relations Committee, Mr. GILMAN, for moving this measure. I am also grateful to Ranking Member LEE HAMILTON and to the 45 bipartisan cosponsors of the House companion of this resolution which is so important to Little League Baseball.

As the sponsor of the companion resolution in the House and the Representative of the World Headquarters of Little League, Williamsport, Pennsylvania, I ask that my colleagues join with me in supporting this resolution which recognizes the international character of Little League Baseball.

Today's Little League Baseball has programs in 85 countries on six continents. It brings three million young people worldwide together every year to learn the value of teamwork and individual responsibility in a setting of healthy competition. Clearly, Little League Baseball is international.

However, when the Congress acted in 1964 to incorporate Little League Baseball, we failed to foresee that it would one day take the joys and disciplines of the American game of baseball to children around the world. Now that Little League Baseball has gone worldwide, it is time that we recognize its international character and activities.

Without an official imprimatur concerning its international character, Little League was unable to get a much-needed exemption from the Value-Added Tax from the Finance Ministry of the Republic of Poland related to the cost of building the Little League Baseball European Training Center in Kutno, Poland. Despite that setback, Little League has finished Phase I of the Center. Ultimately, the Center will have four little league-sized and three regulation-sized fields, two practice fields, dining and laundry facilities, a dormitory, and a conference center as well as other athletic facilities and administration buildings.

I am delighted to tell my colleagues that the Polish Ministry of Sports and Tourism recently awarded Little League a generous grant toward the cost of a regulation baseball field at the facility in Kutno.

I hope sincerely that the House will pass this resolution and that the nations of the world will recognize Little League's international qualities and extend to them all appropriate privileges.

Let's go to bat for Little League!

Mr. SMITH of New Jersey. Mr. Speaker, I yield back the balance of my time.

Mr. LUTHER. Mr. Speaker, likewise, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and concur in the Senate concurrent resolution, S. Con. Res. 37.

The question was taken.

Mr. SMITH of New Jersey. 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. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

SENSE OF THE HOUSE REGARDING ONGOING VIOLENCE IN ALGERIA

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 374) expressing the sense of the House of Representatives regarding the ongoing violence in Algeria, as amended.

The Clerk read as follows:

H. RES. 374

Whereas in January 1992 Algeria annulled the second round of parliamentary elections;

Whereas the Islamic Salvation Front (FIS), which favored the creation of a theocratic state, expected to win in those parliamentary elections;

Whereas the suspension of the Algerian elections in January 1992 triggered an escalation of terrorism;

Whereas the Islamic Salvation Army (AIS), the armed wing of FIS, started terrorist activities in the wake of the annulled elections, but has since delcared a unilateral ceasefire;

Whereas the Armed Islamic Group (GIA), a nonpolitical radical Islamic movement, has been responsible for carrying out terrorist activities, particularly since the AIS ceasefire;

Whereas the United States Government has listed the GIA as a foreign terrorist organization;

Whereas tens of thousands of Algerians have lost their lives since the onset of the violence in 1992, with hundreds estimated to have lost their lives in the holy month of Ramadan that ended in January 1998;

Whereas the violence perpetrated by terrorists has become increasingly barbaric, leaving thousands of innocent civilians, particularly women and children, dead or injured;

Whereas the Government of Algeria has not agreed to the establishment of an international inquiry into the massacres;

Whereas the democratic process has progressed in Algeria despite the current terrorist activity; and

Whereas the United States has a strong interest in seeing the development of a democratic and peaceful Algeria: Now, therefore, be it

Resolved, That the House of Representatives—

(1) strongly condemns the Armed Islamic Group (GIA) and any other terrorist groups responsible for the atrocities being committed in Algeria;

(2) condemns the perpetrators of violence and other crimes against the fundamental human rights of Algerians;

(3) urges those who continue to engage in violence and the fundamental abuse of human rights to discontinue such activity;

(4) calls on the Government of Algeria to take all necessary and legal steps to prevent violence and stop it once it occurs;

(5) encourages the Government of Algeria to cooperate with the international community to ensure transparency in the investigation and combating of terrorist activity, including the use of objective investigators into the massacres;

(6) acknowledges that the Government of Algeria has made progress toward democratization and urges the government to engage in dialogue with all elements of Algerian society who have renounced violence, in order to further democracy and promote the rule of law;

(7) urges the United States Government to continue to work closely with the Government of Algeria to bring about the development and implementation of political and economic reforms as well as the full restoration of law and order in Algeria;

(8) encourages the European Union and the Government of Algeria to further their cooperation against terrorism; and

(9) encourages the Algerian Government to accept the appointment of a Special Rapporteur by the United Nations or another qualified independent organization to conduct an inquiry into the violations of human rights in Algeria.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from Florida (Mr. HASTINGS) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. ROYCE).

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 374.

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

There was no objection.

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

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

Mr. ROYCE. Mr. Speaker, this resolution makes note of the ongoing crisis in Algeria and condemns the horrific wave of killings there. Throughout the Muslim holy month of Ramadan that begins on December 30 nearly 1,300 innocent Algerians, including women and children, were brutally murdered. Another 100 Algerians were killed earlier this month; and, according to the U.S. State Department Human Rights report, 70,000 Algerian men, women and children have been brutally murdered during the last 6 years, 70,000.

Much of this crisis in Algeria began after the annulled 1992 elections. An attempt at political reform by the government at the time included the legalization of opposition political parties.

One of the parties, the Islamic Salvation Front, or FIS, wanted to create an Islamic state. They were on the brink of a parliamentary victory in January, 1992, when the military forced the President's resignation and annulled the election. The banned FIS has since renounced its violence, but a new

group, the radical Armed Islamic Group, or GIA, is a terrorist group that neither the FIS nor the government can control.

These radical Islamic insurgents, many of whom were trained and fought in Afghanistan, call themselves holy warriors and believe that during holy periods like Ramadan their barbarism will be doubly blessed by God. Some of the arbitrary and radical decrees of the GIA state that women who pursue formal education or fail to wear a veil are infidels deserving of having their throats cut. But this violence really extends to any Algerian who fails to join with the GIA. Combating this fanaticism has taxed the Algerian government.

Despite this crisis, Algeria has made some progress toward building democracy, even with the random violence that is bleeding the country. Among the positive measures is a new law that would extend the political and social rights of Algerian women.

Yet the Algerian government has been sharply criticized for human rights abuses and its inability to prevent these terrorist attacks. Because of these concerns and the sheer scale of the killing, pressure has been building on the Algerian government to allow international observers to investigate the massacres. In mid-January, the European Union was permitted to send a delegation of junior ministers to Algeria, but the dialogue was limited. More needs to be done.

Recently, the Algerian government arrested two mayors and 10 other local officials for suspected involvement in the massacre of civilians. Religious and ethnic disputes as well as attempted extortion were cited as reasons for the alleged killings. While some see these arrests as evidence of government involvement in the massacres, others see the arrests as a positive indication of the government fighting killers wherever and whomever they may be, an effort that we need to encourage.

Offers of humanitarian assistance to the victims of this tragedy have been made to the Algerian government. So far, they have been rejected. This resolution cites assistance that could be provided to the Algerian people in their time of need. Given the arrests of local officials, maybe the Algerian government will reconsider its opposition to outside assistance. The United States has an interest in seeing an end to the suffering and the building of democracy in Algeria.

Mr. Speaker, I would like to thank my colleagues on the Subcommittee on Africa for their work on addressing the Algerian crisis. We held a hearing in February in which we heard differing views of this situation. That hearing helped two Members craft this resolution, the gentleman from Ohio (Mr. CHABOT) and the gentleman from Florida (Mr. ALCEE HASTINGS).

Unfortunately, Mr. CHABOT of Ohio could not be with us at this time due to the death of his father. The funeral was this morning, and he is expected back in Washington later today.

Mr. CHABOT. Mr. Speaker, I want to thank the distinguished Chairman of the Africa subcommittee, the gentleman from California, Mr. ROYCE, for his exemplary leadership. He and the top-notch staff of the subcommittee have worked tirelessly to ensure that human rights issues in all of Africa are adequately addressed by the Congress.

I want to express a special thank you to the chief co-sponsor of this resolution, my good friend from Florida, ALCEE HASTINGS. Mr. HASTINGS has provided invaluable counsel and assistance during this process and I very much appreciate the hard work of he and his very able staff.

I also want to thank the gentleman from New Jersey, Mr. PAYNE, the Ranking Member, Mr. MENENDEZ, and the gentleman from California, Mr. ROHRABACHER, for their invaluable contributions to this bi-partisan resolution.

Mr. Speaker, tens of thousands of Algerians—many of them women and children—have lost their lives since violent terrorist attacks began in 1992. Hundreds more perished during the holy month of Ramadan that ended just a few weeks ago. As many as 120 people—including 32 children under the age of 2—were killed by axe-wielding assailants during the last weekend in March.

This resolution strongly condemns the perpetrators—the Armed Islamic Group, or GIA, and any other terrorist groups responsible for the atrocities committed in Algeria, and urges those who continue to engage in violence and the fundamental abuse of human rights to discontinue such activity immediately.

The legislation, while acknowledging that the Government of Algeria has made progress toward democratization, calls on the Government to take all necessary and legal steps to prevent violence and stop it once it occurs, and encourages the Government to cooperate with the international community to ensure transparency in the combating of terrorist activity.

Additionally, H. Res. 374 encourages the European Union and the Government of Algeria to further their mutual cooperation against terrorism. And, at the suggestion of Mr. MENENDEZ, encourages the Algerian Government to accept the appointment of a Special Rapporteur by the United Nations or another qualified independent organization, to conduct an inquiry into the violations of human rights in Algeria.

Mr. Speaker, I want to again thank the distinguished Chairman of the Africa Subcommittee, Mr. ROYCE, as well our esteemed Chairman of the full International Relations Committee, Mr. GILMAN, for their support in this effort. I believe it is a very timely resolution. I hope it will be helpful in bringing an end to the senseless tragedies. And I urge my colleagues to support it.

I urge adoption of the resolution.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first let me thank the gentleman from California (Mr. ROYCE) and offer my condolences to my colleague and cosponsor of this resolution, the gentleman from Ohio (Mr. CHABOT) whose father passed. I regret very much that Mr. CHABOT, who was the spearhead for our resolution, is unable to be here.

Mr. Speaker, I rise today to express my continued support for H. Res. 374 offered in response to the ongoing spiral of violence in Algeria. That violence was very adequately described by the gentleman from California (Mr. ROYCE) and I thank him for that and will expedite my remarks in that regard.

Pointedly, this legislation strongly condemns those who continue to perpetrate acts of violence and other crimes against humanity and violations of fundamental human rights.

Mr. Speaker, the situation in Algeria is not only an internal problem but one that should concern the world. These acts of violence continue to target innocent civilians. As the torture continues, relatives of the so-called disappeared are still wondering if their loved ones are dead or alive. Children continue to be hacked to death; and, very recently, as the gentleman from California pointed out, it has been reported that women have been raped before their throats are cut; and even a four-month-old baby was slaughtered.

Mr. Speaker, 6 years of this tragedy have left tens of thousands of civilians dead. Six years of violence is too long for us to remain silent to this vast human rights crisis which has sporadically grabbed international attention. We, as legislators, truly are, here in our House, democratic leaders of the world.

We must also heed the call of the world's citizens who are seeking peace and social justice, which are the principles that we adhere to, those principles being life, liberty and the rule of law, and we have to do that whether it is in Algeria or in Bosnia or Rwanda. Thus, Mr. Speaker, we cannot continue to turn a blind eye to the plight of these Algerian victims.

Mr. Speaker, I recognize the efforts of the Algerian government in providing housing and financial support for displaced people and encourage them to continue to build on existing cooperation with humanitarian organizations, as the gentleman has pointed out and has been offered.

I also acknowledge that Algeria has made some modicum of progress toward a multi-party democracy and toward a freer press, and it is rather encouraging to see that Algerian authorities have begun to allow some Algerian newspapers to publish reports for the first time. However, I would like to encourage the Algerian government under international law to allow and to cooperate with a fact-finding mission by the United Nations special rapporteur. This would be an initial step to address the situation and to ensure long-term transparency and scrutiny.

Mr. Speaker, the situation in Algeria is not something abstract. It is all about saving lives. I believe that this

particular course of action that we embark on here today will assist in ending the ongoing conflicts in Algeria, and I would urge the Chair and other Members, particularly of the Subcommittee on Africa, to consider visiting Algeria under appropriate circumstances so that we may firsthand work in cooperation with the necessary mediation that might come by way of international involvement.

I urge my colleagues to support this resolution.

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

Mr. ROYCE. Mr. Speaker, I yield as much time as he may consume to the gentleman from New Jersey (Mr. PAYNE).

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

Mr. PAYNE. Mr. Speaker, let me commend the chairman of the Subcommittee on Africa for the outstanding work that he has done, and I rise in support of H. Res. 374.

I am disappointed that, after gaining independence from France many years ago, Algeria is again plagued with some of the same old travesty. After colonialism ended in 1962, the French did little to prepare Algeria for independence. When the French left, mosques were reopened, people started learning Arabic again and feeling good about the religion of Islam.

While this past year marked the first legislative and local election since 1992, it also turned into the bloodiest year in the longstanding political strife of power. As we look back, the cancelling or annulling of the elections may not have seemed to be the right course of action. However, it should be noted that the desire to maintain Islamic domination and to radically change the food and clothing habits of the people was thwarted by most of Algerian citizens in 1992. Yet this explanation can be summed up by saying that the democracy cannot benefit if those that desire it want to end it once they are in power.

It is common knowledge that the first armed Islamic groups were organized by veterans of the war in Afghanistan and trained in Pakistan. Today, the GIA still receives weapons and money from outside sources including Pakistani Islamists, Iran and Sudan.

Let me just say that I was disturbed by the news of two mayors from neighboring towns being arrested for carrying out extrajudicial executions. This concerned me because it comes just after the meeting by the United Nation's Human Rights Commission report that suggests that a special envoy should go to the region.

As we seek to formulate U.S. policy toward Algeria, we must remember that Algeria has helped with the Iran hostage crisis in 1982, continues to assist the resettlement of refugees and helped with the Iraqi problem in which absolutely no one in the Arab world would consent to, not even Saudi Arabia at the time.

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In conclusion, we must not confuse the nonviolent Islamists with Islamic fundamentalism. I think that this political war to win at all costs has alienated the very people on whose behalf the struggle was designed to help.

Let me once again thank the gentleman from Ohio (Mr. CHABOT) and the gentleman from Florida (Mr. HASTINGS) for trying to constructively deal with this crisis.

Mr. ROYCE. Mr. Speaker, I yield such time as he may consume to the distinguished chairman of the Committee on International Relations, the gentleman from New York (Mr. GILMAN).

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

Mr. GILMAN. Mr. Speaker, since our committee marked up this resolution earlier this month, scores of Algerians, mostly civilians, have been killed in a barbaric civil war. Last night, Mr. Speaker, 40 Algerians had their throats cut by fundamentalist rebels. The massacre coincided with the feast of the Moslem New Year.

The horror of this violence is unimaginable. Since 1992, over 65,000 Algerians have been killed. It is vital that the Congress speak out on this issue. The resolution before us today I think sends the right message, Mr. Speaker. This resolution rightly calls on the Government of Algeria to allow neutral, independent international investigators to examine the violence that has racked Algeria since 1992. There should be no mistake, my colleagues, that the thrust of this resolution is to strongly condemn the Armed Islamic Group and the other terrorists inside Algeria who have slaughtered, in a barbaric fashion, tens of thousands of innocent Algerians. There is no place in this world for such atrocities.

Mr. Speaker, I thank the gentleman from Ohio (Mr. CHABOT) and the gentleman from Florida (Mr. HASTINGS) for bringing the resolution before us today, and in addition, I want to thank the distinguished chairman of the subcommittee, the gentleman from California (Mr. ROYCE) and the gentleman from New Jersey (Mr. MENENDEZ) of the Subcommittee on Africa, who have done such an excellent job of finding consensus to what could have been very difficult issues. Again, I thank the gentleman from Ohio (Mr. CHABOT) for introducing this resolution, and I urge my colleagues to adopt it.

Mr. HASTINGS of Florida. Mr. Speaker, I yield back the balance of my time.

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

This is a balanced statement of the U.S. House of Representatives' views of the troubling situation in Algeria. It takes into consideration the democratic progress being made by the Algerian Government, but does not ignore human rights concerns involving the government either. I call on my colleagues to make a positive statement on the crisis in Algeria at this crucial time in this country's history.

Mr. MENENDEZ. Mr. Speaker, violence has become an integral part of life in Algeria—it consumes the country and it has temporarily derailed the future of what should be a vibrant Nation, politically and economically. Since 1992, as many as 80,000 people have died and thousands of others have been injured.

While socio-economic development will help the people of Algeria rebuild their lives, the government must also commit itself to stopping the massacres. The recent arrests of local officials and commanders of pro-government militia groups in Algeria on charges of carrying out massacres of civilians gives cause to those of us who have called for independent rapporteur to address the situation in Algeria.

In March, the Congressional Human Rights Caucus sent a letter to Secretary Albright in which we asked that the United States introduce a resolution a the U.N. Commission on Human Rights to appoint a Special Rapporteur for Algeria. Unfortunately, the United States decided against offering such a resolution. This resolution does call for such a rapporteur.

The United States and the international community have attempted to reach out to Algeria, to offer assistance and guidance, but they have been largely rebuked.

While the Algerian Government has made progress and increased transparency through the recent arrests, Algeria's efforts to handle this crisis have been largely ineffective. Progress will require Algeria opening up to the world. This means allowing the U.N. and other bodies to look at what is happening inside Algeria. Since the fundamentalists are accountable to no one, the onus for action, by necessity lies with the Algerian government.

Only the Algerian Government can start the process which will make 1998 the last year of bloodshed and the first year in many of peace, stability and reconciliation in Algeria.

I want to thank my colleagues for offering this resolution.

Mr. ROYCE. Mr. Speaker, I urge the adoption of this important resolution, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, H. Res. 374, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

SENSE OF CONGRESS CONGRATULATING THE FORMER INTERNATIONAL SUPPORT AND VERIFICATION COMMISSION OF THE ORGANIZATION OF AMERICAN STATES

Mr. GALLEGLY. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 222) expressing the sense of Congress, congratulating the former International Support and Verification

Commission of the Organization of American States (OAS-CIAV) for successfully aiding in the transition of Nicaragua from a war-ridden state into a newly formed democracy and providing continued support through the recently created technical cooperation mission (OAS-TCM) which is responsible for helping to stabilize Nicaraguan democracy by supplementing institution building.

The Clerk read as follows:

H. CON. RES. 222

Whereas the Organization of American States International Support and Verification Commission (OAS–CIAV) was established August 7, 1989, for the purpose of overseeing assisting in the repatriation, disarmament, resettlement, and protection of human rights of the Nicaraguan resistance and their families;

Whereas the OAS-CIAV, successfully demobilized 22,500 members of the Nicaraguan resistance and distributed food and humanitarian assistance to more than 119,000 repatriated Nicaraguans prior to July 1991;

Whereas the OAS–CIAV successfully investigated and documented more than 1,800 human rights violations, including numerous murders and presented these cases to Nicaraguan authorities, following and advocating justice in each case;

Whereas the OAS–CIAV helped demobilize rearmed contras and Sandinistas, as well as apolitical criminal groups, and recently brokered and mediated the successful May 1997 negotiations between the Government of Nicaragua and the largest rearmed group;

Whereas the OAS–CIAV created 86 peace commissions and has provided assistance and extensive training in human rights and alternative dispute resolution for their members, who are currently mediating conflicts, including kidnaping and demobilization of rearmed groups, in every municipality of the zones of conflict;

Whereas the OAS–CIAV successfully provided critically needed infrastructure and humanitarian assistance including aid for Nicaraguan schools, roads, and health clinics; and

Whereas a new Organization of American States Technical Cooperation Mission (OAS–TCM) has been created to expand upon the mission of the OAS–CIAV by providing institution building resources in municipal government development, social work, and civic education in the twelve most conflictive municipalities in Nicaragua: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) commends and congratulates Santiago Murray, the first OAS–CIAV Director, and Sergio Caramagna, the current director of the OAS–TCM, and all members of the OAS–CIAV and OAS–TCM team for their tireless defense of human rights, promotion of peaceful conflict resolution, and contribution to the development of freedom and democracy in Nicaragua; and

(2) expresses its support for the continuation of the role of the OAS–TCM in Nicaragua.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. GALLEGLY) and the gentleman from Minnesota (Mr. LUTHER) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. GALLEGLY).

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

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

Mr. GALLEGLY. Mr. Speaker, I rise in support of H. Con. Res. 222, which congratulates the OAS for its successful CIAV mission in Nicaragua and its ongoing technical assistance program in that country.

In 1989 at the conclusion of the devastating Civil War in Nicaragua, that Nation was confronted with the sensitive task of disarming, repatriating and resettling members of the former ''contra'' resistance movement back into the Nicaraguan society.

Recognizing the need for help in carrying out this effort, the Government of Nicaragua asked the OAS for help. On August 7, 1989, the International Support and Verification Commission, better known as CIAV, was created by the OAS General Assembly. Over the next 7 years, the OAS–CIAV mission, with financial support from the United States, helped demobilize over 22,000 members of the contra organization, distributed food and other humanitarian assistance to over 100,000 Nicaraguans, and helped establish some 86 ''peace commissions'' to provide human rights monitoring and conflict resolution training.

When the OAS–CIAV mission closed its doors last August, a new, smaller successor organization, the technical cooperation mission, known as TCM, was established. The OAS–TCM focused on 12 of Nicaragua's most conflictive rural municipalities and will provide civic education, human rights training, municipal government development, and conflict resolution assistance.

Mr. Speaker, by every account, the OAS–CIAV mission was a great success for both Nicaragua and the OAS itself, and this resolution congratulates the OAS–CIAV mission for a job well done.

This resolution we are considering was passed unanimously by both the Subcommittee on the Western Hemisphere and the full Committee on International Relations, and is similar to a resolution introduced by the chairman of the Committee on Foreign Relations in the other body and passed by the full Senate last year.

I want to thank the chairman and ranking member of the full committee for their support as well as the ranking member of the subcommittee, the gentleman from New York (Mr. ACKERMAN) and cosponsors, the gentleman from North Carolina (Mr. BALLENGER) and the gentleman from New Jersey (Mr. MENENDEZ), and I urge passage of the concurrent resolution.

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

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

Mr. Speaker, I support this resolution, and I commend the gentleman from New York (Mr. ACKERMAN) and the gentleman from California (Mr. GALLEGLY) for introducing it.

Like the OAS verification mission before it, the technical cooperation mission defends the human rights of the most vulnerable Nicaraguans and supports local communities in their efforts to build independent institutions. Independent institutions are the backbone of democracy, and we are right to support their development.

I would note, Mr. Speaker, that the Government of Nicaragua still has not appointed a human rights ombudsman, despite its announcement to do so. That ombudsman can play a critical role in institutionalizing respect for human rights in Nicaragua, and the appointment of such an ombudsman would send a clear signal that the government is committed to the protection of human rights. Nevertheless, Mr. Speaker, this resolution deserves our support, and I urge my colleagues to join me in voting yes on this important measure.

Mr. Speaker, I yield back the balance of my time.

Mr. GALLEGLY. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations.

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

Mr. GILMAN. Mr. Speaker, I rise in strong support of H. Con. Res. 222.

I want to thank the distinguished Subcommittee on the Western Hemisphere chairman, the gentleman from California (Mr. GALLEGLY), and the ranking minority member, the gentleman from New York (Mr. ACKERMAN), for introducing H. Con. Res. 222, which will serve as a companion resolution to Senate Con. Res. 40 already passed by the Senate.

This resolution provides long overdue recognition to the OAS–CIAV mission which successfully demobilized 22,500 members of the Nicaraguan resistance after the democratic elections of 1990 ended the 10-year Marxist-Leninist-Sandinista regime. Led by Santiago Murray and Sergio Caramagna, the CIAV mission helped Nicaraguan peasants who had taken up arms against the Sandinistas' one-party dictatorship to reintegrate themselves into Nicaraguan civil society.

The CIAV mission always maintained the highest standards of professionalism in the conduct of investigations of human rights abuses against some of Nicaragua's poorest and least represented people. The CIAV mission members earned the respect of all of the resistance fighters, and when former resistance members took up arms to press demands with the Nicaraguan Government, the CIAV officials acted with great skill and bravery on numerous occasions to negotiate peaceful resolutions to highly explosive situations.

Mr. Speaker, it is notable that the CIAV mission, with limited resources, worked with church groups to create peace and justice commissions to carry on the conflict resolution and civil society building work which the CIAV

began. The follow-on OAS technical mission continues to nurture these important civil society groups in the most isolated and violent parts of Nicaragua.

Additionally, I want to take the opportunity to urge the Government of Nicaragua to move to name a professional, credible individual to serve as that country's human rights ombudsman. This is important, since the downsized successor to the OAS–CIAV has ceased providing independent human rights reporting.

Mr. ACKERMAN. Mr. Speaker, House Concurrent Resolution 222 commends the Organization of American States for its role in successfully aiding the transition of Nicaragua from Civil War to democracy.

Mr. Speaker, the OAS role in Nicaragua has proven to be invaluable. The international support and verification commission has resettled former combatants; distributed food and humanitarian assistance; and investigated and documented human rights abuses. In addition, the OAS–CIAV brokered negotiations between the Government of Nicaragua and the rearmed groups; provided critically needed infrastructure; and established local peace commissions to provide an avenue for alternative dispute resolution.

Clearly, Santiago Murray and Sergio Caramagna are to be commended for their work as are all the members of the OAS–CIAV team and the follow-on OAS technical cooperation mission. These dedicated professionals have labored long and hard to ease the journey as Nicaragua consolidates its democracy.

I want to thank and commend the chairman for introducing the resolution and I urge my colleagues to support the resolution.

Mr. GALLEGLY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. GALLEGLY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 222.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

CONGRATULATING THE PEOPLE OF THE COOPERATIVE REPUBLIC OF GUYANA FOR HOLDING MULTIPARTY ELECTIONS

Mr. GALLEGLY. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 215) congratulating the people of the Co-operative Republic of Guyana for holding multiparty elections, as amended.

The Clerk read as follows:

H. CON. RES. 215

Whereas the people of Guyana voted on December 15, 1997, to re-elect the ruling party, the People's Progressive Party/Civic (PPP/Civic);

Whereas the Guyanese people showed their strong belief in the democratic process by approximately an 88 percent voter turnout;

Whereas the main opposition party, the People's National Congress (PNC) has alleged that the elections were not free and fair; and

Whereas although international observers such as the Organization of American States (OAS), the Commonwealth, and the International Foundation of Electoral Systems (IFES) have unanimously agreed, based on their observations on election day, that the polling process was free and fair, it has been alleged that violations occurred in the counting process, necessitating an audit of the elections by the Caribbean Community (CARICOM): Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) congratulates the people of Guyana for holding multiparty presidential elections by proportional representation;

(2) supports the audit of the elections by the Caribbean Community (CARICOM), an organization deemed acceptable to all parties;

(3) calls on all parties and opposition leaders to respect the outcome of the audit as the final decision and make a vow to peace and stability in Guyana; and

(4) calls on the newly elected president of the Co-operative Republic of Guyana to respect the rule of law and human rights.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. GALLEGLY) and the gentleman from Minnesota (Mr. LUTHER) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. GALLEGLY).

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

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

Mr. GALLEGLY. Mr. Speaker, I rise in support of H. Con. Res. 215. During the congressional recess from October of last year until February 1998, several nations in the Western Hemisphere, including Honduras, Columbia, Jamaica, Costa Rica and Chile, held important Presidential, congressional, or municipal elections. These elections represented another important step in the consolidation of democracy in the Americas. All of these nations deserve our congratulations and support.

One of those elections and subject to this bill was held on December 15 of last year when the people of Guyana went to the polls and elected their new President. H. Con. Res. 215 was introduced by our colleague, the gentleman from New Jersey (Mr. PAYNE) and congratulates the 88 percent of the voters of Guyana who participated in their elections.

By all accounts, these elections were judged to be free and fair by a team of international election observers. Despite the fact that some ballot counting problems did arise which necessitated an international audit, the overall election process was a great success.

□ 1530

Interestingly enough, the new president, Mrs. Janet Jagan, is a U.S.-born native of Chicago who succeeds her husband, the former president who passed away last year.

Mr. Speaker, I again want to congratulate all the peoples and the nations of the hemisphere who have held free and fair elections over the past few months, and commend the gentleman from New Jersey (Mr. PAYNE) my good friend, for introducing this resolution, and I urge its adoption by the House.

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

Mr. LUTHER. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of this resolution.

Mr. Speaker, I support this resolution and I commend the gentleman from New Jersey (Mr. PAYNE) for introducing it. After the elections in December, the situation in Guyana looked grim. Many political actors threatened violence and threatened to ignore the outcome of the elections. The intervention of the Caribbean Community averted what could have been a very violent situation.

But, Mr. Speaker, democracy in Guyana has a long way to go and this resolution recognizes that. All parties in Guyana must recognize the rule of law and human rights if democracy is going to overcome years of ethnic and racially charged politics, and we are right to call on them to do that.

This resolution deserves our support, and I urge my colleagues to join me in voting ''yes'' on this important measure.

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

Mr. GALLEGLY. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations.

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

Mr. GILMAN. Mr. Speaker, I am pleased to rise in support of H. Con. Res. 215. First, I would like to thank the distinguished gentleman from California (Mr. GALLEGLY) chairman of the Subcommittee on the Western Hemisphere, and the gentleman from Minnesota (Mr. LUTHER) who is managing the bill for the minority on this measure today.

Mr. Speaker, I also would like to thank the gentleman from New Jersey (Mr. PAYNE) and the gentleman from Georgia (Mr. BISHOP) for submitting H. Con. Res. 215.

On December 15, 1997, Guyana held elections that were judged by international monitors to be free and fair elections. However, opposition parties alleged some serious irregularities. This resolution points out that an audit of the elections was requested of the Caribbean Community, CARICOM. This resolution also lends support to CARICOM's efforts and urges the competing political parties in Guyana to respect the outcome of the CARICOM audit.

Mr. Speaker, I would like to endorse, particularly, the resolution's call on the elected President of Guyana to respect the rule of law and human rights.

Accordingly, I support H. Con. Res. 215 and I thank the gentlemen for bringing it to our attention at this time.

Mr. LUTHER. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. PAYNE), the author of the resolution.

Mr. PAYNE. Mr. Speaker, I thank the gentleman from Minnesota (Mr. LUTHER) and the gentleman from California (Mr. GALLEGLY), and also the gentleman from New York (Chairman GILMAN) chairman of the full committee, for the outstanding work that they have done in this issue which is very important to me.

Mr. Speaker, I am very concerned, and have been, about events in Guyana, a wonderful place where the people deserve better.

First, let me congratulate the people of the Cooperative Republic of Guyana for holding multiparty elections on December 15, 1997. I was saddened to learn about the violence that erupted post-election. Although the Guyanese people showed their strong belief in the democratic process, as shown by the 88 percent voter turnout, factions in the country called for civil disobedience and there was looting and rioting for many days following the elections.

In January between 15,000 and 20,000 people were rioting in the streets. I know that Janet Jagan of the People's Progressive Party/Civic, PPP/C, won by a small majority. Nevertheless, a win is a win, and the majority has a right to rule with minority having the right to participate.

Opposition political parties and international observers invited to monitor the elections concluded that while the voting on election day was fair and free, there were some concerns with the counting of the votes. The results have since been challenged and an audit of the votes and the process have been started by the Caribbean Community, CARICOM, an organization deemed acceptable to all parties in that country.

However suspicious the confusion in the election commission, however wrong the opposition feels, mob violence does not address any of these issues. I will be anxious, as I am sure all of us will be, to hear of the results of the audit. At that time I believe we can move forward with the president on a number of issues.

In conclusion, I would hope that all parties, along with the newly elected president of the Cooperative Republic of Guyana, will respect the rule of law and human rights. I know that in Africa the newly elected president of Liberia, Charles Taylor, has appointed members of the opposition faction in his country to create a human rights organization. I would hope that President Janet Jagan would extend her government offices to all of the people of Guyana, and in particular the African-Guyanese descent that felt that the election did not go right.

Mr. Speaker, I think that if she brings in all of the political parties, opposition as well as majority, I think that the country will move forward in the right direction. I am hopeful that it will happen. I wish the new President success once there is the conclusion of the audit.

Mr. ACKERMAN. Mr. Speaker, House Concurrent Resolution 215 is a straightforward resolution which commends the people of Guyana for conducting what were, by all accounts, free and fair elections.

An assessment of the voting by the International Foundation for Election Systems indicates that election day went very smoothly, that poll workers were professional, that relations between the poll workers and poll watchers from the major parties were cordial, and turnout was very high.

The problems began after the polls closed when it became apparent that the poll workers were not as well trained in the mechanics of counting the votes as they were in actually administering the polls. In some instances, the elections commission had to reject incomplete tally sheets because they could not determine where the votes had been cast. In addition, the reporting of the returns took several days and caused public unease and suspicion which in turn led to unrest and violence.

The resolution makes note of these issues; commends the Caribbean community for its offer to audit the results; and urges all parties to respect the outcome of the audit, and to work for peace and stability in Guyana by supporting the rule of law and respecting human rights.

Mr. Speaker, I want to thank and commend our colleagues Congressmen PAYNE and BISHOP, for introducing the resolution, and Chairman GALLEGLY for moving forward with the bill.

I urge my colleagues to support the resolution.

Ms. CHRISTIAN-GREEN. Mr. Speaker, I rise today in support of H. Con. Res. 215, and join its sponsors in congratulating the people of Guyana for holding multiparty elections.

Mr. Speaker, the people of the Caribbean have long led the way in Latin America in the practice of free and fair elections. Even before Jamaica and Trinidad gained their independence from Great Britain in the early 1960's, the islands, for the most part, generally were engaged in the practice of freely electing their local political leaders.

In addition to Guyana, 1997 also saw free and fair elections in Jamaica and in St. Lucia. In my District, the U.S. Virgin Islands, we have been electing our Governors since 1970 and our local Legislative council since the early 1900's.

While I support the resolution before us, I must caution that the process of the 1997 Guyana election is still ongoing.

I commend the people of Guyana and the other Caribbean governments for their decision to let representatives of CARICOM conduct an audit of the 97 Guyana Presidential elections and I call on all concerned to await the outcome of the audit.

Last Friday, my colleagues DONALD PAYNE, the prime sponsor of this resolution, Representative MAJOR OWENS and our newest colleague, Congresswoman BARBARA LEE, hosted a breakfast meeting with the Secretary General of CARICOM. It was a very informative meeting and I believe, will serve as the basis for a closer relationship between members of this body and CARICOM.

Mr. Speaker I applaud efforts of the authors of this resolution and the people of Guyana in the struggle for greater democracy and urge my colleagues to vote yes on H. Con. Res. 215.

Mr. GALLEGLY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. LUTHER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The question is on the motion offered by the gentleman from California (Mr. GALLEGLY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 215, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended, the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

SENSE OF CONGRESS ON 50TH ANNIVERSARY OF FOUNDING OF MODERN STATE OF ISRAEL

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 102) expressing the sense of the Congress on the occasion of the 50th anniversary of the founding of the modern State of Israel and reaffirming the bonds of friendship and cooperation between the United States and Israel.

The Clerk read as follows:

H.J. RES. 102

Whereas on November 29, 1947, the United Nations General Assembly voted to partition the British Mandate of Palestine, and through that vote, to create the State of Israel;

Whereas on May 14, 1948, the people of Israel proclaimed the establishment of the sovereign and independent State of Israel and the United States Government established full diplomatic relations with Israel;

Whereas the desire of the Jewish people to establish an independent modern State of Israel is the outgrowth of the existence of the historic Kingdom of Israel established three thousand years ago in the city of Jerusalem and in the land of Israel;

Whereas one century ago at the First Zionist Congress on August 29 to 31, 1897, in Basel, Switzerland, participants under the leadership of Theodore Herzl affirmed the desire to reestablish a Jewish homeland in the historic land of Israel;

Whereas the establishment of the modern State of Israel as a homeland for the Jews followed the slaughter of more than six million European Jews during the Holocaust;

Whereas since its establishment fifty years ago, the modern State of Israel has rebuilt a nation, forged a new and dynamic society, and created a unique and vital economic, political, cultural, and intellectual life despite the heavy costs of six wars, terrorism, international ostracism, and economic boycotts;

Whereas the people of Israel have established a vibrant and functioning pluralistic democratic political system including freedom of speech, a free press, free and fair and open elections, the rule of law, and other democratic principles and practices;

Whereas, at great social and financial costs, Israel has absorbed hundreds of thousands of Jews from countries throughout the

world, many of them refugees from Arab countries, and fully integrated them into Israeli society;

Whereas for half a century the United States and Israel have maintained a special relationship based on mutually shared democratic values, common strategic interests, and moral bonds of friendship and mutual respect; and

Whereas the American people have shared an affinity with the people of Israel and regard Israel as a strong and trusted ally and an important strategic partner: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States—

(1) recognizes the historic significance of the fiftieth anniversary of the reestablishment of the sovereign and independent modern State of Israel;

(2) commends the people of Israel for their remarkable achievements in building a new state and a pluralistic democratic society in the Middle East in the face of terrorism, hostility and belligerence by many of her neighbors;

(3) reaffirms the bonds of friendship and cooperation which have existed between the United States and Israel for the past half-century and which have been significant for both countries; and

(4) extends the warmest congratulations and best wishes to the State of Israel and her people for a peaceful and prosperous and successful future.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this measure.

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 yield myself such time as I may consume.

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

Mr. GILMAN. Mr. Speaker, H. Res. 102 expresses the sense of the Congress on the occasion of the 50th anniversary of the founding of the modern State of Israel. It reaffirms the bonds of friendship and cooperation between our Nation and the State of Israel.

I want to commend our colleague on the Committee on International Relations, the gentleman from California (Mr. LANTOS) for his leadership in sponsoring this resolution and for his unstinting support of the State of Israel over the years.

H. Res. 102 has been cosponsored by more than a majority of our House Members. Such support is yet another indication of the special esteem in which we hold the State of Israel.

Mr. Speaker, over 50 years ago the United Nations General Assembly voted to partition the British Mandate of Palestine, and through that vote to create the State of Israel. On May 14, 1948, Israel became a sovereign state and the United States, under President Harry Truman, recognized that state.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind the guests in the gallery that they are guests of the House and please keep their conversations to a minimum.

Mr. GILMAN. Mr. Speaker, within 11 minutes of that recognition, President Harry Truman recognized the State of Israel. According to the Jewish calendar, that anniversary will be celebrated this week.

The modern state of Israel was reborn after thousands of years thanks to the leadership and years of dedicated commitment by Theodore Herzl and hundreds and thousands of men and women who, sharing his vision, worked tirelessly to make that dream a reality.

The reestablished state of Israel became a homeland for Jews who survived Hitler's slaughter, as well as those who fled Arab lands as well as others in which they had been persecuted. Despite all of those difficulties, Israel has absorbed hundreds of thousands of Jews over the past five decades, and has become a thriving multicultural democracy that holds a special place as a strong ally of our own Nation.

The special relationship that we in our Nation share with Israel is based on democratic values, common strategic interests and moral bonds of friendship and mutual respect. Israel is a strong and trusted friend and is an important strategic partner.

Mr. Speaker, H.J. Res. 102 therefore recognizes the historic significance of the 50th anniversary of the reestablishment of the sovereign and independent modern state of Israel. The resolution commends the people of Israel for their remarkable achievements despite the terrorism, the hostility and belligerence by many of its neighbors.

This legislation reaffirms the bonds of friendship and cooperation which have existed between our Nation and Israel for the past half century and which have been significant for both nations. The resolution also extends our warmest congratulations and best wishes to the state of Israel and to her people for a peaceful, prosperous and successful future.

Accordingly, Mr. Speaker, I urge our colleagues' full support for H.J. Res. 102.

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

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

Mr. Speaker, let me first acknowledge in the gallery the distinguished Ambassador of the State of Israel and his party for having joined us for this very significant occasion.

Mr. Speaker, I want to thank the distinguished gentleman from New York (Mr. GILMAN), chairman of the Committee on International Relations, my good friend, for his kind words. Let me just say no one in this body has been a more steadfast supporter of the democratic state of Israel than Chairman GILMAN, who through the years, with action after action, has demonstrated his profound commitment to this democratic friend and ally of the United States and to the ultimate goal of that democratic friend and ally, the securing of a permanent and stable peace in the region.

Mr. Speaker, I would like to first briefly discuss the essence of my resolution. We here in the Congress are congratulating the modern state of Israel, which is the outgrowth of the existence of the historic Kingdom of Israel established thousands of years ago in the City of Jerusalem and in the land of Israel.

The establishment of the modern State of Israel 50 years ago followed the slaughter of more than 6 million Jews in the concentration camps and gas Chambers of Europe.

Since being created as a tiny nation on a tiny piece of land with a population of some 600,000, the modern state of Israel has rebuilt a nation, forged a new and dynamic society, created a unique and vital economic political, cultural and intellectual life, despite mind-boggling costs of six wars started against it, continuing terrorism, international ostracism and severe economic boycotts.

□ 1545

The people of Israel have established a vibrant, functioning, pluralistic democratic system which cherishes the right of free speech, free press, free and fair and open elections, the rule of law, and all the democratic practices of a free society.

During the 50 years of its existence, this young State absorbed well over a million refugees from throughout the world, ranging from Ethiopia to the former Soviet Union and integrated these people fully into the very fabric of Israeli society.

For a half a century, the United States and Israel have maintained a special and unique relationship based on mutually shared democratic values, common strategic interests, and moral bonds of friendship and mutual respect.

The American people have shared an affinity with the people of Israel and regard Israel as a strong and trusted ally and an important strategic partner in the Middle East.

The resolution we are about to vote on recognizes the historic significance of the 50th anniversary of the reestablishment of the sovereign and independent modern State of Israel. The resolution commends the people of Israel for their remarkable achievements in building a new State and a pluralistic democratic society in the Middle East in the face of terrorism,

hostility, and belligerence by many of her neighbors.

It reaffirms the bonds of friendship and cooperation which have existed between the United States and Israel for a half a century and which have been significant and beneficial to both of our countries.

Of course, it finally extends our warmest congratulations and best wishes for the State of Israel and for her people for a future of peace, prosperity, and success.

Mr. Speaker, yesterday on the White House lawn, in a magnificent ceremony, President Clinton was awarded an honorary doctorate from Israel's leading university, the Hebrew University in Jerusalem.

During the course of his acceptance speech, among others, the President had these ideas to share with us: I accept this honor today, he said, on behalf of my predecessors, beginning with Harry Truman, nine American Presidents all devoted to Israel's security and freedom, all committed to peace in the Middle East. I accept it on behalf of the American people who have formed, not just an alliance, but a profound friendship with the people of Israel over these last 50 years.

Today we celebrate those extraordinary 50 years. In 1948, Israel arose from the seeds of the Diaspora and the ashes of the Holocaust. The children of Abraham and Sarah, survivors of 2,000 years of exile and persecution, were home at last and free at last.

For its founders, the Israeli State was, however, about even more than securing a haven for the Jewish people after centuries of suffering and wandering. Isaiah prophesied that Israel would become a light unto the nations, and David Ben-Gurion, the first President of this new nation, and his allies set out to make that prophesy come true by establishing a society of light, embracing what Ben-Gurion called the higher virtues of truth and justice and compassion.

Ben-Gurion, Mr. Speaker, believed Israel could lead the world to a better future by marrying the ethical leadership of the ancients with the discoveries of modern science. I quote him: ''It is only by the integration of the two that the blessings of both can flourish.'' Of course, he also envisioned a third great achievement for Israel that, with the strength and wisdom and skill, Israel would build a lasting peace with its Arab neighbors.

Relations between our two nations were born of another leader's courage and vision. Harry Truman brushed aside the urgings of his advisors, as he so often did, when they said, go slow, wait and see before offering Israel its recognition.

For Harry Truman, supporting the State of Israel was a moral imperative rooted in his understanding of the sufferings and the dreams of Jews from Biblical times. As we learned yesterday on the White House lawn, our recognition of Israel occurred just 11 minutes after Israel proclaimed its independence. We, in becoming the first nation to recognize Israel, had one of our proudest moments.

Not only that, Mr. Speaker, but 50 years later, old Harry Truman looks pretty smart. Look what Israel has done. Under a brilliant blue sky, the Israelis have built prosperous farms, planted forests, turned streets of sand into shining boulevards, raised families and welcomed the arrival of brothers and sisters from Europe and North Africa, from Russia and Ethiopia, from all over the world. They have dazzled the world with their achievements in science and scholarship and literature and art. They have built a thriving democracy.

Despite the passage of 50 years, Israelis seem to practice their freedom as if they had only just gained it yesterday. They never seem to cease challenging themselves about their history, their relationship with their neighbors, the hard choices for the future.

If anyone ever wonders whether there is ever a place in the world where you can have freedom and honest vigorous 24-hour-a-day, 7-day-a-week, 365-day-a-year argument, go to Israel.

It is truly one of the most pulsating, vibrant places on the face of this planet. Alive with thousands of sounds, prayers in dozens of languages in the Old City; young people gathered on the avenues of Tel Aviv, computer keyboards tapping; new ventures launched on the Internet; school children now conversing in Hebrew, once the language only of the sacred text, now the voice of an Israeli renaissance.

The economy that has been propelled by all this energy and activity into being one of the most advanced and diversified in the world last year exported $32 billion worth of goods, 1,000 times their level of 50 years ago.

High-tech companies and high-tech people. You go to Israel, it looks as if you cannot be a citizen of Israel unless you have a cell phone glued to your hand.

Israelis have gone a very long way of fulfilling the first two pieces of Ben-Gurion's mission. Surely they have built an ethical, democratic society, a society which is based on modern science and technology. It has endured against unspeakable odds by prevailing again and again in battle. The valor of its soldiers and military and political leaders are legendary.

But the battle for the third piece of Ben-Gurion's vision, a just and secure and lasting peace, is still being waged and still in blood and tears. Camp David brought peace between Israel and Egypt, but it cost Anwar Sadat his life.

On the White House lawn, on a brilliant day in September of 1993, Yitzhak Rabin committed himself not only to an agreement with the Palestinians, but to a comprehensive peace in the Middle East. And how bravely he pursued it, but it cost him his life.

Jews and Arabs who have wanted nothing more than to live quiet, normal lives are still denied that simple pleasure. Still, Mr. Speaker, as the new century dawns, the world is filled with the promise and hope that we can overcome ancient hatreds to build a modern peace for our children.

From Guatemala to Mozambique and to Bosnia, and now even to Ireland, longtime antagonists have left the battle ground to find common ground. They are weary of war. They long for peace for their children and for their grandchildren. They move beyond hatred to hope.

Mr. Speaker, this is a time for reconciliation around our globe. It must be a time to deepen freedom and to raise up life in the Middle East. The 21st century can and must be a century of democracy, prosperity, justice, and most of all of peace; but it can only be a century of peace if we learn not only to respect, but to honor our differences. It is in that spirit that I ask my colleagues to join me in approving this resolution, commending the State of Israel on its 50th anniversary.

Mr. Speaker, I include the following for the record:

REMARKS BY THE PRESIDENT AT RECEPTION FOR THE 50TH ANNIVERSARY OF ISRAEL

The PRESIDENT. Thank you very much. Mr. President, Director, all the officials of Hebrew University. Mr. Vice President, members of the Cabinet, the administration, members of the Congress. I'd like to especially thank Dr. Dunn, Dr. Nyang, Dr. Schorsch, and Richard Dreyfuss and Linda Lavin for their wonderful contributions to this day. To Ambassador and Mrs. Ben-Elissar, thank you for being here. To all of our former ambassadors to the United States and other distinguished guests from Israel, and my fellow Americans.

I'd also like to ask that we give a special word of appreciation to the people who provided all that wonderful music which got us in the right frame of mind. Thank you very much. (Applause.) If you could hang around here for a month or two, I think we might get some things done—you'd keep us all in a very positive frame of mind.

I am very honored to receive this degree from Hebrew University of Jerusalem—honored because its founders include Chaim Weizmann, Martin Buber, Sigmund Freud and Albert Einstein; honored because it is now one of the world's leading centers of learning and research.

I must say, I never expected to be doing this here. Many American universities have satellite campuses where working people like me can obtain degrees at locations near their homes and offices. (Laughter.) This is more than I ever could have anticipated. (Laughter.)

President Magidor, thank you for bringing this ceremony here so that those of us who cannot go to Israel in a couple of days may share in the celebration of this magnificent 50th birthday.

I accept this honor today on behalf of my predecessors, beginning with Harry Truman—nine American Presidents all devoted to Israel's security and freedom, all committed to peace in the Middle East. I accept it on behalf of the American people who have formed not just an alliance, but a profound friendship with the people of Israel over these last 50 years.

Today we celebrate that extraordinary 50 years. In 1948, Israel arose from the seeds of the Diaspora and the ashes of the Holocaust. The children of Abraham and Sara, survivors

of 2,000 years of exile and persecution, were home at last and free at last. For its founders, the Israeli state was, however, about even more than securing a haven for the Jewish people after centuries of suffering and wandering. Isaiah prophesied that Israel would become ''a light unto the nations,'' and David Ben-Gurion and his allies set out to make that prophecy come true by establishing a society of light, embracing what Ben-Gurion called the higher virtues of truth, justice, and compassion.

Ben-Gurion believed Israel could lead the world to a better future by marrying the ethical teachings of the ancients with the discoveries of modern science. ''It is only by the integration of the two,'' he wrote, ''that the blessings of both can flourish.'' Of course, he also envisioned a third great achievement for Israel that, with strength and wisdom and skill, Israel would build a lasting peace with its Arab neighbors.

As we have heard today, relations between our two nations were born of another leader's courage and vision. Harry Truman brushed aside the urgings of his advisors, as he often did, when they said go slow, wait and see, before offering Israel recognition. For him, supporting a Jewish homeland was a moral imperative rooted in his understanding of the sufferings and dreams of the Jews from biblical times. And as we learned from Richard's wonderful reading, it occurred just 11 minutes after Israel proclaimed independence. We, in becoming the first country to recognize Israel, had one of our proudest moments. (Applause.)

Not only that, 50 years later, old Harry Truman looks pretty smart. (Laughter.)

Look what Israel has done. Under a brilliant blue sky, the Israelis have built prosperous farms and kibitzes, planted forests, turned streets of sand into shining boulevards, raised families and welcomed the arrival of brothers and sisters from Europe and North Africa, from Russia and Ethiopia, and America. Israelis have dazzled the world with achievements in science and scholarship, in literature and the art. They have built a thriving democracy.

And despite the passage of 50 years, Israelis seem to love and practice their freedom as if they had only just gained it. They never seem to cease challenging themselves about their history, their relationship with their neighbors, the hard choices for the future. If anyone ever wonders whether there is ever a place in the world where you can have freedom and honest, vigorous, 24-hour-a-day, seven-day-a-week, 365-day-a-year argument, go to Israel. (Laughter and Applause.)

It is truly one of the most pulsating, vibrant places on Earth—alive with thousands of sounds, prayers in dozens of languages in the Old City; young people gathered on the avenues of Tel Aviv, computer keyboards tapping; new ventures launched on the Internet; school children now conversing in Hebrew, once the language only of sacred text now the voice of an Israeli renaissance. And the economy has been propelled by all this energy and activity into being one of the most advanced and diversified in the world—per capita income now matching nations in Europe; exports last year were $32 billion dollars, 1,000 times their level in 1948.

Hi-tech companies, hi-tech people. You go to Israel, it looks as if you can't be a citizen of Israel unless you have a cell phone glued to your hand. (Laughter.) Yes, Israelis have gone a very long way toward fulfilling the first two pieces of Ben-Gurion's vision. Surely they have built an ethical, democratic society, and a modern science and technology-based economy. It has endured against great odds by prevailing again and again in battle. The valor of citizen soldiers and military and political leaders like Golda Meir, Moshe Dayan, Yonnie Netanyahu.

But the battle for the third piece of Ben-Gurion's vision—a just, secure and lasting peace—is still being waged and still in blood and tears. Camp David brought piece between Israel and Egypt, but it cost Anwar Sadat his life. Here on this very spot, on a brilliant day in September of 1993, Yitzhak Rabin committed himself not only to an agreement with Mr. Arafat, but to a comprehensive peace in the Middle East. How bravely he pursued it. But it cost him his life.

Jews and Arabs who have wanted nothing more than to live quiet, normal lives are still denied that simple pleasure. Still as the new century dawns, the world is filled with the promise and hope that we can overcome ancient hatreds to build a modern peace for our children.

From Guatemala to Mozambique to Bosnia, and now even to the land of my ancestors in Ireland, longtime antagonists have left the battleground to find common ground. They are weary of war. They long for peace for their children. They move beyond hatred to hope.

This is a time for reconciliation around the world. It must be a time to deepen freedom and raise up life in the Middle East. The 21st century can and must be a century of democracy, prosperity and justice, and of course, of peace. But it can be only if we learn not only to respect, but to honor our differences. The Middle East can build on the momentous achievements of its Nobel Prize winners—Begin and Sadat, Arafat, Peres and Rabin—so that all its children may grow up without fear.

In a land holy to three great religions, sacred sites for Islam, Judaism and Christianity exist side by side. If there is so much history there, the children of all that history should be able to live together.

Again and again, extremists have sought to derail peace with bullets and bombs. Again and again, they demonstrate the real divisions today are not between Jews and Arabs, but between those stuck in the past and those who long for a better future; between those paralyzed by hatred and those energized by hope; those who stand with clenched fists and those who reach out with open hands. We cannot let the extremists prevail. Israel can fulfill its full promise by drawing on the courage and vision of its founders to achieve peace with security. Never has the opportunity been more real and it must not be lost.

You know, I was sitting here on the stage today listening to everything that was said and thinking of all the great gifts that Israel has given the United States. In 1963, 35 years ago this year, when Israel was still a young nation and President Kennedy was killed, your then-United Nations Ambassador, Mr. Eban, gave an enormous gift to the American people in all of our pain by putting in one short, terse sentence how we all felt when he said, tragedy is the difference between what is and what might have been. As we look ahead to tomorrow, let us define triumph by turning his formula on its head. Triumph is when there is no difference between what might have been and what (Applause.)

Let us in the United States say that we will stand by Israel, always foursquare for its security, always together in friendship, but we want this debate to continue until there is no difference between what might have been and what is. (Applause.)

We look at Hebrew University and see all three pieces of David Ben-Gurion's dream coming to life. We see biologists developing techniques to locate a single cancer cell among millions of healthy ones. We see the moral commitment to keeping people's health among the scientists there. We see Hebrew University researchers undertaking efforts in cooperation with Palestinian researchers in East Jerusalem. One of the participants in the project said, it's science and peace together. We know that much more is possible. We must understand that much more is essential.

Fifty years from now the 21st century will near its midpoint and Israel will have a 100th birthday celebration. Sure as the world, our grandchildren will be hanging around here on this lawn. What do you think they'll be able to say? And what will they be celebrating? It is my dream that on that 100th anniversary, people from every country in the Middle East will gather in the Holy Land, and all the land will be holy to all of them.

As a Christian, I do not know how God, if He were to come to Earth, would divide the land over which there is dispute now. I suspect neither does anyone else in this audience. But I know that if we all pray for the wisdom to do God's will, chances are we will find a way to close the gap in the next couple of years between what might be and what is. I think that is what we owe the founders of Israel—to finish Ben-Gurion's dream.

Thank you and God bless you all. (Applause.)

REMARKS BY VICE PRESIDENT AL GORE—50TH ANNIVERSARY CELEBRATION FOR ISRAEL

Thank you all so very much for those profound and moving words.

It is a privilege to be here with you today. A half century ago, on a morning bursting with the promise of spring, a small group of rabbis and statesmen, workers and *kibbutzim*, dreamers, soldiers and survivors gathered at the Tel Aviv Museum, under a portrait of Theodore Herzl—and listened as the wise and brave David Ben-Gurion read the Scroll of Independence: ''By virtue of our national and intrinsic right,'' he said, ''we hereby declare the establishment of a Jewish state in Palestine, which shall be known as the State of Israel.''

Thus—quietly and triumphantly—a sovereign Israel at last had been born in the promised land. And only eleven minutes later, a daring Harry S Truman became the very first among world leaders to recognize the newly-proclaimed Jewish state.

Today we gather as one nation to give thanks for the fiftieth anniversary of this remarkable moment of hope and history.

But in a larger sense, we gather today not just to celebrate Israel's independence—but to give thanks for the miracle of her survival; for the history of Israel and the Jewish people is the story of the redemption and freedom of all oppressed peoples everywhere.

For more than four millenia, Judaism has struggled over four continents and six civilizations. After enslavement by the Pharaohs, wandering in Canaan, destruction in Judah, captivity in Babylon; after the strife of the Maccabeans, oppression by the Romans; as children of the ghetto in the Middle ages, as victims of the camps, Judaism has survived. And—my friends—Israel survives.

It survives because of the ingenuity and foresight of men and women with names like David Ben-Gurion and Chaim Weizmann and Golda Meir; Shimon Peres, Yitzhak and Leah Rabin, and Yonni and Bibi Netanyahu.

It survives and is nurtured every day by the morality of the Torah, the social justice of the Prophets, and the eternal Jewish values of family and faith.

It survives not as an artifact or a monument. No; Israel is vital, and is constantly renewed by its diversity, and its creativity.

Israel has proven to be far more than the land of ''milk and honey'', it is a land of poetry and culture and learning and life, of

technology and science and commerce, of productivity and prosperity unrivaled virtually anywhere in the world.

We gather here today not only to celebrate these achievements, but also to proclaim for all to hear that the dream of an Israel free, secure, and at peace, in a world where the echoes of anti-Semitism are heard no more, will be a reality for all time.

I want you to know that Israel never has had a better friend in the White House than President Bill Clinton.

That is what Israel's leaders will tell you, and that is what the historians and the history books will tell in the future as well.

Our friendship with Israel is not merely with one or another of its political parties. Our ties are deeper: they are forged by an iron-clad commitment to Israel's security and well-being, to combating terrorism, to stopping the spread of weapons of mass destruction; and to achieving a just, lasting, and comprehensive peace between Israelis and Palestinians, Egyptians, Jordanians, Syrians, and Lebanese and all who live in this holy land.

In two days, Tipper and I will travel to Israel to represent the American people at the celebration of Israel's 50th anniversary of independence. This is a great honor. I know we will carry the yearnings of millions of Americans for peace in the promised land; for a new season of joy, and a new jubilee of hope.

There is a wonderful song of Israel which is called al kol eileh—For all these things. Let me share with you some of its lyrics:

For all these things, please watch over for me my good God;
Please don't uproot that which is planted.
Don't forget the hope
Bring me back, and I shall return
to the good land. El ha'a-retz hatovah.

As we prepare to begin our own special journey to the good land, may we never forget the hope that God who makes peace in the heavens will grant peace here on Earth, among us, on Israel and upon all the inhabitants of the world.

Thank you very much.

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

Mr. GILMAN. Mr. Speaker, I am pleased to yield whatever time he may consume to the gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Speaker, I thank my very dear friend, the gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations for yielding me this time.

Mr. Speaker, I would simply like to rise to echo the remarks of my very dear colleague the gentleman from California (Mr. LANTOS) in extending a very important 50th anniversary congratulations.

When one thinks about this alliance which has begun since the outset of the existence of the State of Israel, it is a very key one. When one thinks about the sacrifices that have been made on part of the Israeli people for interests that are, quite frankly, in many cases, those of the United States of America, I think it is very fitting and appropriate that we, as a Nation, mark this very, very important milestone.

I would simply like to express my appreciation to my colleagues for moving ahead with this resolution and extend the hardiest congratulations possible.

Mr. LANTOS. Mr. Speaker, I am very pleased to yield 3 minutes to my distinguished colleague, the gentleman from Minnesota (Mr. VENTO).

Mr. VENTO. Mr. Speaker, I thank the gentleman from California for yielding and commend the gentleman from California for his profound statement this afternoon in recognition of the 50th anniversary of the establishment of the modern State of Israel.

While I failed to and have not heard the statement from others this afternoon, I know that the distinguished chairman has a statement, but I would certainly associate myself with the profound remarks that the gentleman from California and I know my colleague, the gentleman from New York (Mr. GILMAN), the chairman of the committee, will make.

I simply want to rise and support this resolution. As we have said that the founding of the modern State, of course, is predicated on the fact that, for 2,000 years, without a physical presence and a nationalism which has come to characterize nation states today, the faith of the people of Israel persisted to such an extent that it has had a positive contribution in so many nations around the world.

□ 1600

I doubt that one could find a religious group that has upheld their values, and I would say those values have woven their way into what we characterize as Judeo-Christian tradition.

And so the celebration today is really one of recognizing the importance of the individual, the very old but I might say contemporary values that have served our Nation and served the people, mankind, that are so well embraced in the Jewish faith. And it is indeed a celebration to recognize that in this world today that this threat of human history, this continuity has been embraced in terms of a nation state.

Israel, really, as my colleague has said, is a jewel of economic and social success in North Africa; one that I think on occasions has had to rise to the defense of and deal with in other ways to persist in advocating those values but, nevertheless, one that has served mankind very well.

So I am very proud to recognize, as an old faith with a modern face, as my friend said, with a blue sky and the white, great hope that is engendered by this, and especially the positive prospects for the new century. It has not been an easy birth, it has not been an easy life for this nationalism in that part of the world, but I think that with the policies and working together in Congress and with the strong ally of the United States and maintaining those goals, we can ensure that this Nation and this faith and these people and these values are something that we share in common and we can guarantee and assure it into the future with our solidarity.

I commend my colleagues for offering the resolution and join in strong support of it and urge all to support it.

I rise today to honor the fiftieth anniversary of the establishment of the modern State of Israel. Founded in the aftermath of the Holocaust, in which over one-third of the world's Jewish population lost their lives, Israel was established as a homeland for Jews from around the world. A permanent refuge free from oppression and persecution which had persisted for over 2000 years. In 1948, the creation of the free independent state finally rendered a new hope for people of the Jewish faith. Despite the land, the elements and the many adversaries who have done their utmost to extirpate it, Israel has flourished and developed into a dynamic democracy. Today, Israel is a social and economic jewel that persists in offering hope.

No history or culture has been so well documented or remembered as that of the Jewish people. Israeli culture, religious and national identity were formed in the Holy land of Israel. Its vision and faith has been maintained unbroken through the centuries, especially after the majority of Jews were forced into exile. With the establishment of the State of Israel in 1948, Jewish independence, lost two thousand years earlier, was renewed. The events fifty years ago have breathed new life into this age old faith. The physical presence in national terms has been born anew.

Israel has been America's most loyal and devoted ally today. This is evident in American values which exemplify our ideals socially, economically and militarily that safe-guard these guarantees to all peoples. As our Cold War partner, Israel stood firmly in perpetual support for America's global commitment to freedom and democracy. As an example, during the Persian Gulf War, Israel joined the American-led coalition in its action against Iraq. Israel was very tolerant and withstood Iraqi Scud missile attacks as a result. Today, Israel continues to extend its hand in friendship to the United States and the American people.

This anniversary illustrates fifty years of freedom and democracy for the Israeli people. In honor of the special relationship the United States and Israel have maintained based on mutually shared democratic values, common strategic interests, moral bonds of friendship and mutual respect, I extend the warmest congratulations and best wishes to the State of Israel and her people for a peaceful and prosperous and successful future.

Mr. GILMAN. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Speaker, I want to thank the gentleman from New York (Mr. GILMAN) and the gentleman from California (Mr. LANTOS) for bringing this resolution to the floor today. I am deeply pleased to be an original cosponsor of it.

As policymakers and politicians, we often talk about how Israel is our most important ally in the Middle East, a cherished friend and a democratic society that we must continue to support for the sake of stability and peace. And that is indeed true. But, as a person, I also know that the State of Israel, which is so physically tiny, appears so very large because of its history and its heart and the heart of its people.

Israel has been both a battlefield and a sanctuary, and this year we celebrate

its 50th anniversary as a state. I know that it became that state because of the incredible courage and determination of a people who had faced more evil than a thousand generations could conceive and have survived to reflect both dignity and strength.

I join my colleagues today in this strong celebration and congratulations, recognizing the historic significance of the 50th anniversary of the reestablishment of the sovereign and independent modern State of Israel.

We commend the people of Israel for their remarkable achievement in building a new state and pluralistic democratic society in the Middle East in the face of terrorism, hostility and belligerence by many of her neighbors; and we strongly today reaffirm the bonds of friendship and cooperation which have existed between the United States and Israel. I think of all of the things that America has suffered and has witnessed and has been a part of in our history, the friendship with Israel remains our strongest and most formidable.

It is more important than ever for this Congress not only to support this resolution on its 50th anniversary but through the commitment of the gentleman from New York (Mr. GILMAN) and the gentleman from California (Mr. LANTOS) that we go about securing this celebration each and every day we are here in this Congress; that we let everyone know, friend and foe alike, that we will always stand side-by-side with Israel; that we will not back down from a challenge and that we will indeed protect and defend them at all possible costs. They would do the same for us and have shown that determination for our abilities in the past.

Again, I just want to strongly echo my support and my sentiments and my pride in our chairman of the committee on H.J. Resolution 102, the 50th Anniversary of the State of Israel.

Mr. LANTOS. Mr. Speaker, I yield 2 minutes to my distinguished friend and colleague, the gentleman from Texas (Mr. BENTSEN).

Mr. BENTSEN. I thank my colleague from California for yielding me this time; and, Mr. Speaker, I rise in strong support of this resolution commemorating the 50th anniversary of the founding of the modern State of Israel and join my colleagues in congratulating the people of Israel for their impressive achievements in these 50 years.

This is also an appropriate opportunity to reaffirm the unique bond between the United States and Israel, a bond forged of our common commitment to freedom, justice and peace, and strengthened by the many links between our peoples.

So much has happened since May 14, 1948, when the State of Israel was reestablished following a vote by the United Nations General Assembly to petition the British mandate of Palestine. On that day, the State of Israel was formally proclaimed, and the United States extended diplomatic recognition to the new state. This day also marked an historic return to the Jewish people, who had established their homeland more than 3,000 years before in the historic kingdom of Israel in the City of Jerusalem.

In 50 years, Israel has developed a vibrant and dynamic society and established a strong economic cultural identity, despite the heavy tolls imposed by six wars, countless terrorist attacks and the hostility of its neighbors. Because of the perseverance, ingenuity, and faith of its people, Israel has overcome the most daunting of challenges and become one of the world's great nations.

Mr. Speaker, few nations could prosper and grow while under siege, on a state of alert and under attack, as Israel has had to do over the last 50 years. For 50 years, the United States Congress has extended bonds of friendship and cooperation to Israel. It is more important than ever that we continue to support Israel economically and militarily today as it makes the difficult decisions needed to secure a lasting peace.

The future will surely bring many new challenges, including the continued threat of terrorism and the added danger imposed by weapons of mass destruction. So it is critical the United States and Israel maintain our unshakeable alliance to further our many mutual interests. May the next 50 years bring continued prosperity, ever stronger friendship between our two nations, and a lasting peace for Israel and all the nations of the Middle East.

I join my colleagues in congratulating the State of Israel and its people on the occasion of its 50th anniversary.

Mr. LANTOS. Mr. Speaker, I ask unanimous consent that an additional 30 minutes be made available, to be equally divided between the majority and the minority, for the debate of H.J. Res. 102, since large numbers of our colleagues wish to speak on this subject.

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

There was no objection.

The SPEAKER pro tempore. The 30 additional minutes is assigned 15 minutes to each side.

The gentleman from California (Mr. LANTOS) is recognized.

Mr. LANTOS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. ROSA DELAURO), my good friend and colleague and a strong friend of Israel.

Ms. DELAURO. Mr. Speaker, let me congratulate my colleagues, the gentleman from California (Mr. LANTOS) and the gentleman from New York (Mr. GILMAN); and I thank the gentleman from California for yielding me this time.

I rise in strong support of the joint resolution congratulating Israel on the 50th anniversary of its founding. Today, we mark one of the monumental achievements of the 20th century, the birth of Israel.

In 1948, as the Jewish community and the world was trying to come to terms with the awful brutality of the holocaust, a miraculous thing occurred: The very people who had been victims of the most vicious genocide the world has ever known emerged strengthened and hopeful. And the Jewish people forged that enduring strength and hope into a mission to build a new homeland, Israel.

The war had devastated the Jewish community of Europe, but in Israel there was a new determination to build a new community, a new nation and a secure future. The founders of Israel understood that only by uniting in a common land, with a common language, a common culture could the Jewish people and their heritage survive.

Israel was dedicated not only to physical survival but the survival of the Jewish religious traditions, ethnic customs and history. Israel's 50th anniversary is a reminder of the courage and strength of the human spirit and what it can accomplish. Against all odds and enemies, the people of Israel have united to build a strong nation. It has not been an easy journey, but it has been a triumphant one.

Americans have had the honor over the past five decades to help the brave men and women of Israel in their fight to make their dream a reality, and today we unite with them in the effort to bring peace to the region.

Congratulations to the people of Israel. May you continue to serve as examples of courage, vigilance and dedication to the world.

Mr. LANTOS. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. ROTHMAN).

Mr. ROTHMAN. Mr. Speaker, I want to first congratulate and thank my friend, the gentleman from California (Mr. TOM LANTOS), and the gentleman from New York (Mr. BEN GILMAN), two leaders in this Congress who we look to on regular occasions for their inspiration as well as their wisdom.

We are here to honor a nation of hard-working people, a country that is a thriving democracy of freedom and human rights, a land that has contributed to the world's economy and a sense of moral well-being, yet a state that, on its 50th birthday, still has to fight its neighbors for respect and, yes, for its right to exist.

Israel was founded after World War II, not by war, not by force, but by the United Nations. The Jewish people's ties to the region goes back more than 3,000 years. Every major country in the world supported Israel's creation, just like they supported the creation of other countries, Iraq, Lebanon, Jordan, Syria and Saudi Arabia, all of which nations were created after World War I. The only difference between Israel and these other countries, none of which existed before the 20th century, is this:

Israel is the only western-style democracy in the Middle East, and it is the only nonIslamic state.

The vast majority of these other states are still ruled by bloodthirsty dictators, like Saddam Hussein of Iraq and Hafez Al-Assad of Syria and the supreme leader Khamenei of Iran, and they are also ruled by monarchies, like the tightly controlled monarchy of Saudi Arabia. Yet Israel has thrived despite being surrounded by countries still determined to drive them into the sea.

But she is not a war-torn nation, like the media tries to depict. Israel is a beautiful, safe place, a vacation destination for Americans, Europeans, Asians and Africans alike. She peacefully keeps the Christian, Muslim and Jewish holy sites safe and secure for all visitors from around the globe.

But Israel's 50th anniversary means more than the celebration of its people, its democratic roots, its determination and its ability to survive in a hostile environment. It means Israel should be respected as one nation in the family of nations, especially by the organization that created it, the United Nations.

Israel is America's strongest, most trusted and most reliable ally in the Middle East. At the United Nations, Israel votes with the United States 97 percent of the time, more than any other country in the world. It is time for the United Nations to treat Israel as an equal and not to vote against Israel when it takes measures to protect itself and her citizens from her hostile neighbors.

Israel has earned the world's respect the hard way, making the desert bloom with agriculture, high technology, art, culture and, above all else, democracy. America wishes Israel a very happy 50th birthday, and we want Israel to know that America stands with Israel, our greatest, most trusted ally in the Middle East, now and forever.

Mr. LANTOS. Mr. Speaker, I yield 3 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA), my good friend who has been a steadfast friend and supporter of the independence and security of the State of Israel.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in strong support of House Joint Resolution 102, the legislation which expresses the sense of the Congress on the 50th anniversary of Israel's founding and reaffirmation of the bonds of friendship and cooperation between the United States and the modern State of Israel.

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Mr. Speaker, I am honored to be a cosponsor of this legislation, and I thank our distinguished colleague the gentleman from California (Mr. LANTOS) for introducing this worthy measure. I also commend the gentleman from New York (Mr. GILMAN), chairman of the House Committee on International Relations, and the gentleman from Indiana (Mr. HAMILTON), the ranking member, for his support and for bringing this legislation to the floor.

Mr. Speaker, on May 14, 1948, the modern State of Israel was founded when Israel declared independence and was extended diplomatic recognition by the United States. Today, our legislation honors the 50th anniversary of the reestablishment of the sovereign and independent modern State of Israel and commends the leaders and people of Israel for their remarkable achievements in building a thriving democracy in the Middle East while being threatened constantly with terrorism and war.

Mr. Speaker, the legislation further reaffirms the strong ties of friendship and cooperation that have traditionally bound the people of Israel with the insurance over the past century and extends from Congress our warmest congratulations and best wishes to the State of Israel and her people for peace and prosperity in the future.

Mr. Speaker, the existence of the modern State of Israel is the culmination of a 3,000-year journey from the kingdom of Israel established in old Jerusalem. Today, Israel is America's closest ally in the Middle East, and the people of our two nations share a special relationship based upon democratic values, common strategic interests, and bonds of cooperation and mutual respect.

Mr. Speaker, it was my privilege recently to travel with the gentleman from New York (Mr. GILMAN) and other Members of this body to visit Israel and to especially pay homage to the great site of the late Prime Minister Yitzhak Rabin; and I recalled how this great modern-day warrior, Mr. Rabin, who seriously and who earnestly sought a solution to the crisis between the Israelis and the Palestinians, a man who truly was a peacemaker, a man who wanted so much to have a lasting peace with his blood cousins, the Palestinians, a man who recognized that Arabs and Israelis are, in fact, first cousins under Father Abraham.

And I sincerely hope that the current leadership, Prime Minister Netanyahu of Israel and President Arafat of Palestine, will eventually find the solution for peace to the never-ending problems between Israelis and Palestinians in the Middle East.

Mr. Speaker, the late Prime Minister Rabin's greatness, in my humble opinion, did not originate in the field of battle, but in his sincere desires to establish peace between Israel and among its Arab neighbors. Mr. Speaker, Americans with Jewish descent should have every reason to be proud and to witness the existence on the 50th anniversary of the modern State of Israel.

Mr. Speaker, I urge my colleagues to support this resolution.

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

Mr. Speaker, in conclusion, I would like to make a few observations concerning this anniversary. I suspect the most important thing we need to congratulate Israel on is that it survived. It survived in an atmosphere and in a climate of unrelenting hostility. We need to congratulate this small land for having remained democratic. We must commend it for having successfully concluded peace agreements with Egypt in 1979 and with Jordan in 1994. We must commend it for having withstood terrorist assaults that continue to this very day.

In calendar 1997, 463 terrorist attacks were launched against Israel, and an additional 100 were foiled. Iraq, during the Persian Gulf War, lobbed ballistic missiles on the largest city in Israel. I was there.

Just earlier this year, Mr. Speaker, Israeli citizens, men, women and children, were queueing up for gas masks when the climate in the Persian Gulf indicated that they might again be subjected to Iraqi attacks. They were buying antidotes for anthrax.

I think it is important to recognize that if this small land of great history and great future is to celebrate its 100th birthday 50 years from now, it and it alone will need to determine its basic perimeters of its own security requirements. We can play a critical role, and must play a critical role, in mediating, lubricating, facilitating. But just as any other nation on the face of this planet, it is only the people of Israel who, in the final analysis, can determine what are the minimum requirements for their own security. It is in that spirit that I ask my colleagues to approve this resolution.

Mr. Speaker, I yield back the balance of my time.

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

I want to thank the gentleman from California (Mr. LANTOS) once again for introducing the measure, for his kind words, for his strong, eloquent support of this measure. I want to thank all of the Members who came to the floor and took the time to express their thoughts with regard to this measure. I thank all of those who participated in today's debate.

Mr. RODRIGUEZ. Mr. Speaker, I rise today to express my support for the resolution honoring Israel on the occasion of the fiftieth anniversary of its independence. From ancient prayers to modern dreams, the State of Israel has blossomed into a strong, thriving democracy and a steady ally of the United States. We have witnessed two solutions to the so-called Jewish Problem this century. One was evil and named the Final Solution. Seeking to destroy the Jewish people, the Nazis murdered 6 million Jews and millions of other innocents. The other solution, which we join together to honor today, was one of hope and promise—the return of the Jewish people to their ancestral home in the land of Israel. That dream remains alive.

Israel has overcome the most daunting obstacles in its quest to create a haven from persecution and the world's only Jewish state. After 2,000 years of Jewish wandering and exile, the modern state of Israel was born on

May 14, 1998, only to face the onslaught of its neighbors and constant threat of destruction. Against all odds, Israel defended itself and began to plant the seeds for its future. Following the war of independence, Israel has time and again fought for its very existence. Even today, the threat of war and the promise of terrorism weigh heavily on Israel.

While many of the threats and anti-Israel rhetoric of 50 years ago unfortunately remains the same today, much has changed for the better. Egypt and Jordan have signed peace agreements with Israel, and the Palestinian Arabs and Israel have begun a formal, if not shaky, process toward peace. In the name of peace, Israel has ceded valuable territory to those who vowed its destruction.

Israel has created a thriving economy, a free press, regular free and open elections, the rule of law, and other firmly established democratic institutions. The once-barren hillsides now are green with trees and the fields again are plowed for the growth of food. Israel has successfully fulfilled the dreams of thousands of immigrants who fled tyranny and poverty and stands as a model for the absorption of the outcast and homeless. High literacy and educational achievement have produced an extraordinarily capable and creative workforce which boasts achievements in agriculture, medical research, emerging technologies and many other fields. Israel stands as a significant trading partner of my home State of Texas.

I salute the people of Israel on this anniversary. May your future be one of peace and security, prosperity, and continued friendship with the people of the United States.

Mr. BONILLA. Mr. Speaker, I rise in support of legislation commemorating Israel's fiftieth anniversary. The rebirth of Israel in this century is a modern day miracle. Jews from every continent have built a new nation, ancient in history, with a vibrant democracy and a modern economy.

Israel represents the rebirth of a nation, a people, and the Hebrew language. The building of a new nation with immigrants from societies as diverse as Russia, Poland, Morocco, Argentina, India, and Ethiopia is a challenge we as Americans recognize and celebrate. The achievements in this regard are truly impressive. Israel has made the desert bloom, has an exemplary education system and a growing economy. It is a world leader in technology and has had an impact far larger than other nations of its size.

Israel's accomplishments are particularly impressive as it has been living under siege for its entire history. Independence was secured in a bloody struggle and freedom has been defended at great cost. The Jewish state has faced great struggles maintaining its independence as the sole democracy in a hostile corner of the world.

America and Israel have been natural friends. Most Americans admire Israel's commitment to democratic government while living under siege. I think all Americans would like to join me in wishing the Israeli people a future of peace and prosperity on this occasion. I am hopeful that the people of Israel will achieve even more once a real peace, not one imposed by outside powers, is reached with their neighbors.

Mr. GEPHARDT. Mr. Speaker, it is with great pleasure that I rise today to join my colleagues in celebrating the occasion of the fiftieth anniversary of the founding of the modern state of Israel.

Created in the aftermath of the Holocaust, the state of Israel has served as a beacon of justice, freedom, and hope to Jewish people around the world. Israel's deep commitment to a pluralistic democracy and a vibrant economic, cultural, and intellectual life has served as a model for many nations. And despite great adversity, Israel has been steadfast in its commitment to achieving peace and security in the region. These values have garnered the admiration and respect of millions around the world.

It is these values that have also fostered the American people's great affinity and mutual respect for the people of Israel, and which have formed the core of the special bond between our two countries. Today the U.S.-Israel relationship remains among the strongest of any bilateral relationship in the world. The strength of this relationship is also a tribute to those U.S. citizens, many of Jewish heritage, who have worked tirelessly over the years to keep our Nation's leaders focused on the importance of this relationship.

The United States and Israel have numerous common and deep interests, and together will continue to lead the international fight against the proliferation of weapons of mass destruction, terrorism, and threats to religious freedom. Above all, we are united in our paramount goals of peace, prosperity, and security for all people of the Middle East.

I am proud to be a co-sponsor of House Joint Resolution 102, which reaffirms the bonds of friendship and cooperation between our two countries on Israel's fiftieth anniversary. On this occasion, I encourage my colleagues to seize this celebration not only as an opportunity to reflect on the achievements of Israel's past, but also to use it as a stimulus to further strengthen the U.S.-Israel partnership.

Fifty years ago, within minutes of Israel's leaders declaring their independence, Harry Truman rejected the advice of staff and took a momentous step in recognizing Israel's sovereignty. From that moment, the United States and Israel have forged perhaps the closest partnership in the international community today. it is in this spirit of friendship and cooperation that I extend my warmest congratulations and best wishes to the state of Israel and her people for a peaceful, prosperous and successful future.

Mr. MANZULLO. Mr. Speaker, I rise today in strong support of House Joint Resolution 102, a resolution expressing the sense of the Congress on the occasion of the 50th anniversary of the founding of the modern state of Israel and reaffirming the bonds of friendship and cooperation between the United States and Israel. I want to thank Mr. LANTOS for introducing such a timely and appropriate resolution and giving me the opportunity to be an original cosponsor. I am proud to support this excellent bill.

House Joint Resolution 102 recognizes the historic significance of this special anniversary, applauds the Israeli people for building a vibrant, modern democracy in the face of physical, economic, and political hostility, reaffirms the deep friendship between our two countries, and warmly congratulates the Israeli people and extends to them all the best for a prosperous, safe and successful future.

Mr. Speaker, the United States and Israel share a special relationship. As our only true democratic friend in the region, Israel deserves America's strong and unyielding support. I applaud the unanimous passage of this resolution today and extend to the people of Israel my very best wishes.

Ms. DEGETTE. Mr. Speaker, I rise in support of H.J. Res. 102, expressing the sense of the Congress on the occasion of the 50th anniversary of the founding of the modern State of Israel.

I am proud to be a co-sponsor of this important resolution. I look forward to a unanimous vote by the House that will send a strong message of our country's unyielding support to the State of Israel. April 30th will mark the fiftieth anniversary of the birth of the State of Israel. Israel's extraordinary history makes this milestone especially significant. Despite incredible challenges and continuous obstacles, Israel has developed into a prosperous democracy, whose citizens continue to enjoy the unlimited freedoms that Israel was created to protect.

The State of Israel and the well being of her people is one of the foreign policy issues that people in my district care about the most. There are so many in this country who share a common denominator of heritage, history and identity with the people of Israel. For many Jewish-Americans the fate of Israel is something to which they are inextricably linked.

The United States and Israel have a unique relationship due to the fact that Israel is our only democratic ally in that region of the world. There is no better time than right now to reaffirm our commitment to foreign support for Israel. I believe foreign aid to Israel is an important way to support and promote the peace talks. I am concerned that without peace in the Middle East, Israel's second fifty years will be as tumultuous as her first half century.

At Israel's 100th anniversary, I hope we can look back on Israel's second fifty years as a period of peace and prosperity where the challenges that face her today have long faded into history.

Mr. WEYGAND. Mr. Speaker, today I wish to congratulate the State of Israel on her 50th Anniversary. In fifty years, the people of Israel have endured many of the same things that our founding fathers did more than two hundred years ago. They have had to create a government, elect leaders who had come to their state from various countries around the world, and establish laws for their new state. Israel has had to defend her borders from advances first in 1948 to gain her independence within the Middle East, and again in the Six Day War to assert her autonomy. Much like the United States did in the 18th Century, Israel continues to define her character today.

I know in my home state of Rhode Island, many people struggled and worked very hard to realize the dream of a Zionist state. Former Governor Frank Licht got his passion for public service by working with the Rhode Island Zionist Emergency Council. Upon the creation of the new Jewish state, Governor Licht stated:

> The proclamation officially creating the new state is a milestone in the history of mankind. The 2000 year old dream of the Jewish people has become a reality. Recognition by the United States will go far, I hope, towards restoring peace in the Holy Land . . . I am confident that the state which the Jewish people set up in their own country will guarantee justice, freedom, and equality for all people regardless of religion, race, sex, or land of origin.

I believe, along with my constituents, that the State of Israel will find a way to ease tensions both internally and externally. Israel has persevered in building and maintaining a democratic state in the face of hostility and terrorism. Perhaps in another fifty years we

will again gather here and commend Israel on solving these problems with her neighbors.

I commend the people of Israel on their successes over the past fifty years, and congratulate them wholeheartedly on this milestone in their history.

Mr. FROST. Mr. Speaker, I rise in support of H.J. Res. 102, Expressing the Sense of Congress on the Occasion of the 50th Anniversary of the Founding of the Modern State of Israel. May 14th will mark the 50th anniversary of its independence. I commend the State of Israel which has rebuilt a nation, forged a new and dynamic society, and created a unique and vital economic, political, cultural and intellectual life. I applaud the relationship held between the United States and Israel. This relationship is one that is based on mutually shared Democratic value, common strategic interests, and moral bonds of friendship and mutual respect. The State of Israel has built a nation in the face of adversity and triumphed in assuming a prosperous democracy in their ancient land. The people of Israel have so much to be proud of, these brave people have battled through a new frontier to create a new and thriving world for their children.

While I am delighted and quite proud of this fantastic milestone, I am also filled with promise and hope that both Israel and the Palestinians will one day come to a peaceful agreement allowing all of the people of the Middle East to grow and prosper towards another landmark anniversary celebration.

Mrs. KENNELLY of Connecticut. I rise as a cosponsor of House Joint Resolution 102 congratulating the State of Israel on its 50th Anniversary and wish to offer my strong support for this resolution.

Since declaring its independence on May 14th, 1948 the State of Israel has fought for its very existence and it has succeeded. In the years that have followed Israel has thrived, it has embraced democracy and has become and remains the most important ally for the United States in the Middle East region.

I want to commend the people of Israel for their perseverance through the difficult times they have faced. They have stood up to terrorism and aggression and have endured. They have built a vibrant democracy, with a unique culture, and a diverse economy. Throughout its existence, Israel has remained focused on its future and on the welfare of its people.

I am pleased to support this resolution which reaffirms the lasting bond of friendship between the United Stats and Israel which has been so important for both nations. Together we make our democracies stronger and it is together that we can work to ensure that lasting peace for Israel and throughout the Middle East can become a reality.

I want to extend my sincerest congratulations to the modern state of Israel on the occasion of their 50th Anniversary and to urge my colleagues to support this important resolution.

Mr. PALLONE. Mr. Speaker, it is fitting as Israel approaches the fiftieth anniversary of its independence to commemorate this event. It is also fitting to recognize this historic event here in the U.S. Congress. The U.S. has been Israel's friend and supporter from its inception. On a personal level, I have been an ardent supporter of Israel throughout my life. I became more of a staunch supporter after I traveled to Israel in 1989 toward the beginning of my Congressional service.

Once one has seen the many unique features of Israel and its people, one cannot help but be awestruck by this nation's accomplishments in its short 50 years. First, Israel has provided a refuge and homeland to hundreds of thousands of persecuted Jews from the former Soviet Union, Ethiopia, and many other places. In meeting with Israeli leaders and residents, I also was struck by their deep commitment to achieving a lasting peace in the region. This commitment is easily understood as Israeli Remembrance Day approaches: nearly every citizen has lost a relative or friend in the effort to protect and defend the land and its people. Thus, the desire and need to achieve peace for the present and future generations becomes even more evident.

As a Congressman actively involved in environmental issues, I have been particularly impressed with the stewardship Israelis exercise over natural resources. Israelis learn from a young age that every drop of water is precious. But the pioneers worked the land and developed the technologies to make these precious drops of water help grow trees, flowers, and crops, so that the entire nation could not only survive, but flourish—to the point where they now export flowers and produce all over the world.

And, while Israelis still bargain over prices in traditional, Middle Eastern-style market places, they also have developed a light industrial base that employs many people in high technology and computer-related fields. One example of the developmental progress that has occurred can be seen in the telephone systems. When I was last in Israel a decade ago, making a telephone call was difficult. Today, not only are phones accessible and easy to use, but cellular phones, call waiting services, and answering machines are prevalent.

Moreover, Israeli's GDP has grown from $2.5 billion to an astonishing $90.6 billion in the past three decades. Equally important, if not more so, is the fact that Israel is the only pluralistic democracy in the region. At the same time, Jerusalem, the unique ''City of Gold,'' is the holy site for a number of the world's most important religions. And yet, this nation is smaller than my home state of New Jersey; one can walk across the country (East to West) in one day.

David Ben Gurion was prophetic when, on May 15, 1948, he stated that ''[s]omething unique occurred yesterday in Israel, and only future generations will be able to evaluate the full historical significance of the event. It is now up to all of us, acting out a sense of Jewish fraternity, to devote every ounce of our strength to building and defending the State of Israel, which still faces a titanic political and military struggle.''

I hope that as we recognize the fiftieth anniversary of its creation, Israel will soon cease to face such struggles. Yitzhak Rabin was deeply committed to securing peace for Israel. For this reason, the ''Song for Peace'' was being sung at the rally where he last spoke, and the words to this song were found in his shirt pocket at the time of his assassination. I pray that Rabin, and the many that will have fought for peace both before and after him, will not have sacrificed their lives in vain.

In closing, since I have seen the marvels of Israel and its people first-hand, and have been a strong supporter of Israeli and Jewish causes throughout my service in Congress, I am particularly pleased to be a cosponsor of this joint Congressional resolution that is being brought to the House floor today. The resolution recognizes the historic significance of the fiftieth anniversary of the reestablishment of the State of Israel; commends the Israeli people for their achievements in building a new state and a pluralistic, democratic society in the Middle East; reaffirms the bonds of friendship and cooperation between the United States and Israel; and extends congratulations and best wishes to the State of Israel and her people for a peaceful, prosperous, and successful future.

Mr. FORBES. Mr. Speaker, this May 14th, the modern state of Israel will celebrate its 50th birthday. In the life of an ordinary country, the 50 anniversary is a notable milestone of historical achievement. In the case of Israel, 50 years exemplifies nothing less than an enduring miracle.

The Jewish people, drawn to their country by a sacred relationship and a divine promise, flourished in ancient times. Their history is a seemingly never ending succession of miracles, punctuated by the painful sting of suffering. A poor, enslaved people in the land of Egypt, the Israelites were led by God out of Egypt and into the desert and freedom. It was there in the barren desert that their leader, Moses, went up to Mt. Sinai and came down with the Torah, the word of God. In the midst of their escape and suffering in the barren wilderness, the Jewish people provided the world with the Ten Commandments, the foundation of all western morality.

Back in their own country, the Jewish people ultimately realized the greatness that the Lord had promised. From King David, the poet warrior, to Solomon, the model of wisdom, the Jews gave us heroes that stir our hearts and souls still.

Sadly, though, Jewish suffering was not at its end. In 722 B.C.E. the Assyrians vanquished ten of their twelve tribes and sent the Israelites into exile. Only two small groups remained, fortified only by an undying faith in God and a refusal to surrender to the fate their enemies planned for them. They refused to give up hope. They refused to give up their faith.

In 586 B.C.E., this small remnant was captured. Their temple, built by Solomon, was destroyed. Forced into exile to Babylonia, again the Jewish people thrived. Without a temple, they developed houses of worship—the historical beginning of synagogues. Unable to offer sacrifices, their religious leaders developed prayers as a way to reach the Almighty. Forbidden to publicly worship or have priests, they developed a new way of thinking of religious leaders as teachers. This was how the title rabbi came to be.

Miraculously returning from their exile, the Jewish people rebuilt their Temple in Jerusalem. They wanted nothing more than simply to live under the grace and peace of God.

But then in the year 70 of the Common Era, the Second Temple was destroyed by the Romans. During a final revolt against the Romans, at Masada, the sheared plain that stands in the Judean desert, brave Jews sacrificed their lives rather than endure as slaves. The Romans forced Jews to leave and even re-named the country ''Palestine'' named after the Phoenicians, the enemies of the Jews. The Jewish people had lost their country and would not recover for nearly two millennia.

By any realistic view of history, the Israelites, few in number, robbed of their

homeland and set apart by the cruelest of persecutions, should have disappeared.

But history is not able to reckon with the Jewish people. Instead of disappearing, the Jews flourished under the Lord's protective eye, developing a vast treasure of religious literature and a way of life that stressed lifelong learning and a striving to lead a moral life.

Through inquisition and torture, through religious coercion and unendurable pain, the Jewish people held firm to their religious foundations. Here, in our own century, occurred the Holocaust, the most monstrous and inhuman evil that mankind has ever inflicted upon itself. Six million Jews, one and half million of them children, were systematically murdered. One-third of the Jewish people in the world died during the Holocaust.

Even during these darkest hours of the Holocaust, when all hope for the Jewish people seemed to have disappeared, when their very future hung on the edge of despair, they persevered. Then came Israel.

The modern vision of a Jewish state, nourished by an historic attachment to the land of Israel, was given expression by the Viennese journalist Theodor Herzl, who organized the First Zionist Congress in 1897. When the Congress was ended, Herzl noted in his diary that the Jewish state would come into being in 50 years. It was exactly 50 years later that Israel was born.

On May 14, 1948, David Ben Gurion announced the birth of the modern Jewish nation. A day later, Arab armies attacked in full force, in an attempt to kill it before it had a chance to be born. After a bitter struggle for its very life, against overwhelming odds and trained armies, Israel prevailed. Their nation would not die. Masada would not fall again. David Ben-Gurion, the first Prime Minister and Menachem Begin, who would later become Prime Minister, both contributed mightily to Israel's birth. The number of heroes in Israel's birth is innumerable.

Over the course of the past 50 years, Israel has had to continually fight for its survival. In both 1956 and 1967, Israel had to defend itself against the attacks of its antagonistic neighbors. The Six Day War of '67 was particularly difficult for Israel. When the war was over, Israel gained control over all of Jerusalem including the Western Wall, the most sacred site in Jewish life because it is the last remaining part of the Second Temple. The Jews had returned to their land and to their holy city. In many ways, they returned to history itself.

Still, wars followed, though some Arab nations have come to see the need for peace. However, to this day, many Arabs have not reconciled themselves to the permanent existence of Israel. Terrorists, rogue nations, and bitter and implacable enemies continue to threaten Israel. Yet at 50, Israel has never been stronger.

Perhaps, especially for the Jews, but finally for all decent people, the very existence of Israel remains a symbol. Israel's historic return as a nation offers hope and reassurance for people the world over who are struggling to realize their own homeland. Israel's refusal to surrender to enduring horrors provides a model of courage for those in need of strength. Israel's commitment to democracy and religious freedom is a wonderful example for those who believe that nations can be both strong and decent.

Israel will always possess a special place in the heart and mind of the United States. Israel is, of course, a vital military ally, paramount in its support of the U.S. in the United Nations, and a dependable military source of information and support. Beyond these prudential reasons, however, Israel means much more to us. Sentinels of democracy, both nations were founded in pursuit of the righteous cause of liberty and human dignity. Citizens of both great nations have sacrificed their own lives in defense of freedom and in battle against tyranny. Neither America nor Israel is willing to accept the exploitation and oppression of innocent people by despotic rulers.

The truth is that Israel is not just another nation; it is part of our family. As one brother to another, we in the United States rejoice as we celebrate Israel's 50th birthday. Let us use this moment to vow to stand forever by Israel's side. Let every enemy of Israel know that the United States stands firmly beside Israel. We will never be silent when Israel is in danger. We will never let Israel's enemies win.

We stand with Israel. We wait in excitement to witness the miraculous achievements that Israel will have in the next 50 years.

Mr. SCHUMER. Mr. Speaker. This week we celebrate the 50th anniversary of the State of Israel, a truly momentous occasion. For Jews in Israel, America, and around the world this is a time of great celebration.

For 50 years, Israel has struggled to survive in a region of hostility, surrounded by neighbors who sought to destroy her. For 50 years, Israel has labored to transform a desert into a land of milk and honey and for 50 years, Israel has become a beacon of democracy, a land of freedom and a homeland for Jews everywhere.

Mr. Speaker, dear colleagues, let us join together in wishing Israel a happy 50th and a hearty "mazel tov."

Mr. GILMAN. Mr. Speaker, I once again ask my colleagues to support this resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the joint resolution, H.J. Res. 102.

The question was taken.

Mr. LANTOS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

ANNOUNCEMENT OF RETIREMENT OF HON. GERALD B. SOLOMON, CHAIRMAN OF COMMITTEE ON RULES

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

Mr. DREIER. Mr. Speaker, I rise to join with my colleagues, and I know that my friend the gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations, will want to be recognized, to say how saddened and surprised we all were, but we certainly respect the decision that was made by the distinguished gentleman from New York (Mr. SOLOMON), chairman of the Committee on Rules, yesterday that, after 20 years of service as a Member of the United States Congress, and after a career in public life that expands 31 years, he has chosen to retire at the end of this term.

He, of course, has many more vigorous and active months left as chairman of the Committee on Rules. But I would like to say that, as we think about his stellar service in this institution, it has been a great honor for me to be part of a very important team.

The gentleman from New York (Mr. SOLOMON) has been on the front line of so many battles here in the Congress. He has been very active. He was, as was pointed out in the New York Times today, clearly the most influence member of the New York delegation serving in the Congress, and he was a member of Ronald Reagan's core group of individuals who provided him with a great deal of advice and assistance throughout President Reagan's campaigns and during the time that the President served.

So I am one who will say that I clearly am going to miss my colleague. He clearly always makes his presence known when he is here in the House of Representatives, because he carried that great binder that had his name inscribed on it. So we will be seeing that again before we hope the 105th Congress adjourns sine die the first of October. But I can tell my colleagues, when the 106th Congress convenes, we clearly miss that. He has been a great leader who has stood by principle very, very passionately and diligently.

Mr. Chairman, I yield to the gentleman from New York (Mr. GILMAN), distinguished Chairman of the Committee on International Relations.

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding, and I thank him for bringing this issue to the floor.

Mr. Speaker, as senior Republican in the New York State congressional delegation, I want to express my shock and my sadness to the surprising announcement that our dear colleague the gentleman from New York (Mr. SOLOMON), a senior member of our New York delegation, has now chosen to leave this body at the end of this congressional session.

I came to know and admire my colleague soon after he came to the Congress in 1978. His experiences as a United States marine, and he reminded us of that service continually, as a town supervisor, as a county legislator, as a member of the New York State Assembly, as well as his experience in the insurance business and real estate business brought to this Chamber the unique combination of experience of balance and of common sense.

I especially appreciate the gentleman from New York championing the cause of our POWs and MIAs in Southeast

Asia. He earned a reputation for his leadership on that issue and many important issues, and I know my colleagues join with me in expressing our appreciation for the judicious manner in which he has chaired the House Committee on Rules for the past 3 years. He has always been the epitome of fairness and expertise.

Congress' loss is a gain for Freda and their five children. We wish the gentleman from New York (Mr. SOLOMON) and his family good health, happiness, and success in years ahead.

Mr. DREIER. Mr. Speaker, I thank my friend for his contribution.

I would like to say that I, too, enjoyed working with the gentleman from New York on that very important issue of POWs and MIAs, and I had the privilege of traveling with the gentleman from New York (Mr. GILMAN) and the gentleman from New York (Mr. SOLOMON) to Southeast Asia as we continue to remain committed to bringing about a full resolution and accounting of all those still classified as missing in action.

Mr. Speaker, I yield to the gentleman from California (Mr. LANTOS), my very dear friend and fellow Californian.

Mr. LANTOS. Mr. Speaker, I want to thank my good friend from California for yielding.

Mr. Speaker, I want to add my words of best wishes and sorrow at our colleague's decision to leave. The gentleman from New York (Mr. SOLOMON) has been one of the most energetic, committed, serious, decent Members of this body. I have had the privilege and pleasure of working with him on a wide range of issues, but two of those stand out in my memory. One, of course, was his determination to get to the bottom of the POW–MIA issue. And the second one, a generic issue, was his passionate commitment to human rights.

As the Democratic chairman of the Human Rights caucus, I never had a more dependable and reliable ally on any human rights issue than the gentleman from the State of New York. He passionately felt the plight and pain of people persecuted or discriminated against anywhere on the face of this planet, and his strong voice for human rights will be sorely missed.

I also want to join the gentleman from New York (Mr. GILMAN) and my friend the gentleman from California (Mr. DREIER) in expressing our best wishes to his very fine wife, who was a full partner and companion in all of his endeavors, and to all of his fine children. And I am sure on our side all of us deeply regret his departure.

Mr. DREIER. Mr. Speaker, I thank my friend for his contribution.

I would simply close this 1-minute, Mr. Speaker, by saying that I, too, extend best wishes to Freda and to all the members of the Solomon family. I had the opportunity to travel with the Solomons right into the district of my colleague, to Lake Placid, New York. I still am carrying the burden of that on my wrist, because he insured that I would go straight forward down the bobsled run, and I am still trying to recover from that. It took a while for me to have the guts to do it, but with my colleague pushing me on, I had no choice whatsoever but to go straight ahead in pursuing that.

I would say in closing, Mr. Speaker, that we will continue to hear from the gentleman from New York (Mr. SOLOMON). In the next week or so, I will be privileged to distribute to all of our colleagues a book on NATO expansion that he has just authored for the Center for Strategic and International Studies.

So the gentleman from New York is here. He is going to remain very active in this institution for the next several months, but we know that he will be retiring as the 106th Congress approaches. And I know everyone in this institution joins me in extending very best wishes and godspeed to our colleague and his family.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 5 p.m.

Accordingly (at 4 o'clock and 30 minutes p.m.), the House stood in recess until approximately 5 p.m.

□ 1702

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GIBBONS) at 5 o'clock and 2 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5, rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

House Concurrent Resolution 218, de novo;

Senate Concurrent Resolution 37, de novo; and

House Joint Resolution 102, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

CONCERNING AFGHANISTAN

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 218, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. BEREUTER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 218, as amended.

The question was taken.

Mr. GILMAN. 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 391, nays 1, not voting 40, as follows:

[Roll No 110]

YEAS—391

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Berry
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lowey
Lucas
Luther
Maloney (CT)
Manton
Manzullo
Markey

Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Mica
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanchez
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tauscher
Tauzin
Taylor (MS)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—40

Baesler
Barr
Bateman
Bilbray
Blunt
Christensen
Cook
Dixon
Engel
Ensign
Eshoo
Foley
Ganske
Gejdenson
Gonzalez
Goode
Greenwood
Harman
Hyde
Inglis
Jefferson
Lofgren
Maloney (NY)
Martinez
Meeks (NY)
Millender-McDonald
Poshard
Rangel
Riggs
Riley
Rohrabacher
Ryun
Sandlin
Serrano
Smith (OR)
Tanner
Taylor (NC)
Towns
Weldon (FL)
White

□ 1725

Mr. RUSH changed his vote from ''nay'' to ''yea.''

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. RILEY. Mr. Speaker, I was unavoidably detained for the vote on House Concurrent Resolution 218, a sense of Congress Regarding Afghanistan (Roll No. 110). Had I been present, I would have voted ''aye''.

PERSONAL EXPLANATION

Mr. MEEKS of New York. Mr. Speaker, on rollcall vote number 110 I was unavoidably detained. Had I been present, I would have voted aye.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GIBBONS). Pursuant to the provisions of clause 5, rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

SENSE OF CONGRESS REGARDING LITTLE LEAGUE BASEBALL

The SPEAKER pro tempore. The pending business is the question of suspending the rules and concurring in the Senate concurrent resolution, S. Con. Res. 37.

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and concur in the Senate concurrent resolution, S. Con. Res. 37.

The question was taken.

RECORDED VOTE

Mr. HUTCHINSON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 398, noes 0, not voting 34, as follows:

[Roll No. 111]

AYES—398

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Berry
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lowey
Lucas
Luther
Maloney (CT)
Manton
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanchez
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tauscher
Tauzin
Taylor (MS)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wise

Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOT VOTING—34

Baesler
Barr
Bateman
Bilbray
Blunt
Christensen
Cook
Dixon
Engel
Ensign
Eshoo
Foley
Gejdenson
Gekas
Gonzalez
Harman
Hyde
Inglis
Jefferson
Lofgren
Maloney (NY)
Martinez
Millender-McDonald
Poshard
Rangel
Riggs
Ryun
Sandlin
Serrano
Smith (OR)
Tanner
Taylor (NC)
Towns
White

□ 1736

The SPEAKER pro tempore (Mr. GIBBONS). So (two-thirds having voted in favor thereof) the rules were suspended, and the Senate concurrent resolution was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1745

PERSONAL EXPLANATION

Ms. LOFGREN. Mr. Speaker, United flight 52 was late from the West Coast; and I was, therefore, unavoidably absent on rollcalls 110 and 111. Had I been present, I would have voted aye.

PERSONAL EXPLANATION

Ms. ESHOO. Mr. Speaker, I, too, was on flight 52 from San Francisco to D.C., which landed late, unfortunately; and on rollcalls 110 and 111 I would have voted aye.

PERSONAL EXPLANATION

Ms. HARMAN. Mr. Speaker, on rollcalls 110 and 111 I, too, was delayed; and I would have voted aye.

SENSE OF CONGRESS ON 50TH ANNIVERSARY OF FOUNDING OF THE MODERN STATE OF ISRAEL

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the joint resolution, H.J. Res. 102.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the joint resolution, H.J. Res. 102, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were— yeas 402, nays 0, not voting 30, as follows:

[Roll No. 112]

YEAS—402

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Berry
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E.B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Manton
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanchez
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wise
Wolf
Wynn
Yates
Young (AK)
Young (FL)

NOT VOTING—30

Baesler
Barr
Bateman
Bilbray
Blunt
Christensen
Cook
Dixon
Engel
Foley
Gejdenson
Gonzalez
Hyde
Inglis
Jefferson
Maloney (NY)
Martinez
Millender-McDonald
Poshard
Radanovich
Rangel
Riggs
Ryun
Sandlin
Serrano
Smith (OR)
Taylor (NC)
Towns
White
Woolsey

□ 1746

So (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ENGEL. Mr. Speaker, I was necessarily absent during roll call votes 110, 111, and 112 because my flight from New York was delayed. If present, I would have voted 'aye' on roll call 110, 'aye' on roll call 111, and 'aye' on roll call 112.

PERSONAL EXPLANATION

Mr. TAYLOR of North Carolina. Mr. Speaker, due to transportation difficulties beyond my control, I was not present for the votes on H. Con. Res. 218, S. Con. Res. 37, and H.J. Res. 102.

Had I been present, I would have voted aye on H. Con. Res. 218 concerning the need to establish a cease fire in Afghanistan and begin the transition toward a broad based multi-ethnic government that observes international norms of behavior.

I would have also voted aye on S. Con. Res. 37 expressing the sense of the Congress that Little League Baseball Incorporated was established to support and develop little league baseball worldwide and that its international character and activities should be recognized.

Finally, I would have voted aye on H.J. Res. 102 expressing the sense of the Congress on the occasion of the 50th Anniversary of the founding of the modern state of Isreal.

PERSONAL EXPLANATION

Ms. MILLENDER-MCDONALD. Mr. Speaker, during roll call vote 110, 111, and 112, which is H. Con. Res. 218, S. Con. Res. 37, and H.J. Res. 102, I was unavoidably detained because my flight has just gotten in. Had I been present, I would have voted ''yes.''

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. GIBBONS). Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

EXCHANGE OF SPECIAL ORDER TIME

Mr. PAUL. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from North Carolina (Mr. JONES).

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

There was no objection.

THE BUBBLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

Mr. PAUL. Mr. Speaker, the big question is how history will play the current financial situation if all the great wealth accumulated in the last 10 years dissipates in a financial collapse.

According to an article in The New Republic, Greenspan is not only held in high esteem on Wall Street, he is seen as Godlike. One trader is quoted as saying, ''When things go well, I hold Greenspan's picture between my hands and say, thank you. When things go poorly, I also take the photo in my hands and pray.'' And he is not alone on Wall Street in heaping praise on Greenspan. This comes as close to idolatry as one can get.

Alan Greenspan took over the Fed a few months before the stock market crash of October, 1997. In the 10 years that Greenspan has headed the Fed, $2 trillion of new credit has been created as measured by M3. Banks threatened by bankruptcy in the early 1990s received generous assistance from the Fed policy of low interest rates and rapid credit expansion as a response to the recession of 1991. Fed fund rates were held at 3 percent for well over a year. This generous dose of Fed credit has fueled the 5-year superboom on Wall Street.

We are endlessly told no inflation exists. But inflation is strictly and always a monetary phenomenon and not something that can be measured by a government consumer or producer price index.

Even so, there currently is significant price inflation for the fancy homes throughout the country, especially in the New York and Connecticut areas influenced by the New York financial center. CEO compensation is astronomically high, while wages for the common man have been held in check. The cost of all entertainment is not cheap and rises constantly. Art prices are soaring, as is the price of tickets to athletic events. Buying stocks with a 1.8 percent dividend yield is not cheap. These prices are inflated. The cost of education, medicine, and general services are expensive and rising.

In spite of Government reports showing food prices are not rising, many constituents I talk to tell me food prices are always going up. It seems every family has difficulty compensating for the high cost of living and taxes are always inflating.

There is no doubt that many Americans know the salaries of the CEOs, athletes and entertainers are astronomically high. The wages of the average working man, though, has not kept up. Workers feel poorer and resentment grows.

Even with all of Wall Street's euphoria, Main Street still harbors deep concern for their financial condition and the future of the country. Many families continue to find it difficult to pay their bills, and personal bankruptcies are at a record high at 1,400,000 per year. Downsizing of our large corporations continue as many manufacturing jobs are sent overseas.

This current financial bubble started in mid-1982. At that time, the money supply, as measured by M3, was $2.4 trillion. Today it is over $5.5 trillion. That is a lot of inflation, and money supply growth is currently accelerating.

Although the money supply has been significantly increased in the past 16 years and financial prices as well as other prices have gone up, Government officials continue to try to reassure the American people that there is no inflation to worry about because price increases, as measured by the Government's CPI and PPI, are not significantly rising.

Stock prices, though, are greatly inflated. If we had an average valuation of the Dow Jones Industrials for the past 87 years, as measured by the PE ratios, the Dow would be a mere 4,100 today, not over 9,000. And the Dow would be much lower yet if we took the average price-to-dividend ratio or the price-to-book ratio.

The NASDAQ is now selling at 85 times earning. There is no doubt that most stock prices are grossly inflated and probably represent the greatest financial bubble known in history.

A lot of foreign money has been used to buy our stocks, one of the consequences of computer-age financial technology and innovations. Our negative trade balance allows foreign governments to accumulate large amounts of our treasury debt. This serves to dampen the bad effect of our monetary inflation on domestic prices, while providing reserves for foreign central banks to further expand their own credit.

Think of this: Money can be borrowed in Japan at Depression-era rates of 1 percent and then reinvested here in the United States either in more treasury debt earning 5 or 6 percent, or reinvested in our stock market, which is currently climbing at a 20 percent annualized rate. This sounds like a perfect deal for today's speculators, but there is nothing that guarantees this process will continue for much longer. Perfect situations never last forever.

Some of the euphoria that adds to the financial bubble on Wall Street and internationally is based on optimistic comments made by our government officials. Political leaders remind us time and again that our budget is balanced and the concern now is how to spend the excess. Nothing could be further from the truth, because all the money that is being used to offset the deficit comes from our trust funds.

In other words, it's comparable to a corporation stealing from its pension fund in order to show a better bottom line in its day-to-day operations. Government spending and deficits are not being brought under control. Tax rates are at historic highs, and all government taxation now consumes 50 percent of the gross national income.

It is now commonly believed that the East Asian financial crisis is having no impact on our economy. But it's too early to make that kind of an assessment. Our president remains popular, according to the polls, but what will it be like if there's any sign of economic weakness? There could then be a lot of ''piling on'' and finger pointing.

PROBLEMS AND VICTIMS

The basic cause of any financial bubble is the artificial creation of credit by a central bank (in this case our Federal Reserve). Artificially creating credit causes the currency to depreciate in value over time. It is important to understand the predictable economic problems that result from a depreciating currency:

1. In the early stages it is difficult to forecast exactly who will suffer and when.
2. Inflated currency and artificially low interest rates result in mal-investment that produces over capacity in one area or another.
3. Wealth generally transfers from the hands of the middle-class into the hands of the very wealthy. (The very poor receiving welfare gain a degree of protection, short of a total destruction of the currency.)
4. Prices indeed do go up, although which prices will go up is unpredictable, and the CPI and PPI can never be a dependable measurement of a monetary policy driven by loose credit.
5. The group that suffers the very most is the low-middle-income group (those willing to stay off welfare, yet unable to benefit from any transfer of wealth as stagnant wages fail to protect them from the ravages of the rising cost of living).

There are probably several reasons why this current economic boom has lasted longer than most others. The elimination of the Soviet threat has allowed a feeling of optimism not felt in many decades, and there has subsequently been tremendous optimism placed on potential economic development of many world markets in this age of relative peace.

There is also very poor understanding regarding economic interventionism, the system

most nations of the world accept today. Today's interventionism is not close to a free market. The great Austrian economist Ludwig von Mises consistently pointed out that interventionism always leads to a form of socialism, which then eliminates the apparent benefits of interventionism.

A good example of how interventionism leads to the destruction of a market can be seen in the recent tobacco fiasco. First, the tobacco industry accepted subsidies and protectionism to build a powerful and wealthy industry. Then, having conceded this ''nanny'' role to the government, Big Tobacco had no defense when it was held liable for illnesses that befell some of the willing users of tobacco products. Now, the current plan of super taxation on tobacco users will allow the politicians to bail out the individual farmers who may be injured by reduced use of tobacco products (destruction of the market). This half-trillion-dollar tax proposal hardly solves the problem.

Just as in the 1920's today's productivity has fooled some economists by keeping prices down on certain items. Certainly computer prices are down because the price of computer-power has dropped drastically, yet this should not be interpreted as an ''absence'' of inflation. Innovation has kept prices down in the computer industry, but it fails to do so when government becomes overly involved as it has in other technological areas, such as medical technology, where prices have gone up for services such as MRIs and CAT scans, not down.

LEARN FROM JAPAN

The most important thing to remember is that perceptions and economic conditions here can change rapidly, just as they did last summer in the East Asian countries with the bursting of their financial bubble. They are now in deep recession.

Even though Japan first recognized signs of difficulty nine years ago, their problems linger because they have not allowed the liquidation of debt, or the elimination of over capacity, or the adjustment for real estate prices that would occur if the market were permitted to operate free of government intervention. The U.S. did the same thing in the 1930s, and I suspect we will do exactly what Japan is doing once our problems become more pressing. With our own problems from the inflation of the last 15 years now becoming apparent, their only answer so far is to inflate even more.

In its effort to re-energize the economy, the Bank of Japan is increasing its reserves at a 51 percent rate. This may be the greatest effort to ''inflate'' and economy back to health in all of history. Japan has inflated over the years and will not permit a full correction of their mal-investment. The Bank of Japan is doing everything possible to inflate again, but even with interest rates below 1 percent there are few takers.

OECD measurements, the M1 and quasi-money have been increasing at greater than 20 percent per year in East Asia. In the United Stats, M3 has been increasing at 10 percent a year. It is estimated that this year the U.S. will have a $250 billion current account deficit—continued evidence of our ability to export our inflation.

We are now the world's greatest debtor, with an approximately $1 trillion debt to foreign nations. Although accumulation of our debt by foreign holders has leveled off, it has not dropped significantly. The peak occurred in mid-1997—today these holding are slightly lower.

THE CRUELEST TAX OF ALL

This process of deliberately depreciating a currency over time (inflation) causes a loss in purchasing power and is especially harmful to those individuals who save. AIER (American Institute for Economic Research) calculates that 100 million households since 1945 have lost $11.2 trillion in purchasing power. This comes out to $112,000 per household, or put another way, over 5 decades each one of these households lost $2,200 every year.

Although many households are feeling very wealthy today because their stock portfolios are more valuable, this can change rather rapidly in a crash. The big question is what does the future hold for the purchasing power of the dollar over the next 10 or 20 years?

THE END IN SIGHT?

Reassurance that all is well is a strategy found at the end of a boom cycle. Government revenues are higher than anticipated, and many are feeling richer than they are. The more inflated the stock market is as a consequence of credit creation, the less, reliable these markets are at predicting future economic events. Stock markets can be good predictors of the future, but the more speculative they become, the less likely it is the markets will reveal what the world will be like next year.

The business cycle—the boom-bust cycle of history—has not been repealed. The psychological element of trust in the money, politicians, and central bankers can permit financial bubbles to last longer, but policies can vary as well as perceptions, both being unpredictable.

CENTRAL BANKERS

The goal of central bankers has always been to gain ''benefit'' from the inflation they create, while preventing deflation and prolonging the boom as long as possible—a formidable task indeed. The more sophisticated and successful the central bankers are as technicians, the larger the bubble they create.

In recent years, central bankers have had greater ''success'' for several reasons. First, due to the age in which we live, internationalizing labor costs has been a great deal more convenient. It is much easier for companies to either shift labor from one country to another, or for the company itself to go to the area of the world that provides the cheapest labor. This has occurred with increased rapidity and ease over the past two decades.

Central bankers have also become more sophisticated in the balancing act between inflation and deflation. They are great technicians and are quite capable of interpreting events and striking a balance between these two horrors. This does not cancel out the basic flaw of a fiat currency; central bankers cannot replace the marketplace for determining interest rates and the proper amount of credit the economy needs.

Central bankers have also had the advantage of technological changes that increase productivity and also serve to keep down certain prices. It is true that we live in an information age, an age in which travel is done with ease and communication improvements are astounding. All of these events allow for a bigger bubble and a higher standards of living. Unfortunately this will not prove to be as sustainable as many hope.

THE PRICE OF GOLD

Another reason for the central bankers greater recent success is that they have been quite willing to cooperate with each other in propping up selected currency values and driving down others. They have cooperated vigorously in dumping or threatening to dump gold in order to keep the dollar price of gold in check. They are all very much aware that a soaring gold price would be a vote of no confidence for central-bank policy.

Washington goes along because it is furtively, but definitely, acknowledged there that a free-market, high gold price would send a bad signal worldwide about the world financial system. Therefore, every effort is made to keep the price of gold low for as long as possible. It's true the supply-siders have some interest in gold, but they are not talking about a gold standard, merely a price rule that encourages central-bank fixing of the price of gold. Most defenders of the free-enterprise system in Washington are Keynesians at heart and will not challenge interventionism on principle.

Instead of making sure that policy is correct, central bankers are much more interested in seeing that the gold-price message reflects confidence in the paper money. Thus gold has remained in the doldrums despite significant rising prices for silver, platinum, and palladium. However, be assured that even central banks cannot ''fix'' the price of gold forever. They tried this in the 1960's with the dumping of hundreds of millions of ounces of American gold in order to artificially prop up the dollar by keeping the gold price at $35/oz., but in August 1971 this effort was abandoned.

THE SOLUTION

The solution to all of this is not complex. But no effort is going to be made to correct the problems that have allowed our financial bubble to develop, because Alan Greenspan has been practically declared a god by more than one Wall Street guru. Because Alan Greenspan himself understands Austrian free-market economics and the gold standard, it is stunning to see him participate in the bubble when he, deep down inside, knows big problems lurk around the corner. Without the motivation to do something, not much is likely to happen to our monetary system in the near future.

It must be understood that politicians and the pressure of the special interests in Washington demand that the current policies of spending, deficits, artificially low interest rates and easy credit will not change. It took the complete demise of the Soviet-Communist system before change came there. But be forewarned: change came with a big economic bang not a whimper. Fortunately that event occurred without an armed revolution . . . so far. The amazingly sudden, economic events occurring in East Asia could still lead to some serious social and military disturbances in that region.

The key element to the financial system under which we are now living is the dollar. If confidence is lost in the dollar and a subsequent free-market price for gold develops, the whole financial system is threatened. Next year, with the European currency unit (ECU) coming on line, there could be some serious adjustments for the dollar. The success of the ECU is unpredictable, but now that they are indicating some gold will be held in reserve, it is possible that this currency will get off the ground.

NATIONALISM

However, I continue to have serious reservations regarding the ECU's long-term success, believing that the renewed nationalism within Europe will not permit the monetary unification of countries that have generally not trusted each other over the centuries. In Germany, 70 percent of the people oppose entering into this new monetary agreement. If economic problems worsen in Europe—currently the unemployment rate in Germany and France is 12 percent—the European union may well get blamed.

The issue of nationalism is something that cannot be ignored. Immediately after the collapse in East Asia, Malaysia began shipping out hundreds of immigrants from Indonesia as a reaction to their economic problems. Resentment in Germany, France, and England is growing toward workers from other countries.

The same sentiment exists here in the United States, but it's not quiet as bad at this particular time because our economy is doing better. But in the midst of a deep recession, the scapegoats will be found and alien workers will always be a target.

The greatest danger in a collapsing financial bubble is that the economic disruptions that follow might lead to political turmoil. Once serious economic problems develop, willingness to sacrifice political liberty is more likely, and the need for a more militant government is too often accepted by the majority.

No one has firmly assessed the Y2K problem, but it cannot bode well if a financial crisis comes near that time. Certainly a giant company like Citicorp and Travelers, who have recently merged, could really be hurt if the Y2K problem is real. Since the markets seem to be discounting this, I have yet to make up my own mind on how serious this problem is going to be.

WASHINGTON MENTALITY

Every politician I know in Washington is awestruck by Greenspan. The article in The New Republic reflects the way many Members of Congress feel about the ''success'' of Greenspan over the last ten years. Add to this the fact that there is no significant understanding of the Austrian business cycle in Washington, and the likelihood of adopting a solution to the pending crisis, based on such an understanding, is remote.

Liberals are heedless of the significance of monetary policy and its ill effects on the poor. They have no idea that the transfer of wealth from the poor to the rich occurs as a result of monetary policy and serves to hurt the very people they claim to represent. Liberals stick to the old cliché that all that's needed are more welfare benefits. They are, I'm sure, influenced by the fact that if more welfare benefits are handed out, they can count on the Federal Reserve to accommodate them. Unfortunately this will continue to motivate them to argue for a loose monetary policy.

The debate so often seems only to be who should get the expanded credit, the business-banking community or the welfare recipients who will receive it indirectly through the monetization of an ever-expanding government deficit. In Washington there is a craving for power and influence, and this motivates some a lot more than their public display of concern for helping the poor.

Whether it's Japan that tries to inflate their currency to get out of an economic problem, or the East Asian countries facing their crisis, or our willingness to bail out the IMF, resorting to monetary inflation is the only option being considered. We can rest assured that inflation is here to stay.

With daily pronouncements that inflation is dead, the stage is set for unlimited credit expansion whenever it becomes necessary. Just as deficit spending and massive budgets will continue, we can expect the falling value of the dollar, long term, to further undermine the economic and political stability of this country and the world.

Until we accept the free market principle that governments cannot create money out of thin air and that money must represent something of real value, we can anticipate a lot more confiscation of wealth through inflation.

INTRODUCTION OF THE INTERNATIONAL TOBACCO RESPONSIBILITY ACT OF 1998

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. DOGGETT) is recognized for 5 minutes.

Mr. DOGGETT. Mr. Speaker, today I am introducing the International Tobacco Responsibility Act of 1998, a bill to adopt a truly responsible policy on nicotine addiction.

With the recent forced disclosure of documents, we have learned, in the words of the tobacco companies themselves, the treachery they have engaged in in targeting America's children. Less well-known is the activity they have had around the world to addict the children of other countries.

Since 1990, while Philip Morris sales have risen by a little less than 5 percent here in the United States, they have grown by more than 80 percent abroad. Only last Thursday RJR Nabisco posted some bad news: They had about an 11 percent drop in their tobacco earnings. But the news was not all bleak. As the New York Times reported, the analysts said that the company's tobacco sales grew impressively in some areas like Romania, where they more than doubled. The analysts noted there was extremely good volume in market share growth in Eastern Europe and Russia.

The big tobacco companies that disavowed the settlement now, originally, when they entered that settlement, they knew they could pay any penalties they owed for what they did to our children by going and addicting children in someone else's backyard. I think that is wrong. If America is to be called a world leader, it must also lead in the battle to save the lives of young people around this planet.

Last year, this Congress took some constructive action when it adopted an amendment that I authored to an appropriations bill to stop the American taxpayer from having to be an unwilling accomplice in promoting the activities of these tobacco companies abroad by involving improperly, I think, and now it is against the law, the Trade Representative's office and our various consulates around the world.

□ 1800

Now we need to address this problem in a much more comprehensive way. And that is what this legislation does, recognizing that every year tobacco-related diseases kill 3 million people in this world, and if the trends continue, it is estimated that in the next 25 years we will be up to a level of 10 million deaths a year as a result of tobacco.

This legislation that I have introduced for myself and for a number of our colleagues in a bipartisan effort addresses five major areas. First, we seek to establish a worldwide code of conduct for U.S. tobacco companies. We basically are saying, do not market tobacco to children anywhere, and alert consumers to the dangers of your product everywhere. The Marlboro man has hardly vanished. He has just taken a trip around the world to a school or a youth-oriented magazine in someone else's country.

Last August, at the very time these high-paid, high-powered tobacco lobbyists were trooping around the Capitol asking us to endorse the settlement, one of these tobacco companies provided all-expense-paid vacations to Miami Beach for Latin-American reporters so that they could hear company representatives announce that restrictions on smoking and advertising were scientifically unsound. That is the kind of hypocrisy that we are dealing with. Two decades ago, the United States set a higher ethical standard with regard to bribery. We can do the same thing with regard to tobacco.

The second part of this bill is to strengthen last year's prohibition on our Government promoting tobacco abroad.

The third is to recognize that public health advocates around the world lack the resources to combat the very seductive practices perfected in addicting our children of these United States tobacco companies. And so it sets aside some revenues from any settlement to help establish an American Center on Global Health and Tobacco and to help fund efforts through the Department of Health and Human Services to discourage tobacco use worldwide.

A fourth issue is to address the matter of cigarette smuggling which is already going on and actually helps some of these companies open up new markets.

And finally, we encourage the involvement of the United States in an International Framework Convention on Tobacco Control. This convention would be similar to the international campaign to ban land mines, because we have a real mine here threatening the future of the children of this world. For our Government to allow companies to pay their debts at home by hooking children abroad to nicotine addiction and pushing them down the path to cancer, heart disease and emphysema would be an unprecedented act of hypocrisy.

After so much talk about a global tobacco settlement, it is time to pass

truly global legislation that will establish a responsible United States policy for addressing our country's long complicity in the export of death and disease.

EXCHANGE OF SPECIAL ORDER TIME

Mr. JONES. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Texas (Mr. PAUL).

The SPEAKER pro tempore (Mr. DEAL). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

NATIONAL DEFENSE AND STATE OF U.S. MILITARY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES. Mr. Speaker, I rise tonight to talk about national defense and the state of our military. It is a very important subject that does not seem to have received adequate attention lately.

In fact, the President this year devoted only one sentence in his entire State of the Union Address to the need to maintain a ready and modern force. Additionally, the President's 1999 budget proposes more than $100 billion in new domestic spending, but it fails to provide one dime in increased defense spending.

The administration's budget request for defense in 1999, therefore, represents the 14th consecutive year of real decline in defense spending. I personally do not believe this is the right policy for our Nation, and I know from talking to citizens in eastern North Carolina that they do not think so either.

My constituents, like so many people throughout America, realize that having a strong national defense has played a critical role in the history of our country and that now is no time to have a weakened military. Maintaining a ready and modern force is like insurance for our Nation. None of us would want to drive our cars without having car insurance in the event of an accident, but we seem to be denied that same protection to our national safety and freedom.

There is clear evidence that we no longer have the military to fight in two regions at the same time. Considering the real likelihood of this situation, I think it is past time that we take a serious look at protection we are denying ourselves. Once diminished, our forces cannot rebuild quickly, and they are, unfortunately, already 32 percent smaller than they were just 10 years ago.

We have such fine men and women in our military today, but they are constantly faced with budget cuts and shortages despite so many base closings. Our pilots are not receiving the flying time they need to be thoroughly prepared, and many are leaving the military at an alarming rate. All too often our troops do not have adequate equipment, and their morale is suffering.

I, for one, find this situation unacceptable. So many of our fellow countrymen have fought and sacrificed and even died so that we may have the freedoms we enjoy today. Yet we are, in effect, taking their bravery and sacrifices for granted by failing to adequately protect the safety and freedom they fought for.

The President has deployed over 25 times our forces during his tenure at a monetary cost that exceeds $13 billion, and yet he continues to cut their budget.

The 1999 defense budget request, when measured in constant dollars, represents the smallest defense budget since the beginning of the Korean War in 1950. I hope that, as we proceed with this year's appropriation process, my colleagues in this Congress would join me in the fight to stop this reckless depletion of our military.

In the name of freedom, let us once again provide our Armed Forces with the resources they need to fulfill their mission of protecting this Nation.

Mr. Speaker, may God bless America.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Guam (Mr. UNDERWOOD) is recognized for 5 minutes.

(Mr. UNDERWOOD addressed the House. His remarks will appear hereafter in the Exstensions of Remarks.)

SAVING SOCIAL SECURITY

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, there has been a lot of talk recently about what we are going to do to save Social Security. I would report to my colleagues this evening, Mr. Speaker, that today the Social Security trustees presented their new analysis of when Social Security is going broke; in other words, when there is going to be less money coming in from tax revenues than is required to pay current benefits.

That projection indicated that we have maybe a year, maybe 2 years' additional time before less is coming in than is needed to pay benefits. I think today is a day that we should all remind ourselves of the real problem of Social Security.

The estimate continues that the unfunded liability or the actuarial debt of Social Security is over $3 trillion. In other words, we would have to take $3 trillion today and put it in some kind of an investment fund to keep Social Security going for the next 75 years.

The problem that we are running into, Mr. Speaker, is the demographics of Social Security. Social Security is a pay-as-you-go program where existing workers pay in their taxes, and immediately those taxes are sent out to existing beneficiaries. Because of that and because demographics have changed in the last several years, there are fewer and fewer workers paying in taxes to support an increasing number of retirees.

Let me give my colleagues some examples of that changing demographics. In 1942 there were about 40 people working, paying in their Social Security tax for each retiree. By 1950 it got down to 17 workers working, paying in their Social Security tax for each retiree. Guess what it is today? Today, there are three people working, paying in their Social Security tax for each retiree. And the estimate is that by 2027 we will be down to two workers.

What has happened is there has been a decline in the birth rate after the so-called baby boomers. Then additionally, there has been an increase in the longevity or the length of time people are expected to live.

When we started Social Security in 1935, the average life span was 62 years old. So, therefore, since the retirement age was 65, that meant most people never lived long enough to collect anything from Social Security. Today the average life span at birth is 74 years old for a male and 76 years old for a female, but if one is I will use the word ''fortunate'' enough to reach retirement age 65, on the average, he or she will live another 20 years.

So what do we do about this pay-as-you-go system? How do we change it? The estimates are that there is going to be less money coming in as taxes than is needed for benefits as early as 2007 to 2013. Sometime in that time period, there is going to be less money coming in than is required to pay out benefits. The longer we delay in solving and coming up with a solution for Social Security, the more drastic that solution has to be.

I have the only bill that has been introduced in the United States House of Representatives that has been scored to keep Social Security solvent for the next hundred years. That is House bill H.R. 3082. But I also put in a companion bill a couple months ago, that is H.R. 3560, that says—in addition to keeping Social Security solvent for the young people and allowing them to own a private retirement investment account that bears money that if they die before age of retirement goes into their estate—this proposal says, ''let us start using some of the surplus money that is coming into the Federal Government.''

And we now expect the surplus this year, as we now define ''surplus'', to be upwards of $40- to $50 billion. So I say, let us start using some of that money to set up private investment retirement savings accounts for people that pay a FICA tax, for people that are working.

Let us not put off this problem simply but let us take advantage of today's current positive economy, with more jobs and higher pay in many cases, to create a Social Security program that preserves benefits for current retirees, and makes sure that future retirees have even more savings when they retire.

Mr. Speaker, let us do put Social Security first.

EXCHANGE OF SPECIAL ORDER TIME

Ms. CARSON. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Guam (Mr. UNDERWOOD).

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Indiana?

There was no objection.

TRIBUTE TO MARY FENDRICH HULMAN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Indiana (Ms. CARSON) is recognized for 5 minutes.

Ms. CARSON. Mr. Speaker, I rise today to pay tribute to a unique and great American. Mary Hulman was Chair of the board of directors of the Indianapolis Motor Speedway when she died 2 weeks ago at the age of 93.

Most Americans would not recognize her, but they heard Mary Hulman's voice many times over the years at the Indianapolis 500 when she commanded the drivers ''Gentlemen, start your engines.'' That may have been her highest-profile activity, but Mary Hulman was much more.

She was well-known for her generous philanthropic public service, even though she contributed with little fanfare. She was a major benefactor and board member of several organizations, including Rose-Hulman Institute of Technology, Saint Mary-of-the-Woods College, the Indianapolis Museum of Art and Swope Art Museum in Terre Haute. Ms. Hulman was steadfast in her devotion to her Catholic faith and her support for Catholic charities.

The Indianapolis Star said in an editorial that Mary Hulman always exemplified Jesus' teaching in the gospel of Matthew that giving should be done away from the blare of trumpets and the sight of men. She never sought recognition for her charity work and always looked for ways that she could do more.

□ 1815

Mary Hulman was born into a wealthy family but she never acted as though wealth was her birthright. She knew that much is expected from those who have received much. Over the years, Mary Hulman gave away much of her fortune. Her gifts included $3.5 million to the Indianapolis Museum of Art and $2 million to Indiana State University for a student union complex.

Her daughter's love of horses led Mary Hulman to give $629,000 to endow the Mari Hulman George School of Equine studies at St. Mary-in-the-Woods College. She also donated $500,000 needed to repair the college's science building.

Mary Hulman served on the development board of Wabash College and was active in the Public Health Nursing Association of Terre Haute. She also served on many agencies for the benefit of St. Anthony's Hospital in Terre Haute.

She was the granddaughter of Hermann Fendrich, a German immigrant and the founder of the LaFendrich Cigar Company. Her father took over the company and operated it until his death.

In 1926, Mary married Tony Hulman and lived in Terre Haute, where Tony was a well-known and prosperous businessman. Tony Hulman was the owner of the speedway for many years. Together he and Mary worked to keep the Indianapolis 500 the world's premier event in motor racing.

Legendary racer A.J. Foyt said that the new generation of racers will never know the struggles and hardship of Tony and Mary Hulman that they endured to make the speedway an international success. The Hulmans had taken Foyt in and given him food and a place to stay when he was a young man down on his luck. Mary was known for her kindness to new racers coming up through the ranks.

Mary Hulman thought her husband had bought a pig in a poke when in 1945 he acquired the speedway. But later she said, ''I was wrong.'' Last year Mary Hulman was inducted into the Speedway Hall of Fame.

St. Francis of Assisi said, ''When there is charity and wisdom, there is neither fear nor ignorance.'' Mary Hulman spent her life dispelling fear and ignorance through her support of education and charity to the less fortunate. Mary Hulman set an example for Americans in selflessness and sacrifice. The world is truly a better place for her 93 years of life.

Mr. Speaker, I include the following editorial from the Indianapolis Star on the life of Mary Hulman.

[From the Indianapolis Star, Apr. 14, 1998]

A GENTLE LADY

Matthew's Gospel counsels that charitable giving be done in quiet, away from the blare of trumpets and the sight of men: ''. . . let not thy left hand know what they right hand doeth.''

That advice characterized the generosity and spirit of Mary Fendrich Hulman, who committed her life to worthwhile causes yet managed to escape the spotlight that surround one of Indiana's richest and most prominent families.

The widow of longtime Speedway owner Tony Hulman died Friday at age 93. A Mass of Christian Burial will be at 12:05 p.m. today in St. Benedict Catholic Church, Terre Haute.

Although she shied away from publicity, Mrs. Hulman couldn't avoid the annual minute of global fame that accompanied the start of the Indy 500 when she issued the legendary command, ''Gentlemen, start your engines.'' It was a duty she assumed after her husband's death in 1977 and continued to take seriously even after her health began to fail a few years back.

Married to a millionaire businessman, Mrs. Hulman had philanthropic resources in her own right as the granddaughter of Hermann Fendrich, a German immigrant who founded LaFendrich Cigar Co. A patron of the arts, Mrs. Hulman was a trustee of the Indianapolis Museum of Art and a member of the board of overseers of Terre Haute's Swope Art Museum.

Her financial contributions to museum, church and higher education institutions were innumerable. Her faith and love of the Catholic Church were unmistakable.

''Always gracious and unassuming, she quietly provided assistance for the museum's ongoing programs and for projects she knew would benefit the community and the state,'' noted Richard Wood, chairman of the board of governors of the Indianapolis Museum of Art.

Mrs. Hulman was an important figure in the racing world and remembered for her hospitality to drivers and their families. In 1997, she was inducted into the Speedway Hall of Fame along with two-time Indy winner Gordon Johncock.

But her role in this community far exceeded just being the wife of a very famous man. Her commitment to community leaves a legacy that rivals the motorsports legacy left by her late husband.

WARNINGS OF A FAILED DECENNIAL CENSUS

The SPEAKER pro tempore (Mr. DEAL of Georgia). Under a previous order of the House, the gentleman from Florida (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Speaker, yesterday the Los Angeles Times ran a story about a census in California. But the story had nothing to do with the Census 2000 dress rehearsal going on now in Sacramento. It concerned a census conducted by the Los Angeles County Department of Public Works, a census that counts bats. That is right, bats. On May 17, a team of biologists and a couple of dozen volunteers will try to count every bat living underneath three wooden bridges in Topanga Canyon in California. Let me quote from the article:

> Census takers, who range in age from 7 to 70, will each be assigned a section of a bridge. With a Tally Wacker in hand, a clicker used to count quickly with the thumb, they will attempt to count the bats as they emerge from their roosts at dusk. Participants will ''have to be in place, sitting very quietly before dusk, so they don't disturb the bats,'' says biologist Rosi Dagit. Dagit says bats are very sensitive to noise and won't fly if they suspect they are being watched by humans.

The article concludes: ''Census takers will have to be fast.''

Mr. Speaker, as chairman of the Subcommittee on the Census, I am tempted here to start making jokes about the batty census the Clinton Administration wants to conduct in the year 2000 using statistical sampling, but I will refrain. I will just say that if we can put that much effort into actually counting bats, I think it is a good

lighthearted example to show that let us just count all Americans when we do the census in the year 2000.

Mr. Speaker, let me talk about a more serious subject, and that is the continued stonewalling by the Clinton Administration regarding the 2000 census. The latest example is the Census Monitoring Board. Last year Congress and the Administration agreed to appoint a new oversight board. The agreement was for four congressional appointments and four White House appointments.

Speaker GINGRICH and Majority Leader LOTT made their appointments in February. But the board members have not been able to hire staff and start oversight because the White House took its own sweet time in making appointments. In fact, I had to send a letter on Friday to get the White House to finally follow through with the appointments last night. I would like to submit my letter for the RECORD.

The text of the letter is as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES, COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT,
Washington, DC, April 24, 1998.

Hon. WILLIAM J. CLINTON,
President of the United States, The White House, Washington, DC.

DEAR MR. PRESIDENT: I am writing to express my extreme disappointment with the apparent lack of serious interest your Administration is displaying towards the oversight of the 2000 Census.

You are required pursuant to §210 of Public Law 105–119, the Departments of Commerce, Justice, and State Appropriations Act of 1998, to appoint four members to the Census Monitoring Board to observe and monitor all aspects of the preparation and implementation of the 2000 decennial census. These appointments were due to be made within 60 days of the enactment of P.L. 105–119, which you signed into law on November 26, 1997.

On April 6, 1998, The White House Office of the Press Secretary released a two-page document which stated: ''The President today appointed Tony Coehlo, Dr. Everett M. Ehrlich, Gilbert F. Casellas, and Lorraine Green as members of the U.S. Census Monitoring Board.'' I have attached a copy of this announcement for your reference. The news of the appointment of these individuals was subsequently widely reported by a substantial number of news organizations.

Several times after this April 6th announcement, including as recently as today, my staff and counsels have reported to me that in numerous telephone conversations, both the Office of the Executive Clerk and the Office of Presidential Personnel have denied to them that you have officially appointed either these or any other individuals to the Census Monitoring Board. Congressional Census Monitoring Board Co-Chairman J. Kenneth Blackwell has also been told that no appointments have been made, frustrating his efforts to convene a meeting of the Board to begin their work. These statements are in direct contradiction to your earlier announcement.

You can understand my frustration at this startling turn of events. It is completely irresponsible for the Administration to further delay the first meeting of the Board, since you are undoubtedly aware that the Board must first meet and approve its ground rules before oversight activities can begin and professional staff can be hired. Thus, every day you delay in making your appointments, you effectively stonewall independent oversight and review of the 2000 census.

The mixed and conflicting messages from your Administration on the Board appointments create the appearance of an attempt to delay or prevent oversight of the controversial Census 2000 plan. The Commerce Department Inspector General and the General Accounting Office have repeatedly warned us that the decennial census is at high risk for failure. The critical Census Dress Rehearsal began on April 18th, yet the Board is unable to perform any oversight until your appointments have been made. I would hope you agree with me that without this intensive oversight by the Board, the American people cannot have confidence that the demonstrations of the Bureau's complicated and complex statistical methodologies have been done in an open and fair environment.

The American people deserve a census that is honest and reliable. This latest episode increases the risk of a failed census in 2000, one which will cost taxpayers billions and produce worthless results. I strongly urge you to immediately rectify this situation by confirming your appointments to the Census Monitoring Board and allowing them to get on with the very serious work that await them.

Sincerely,

DAN MILLER,
Chairman, Subcommittee on the Census.

P.S. I strongly urge you to also move quickly to nominate a new Director of the Census Bureau.

After receiving the letter we heard last night that the President finally made his appointments.

Mr. Speaker, I should not have to send letters to the White House to get the President to comply with the law. The mere fact that the letter had to be sent reflects poorly on the White House. The fact that the dress rehearsal has already started before the President made his appointments reflects poorly on the White House. Reports that the co-chairman, Tony Coehlo, is planning on leaving the country before the board has a chance to meet reflects poorly on the White House.

Fairly or unfairly, the cavalier attitude from the Clinton Administration creates the appearance of an attempt to delay or prevent oversight of the controversial 2000 census plan. The Commerce Department's Inspector General and the General Accounting Office have repeatedly warned us that the decennial census is at a high risk for failure.

The critical census dress rehearsals began on April 18, yet the board has been unable to perform any oversight. Without this intensive oversight by the board, the American people cannot be confident that the demonstrations of the Bureau's complicated and complex statistical methodologies have been done in an open and fair environment.

Now we have strong signals that the stonewalling will continue. My friend and respected colleague from New York, the ranking member of the subcommittee, is suggesting hiring practices for the oversight board. Despite the fact that the law says that, ''the board may appoint and fix the pay of such additional personnel as the executive director for each of the two parts of the group considers appropriate,'' there is now a suggestion that both sides have to approve the hiring of each other's persons. That is just outrageous. I do not tell the minority what staff to hire and they do not tell the majority what staff to hire. To propose that is just outrageous.

Unfortunately, the helpful suggestions of the minority do not stop there. They go on to demand that employees of the board be forbidden to do any work unless both sides approve, that the expenditure of any funds by the board be forbidden unless both sides approve, crippling their ability to do even simple things like traveling and cutting monthly paychecks. And, most shockingly of all, they demand that board members and employees forfeit their constitutional right to free speech while in the employment of the board.

Mr. Coehlo certainly does not need the advice of congressional Democrats on how to stonewall oversight, so my Democratic colleagues should not be concerned with trying to interfere with the oversight board's activities and dictate their rules.

Once again this strikes me more as an attempt to delay oversight. Rather than getting down to serious oversight, the Democrats now want to fight about hiring a staff and play games with the rules. That of course will take time, time that we do not have because the White House took so long to appoint its board members. I understand the game that is being played, and frankly it is sad.

The American people deserve a census that is honest and reliable. This ongoing saga of the delay at the oversight board increases the risk of a failed census in 2000, a census which will cost taxpayers billions and produce worthless results. I strongly urge the President to take the warnings of a failed census seriously and direct his administration to start cooperating and listening to Congress.

IN SUPPORT OF RESOLUTION ON OCCASION OF 50TH ANNIVERSARY OF FOUNDING OF MODERN STATE OF ISRAEL

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, I rise in support of House Joint Resolution 102, expressing the sense of Congress on the occasion of the 50th anniversary of the founding of the modern state of Israel and reaffirming the bonds of friendship and cooperation between the United States and Israel.

I would like to particularly acknowledge the Jewish community in Houston and thank them for giving to Houston and Houston school children the wonderful Holocaust Museum located in

Houston, TX which has provided so many with an opportunity to understand the life and legacy of so many of our Jewish community and as well the history of Israel.

I would also like to acknowledge special friends like the late Jerry Ribnik, someone who has lived his life in fostering good relations, human relations and communication between those of the Jewish community and the larger community, and particularly for his support of Israel.

Likewise, I would like to add my appreciation and support for Vic Samuels, the editor of the Jewish Herald Voice, a paper that for many years has given to Houston the value of its insight and understanding of the issues dealing with Israel and the issues in general of the Jewish community.

I would also like to thank the late Karen Susman, who worked so very hard with the Anti-Defamation League. Many were able to see the light through Karen's eyes; we thank her. With her recent passing, I wanted her family and friends to know how much her contributions impacted all of us and helped to foster relationships between the Jewish community and the larger community.

Then I would also like to commend Melvin and Freda Dow whose combined leadership of AIPAC did so much in adding to the national recognition of the friendship between Israel and the United States.

It is important as well to recognize the many community associations and organizations like Houston's local chapter of the American Jewish Federation, the local chapter of the Anti-Defamation League and, as I mentioned earlier, the Jewish Herald Voice newspaper. All have contributed to fostering greater understanding and friendship in Houston and added to our appreciation of the importance of Israel to our Nation and yes, to our city, the City of Houston.

A milestone in world history was reached on November 29, 1947, when the United Nations General Assembly voted to assist in the creation of the state of Israel. The people of the United States began a long history with the modern state of Israel on May 14, 1948 when the people of Israel proclaimed the establishment of the sovereign and independent state of Israel and the United States Government established full diplomatic relations with Israel. This relationship has been fostered by a mutual appreciation for democratic values, common strategic interests and moral bonds of friendship and mutual respect.

The establishment of a modern state of Israel as a homeland for the Jews followed the murder of more than 6 million European Jews during the Holocaust. This tragic chapter in world history will never be forgotten, and the establishment of a modern state of Israel in no way relieves those responsible for that terrible crime.

This jubilee year for the state of Israel is one that the United States and the world can join in to celebrate together. The people of Israel have established a vibrant and functioning pluralistic democratic political system including freedom of speech, a free press, free and open elections, the rule of law, and other important democratic principles and practices.

I would like to offer my thanks and appreciation to the people of Israel for their efforts in maintaining a democratic government and the strengthening of the relationship with the United States as each Nation moves toward the dawn of a new century. I wish all of Israel and its people a prosperous future, and I believe that the next 50 years will be as successful as the last. Best wishes to all of you on the 50th anniversary of the modern state of Israel.

IN HONOR OF TOM ARCHER AND LARRY WALSH, VOLUNTEER FIREFIGHTERS FELLED IN THE LINE OF DUTY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa (Mr. LATHAM) is recognized for 5 minutes.

Mr. LATHAM. Mr. Speaker, I rise today to honor two fallen heroes from Albert City, Iowa. Tom Archer and Larry Walsh, both volunteer firefighters with the Albert City Fire Department, were taken from us in the line of duty on April 9. They were fighting a propane tank fire when an unexpected and horrific explosion claimed their lives. The explosion also injured six other firefighters and a deputy sheriff.

Both of these men were true heroes in every sense of the word. Between them they had served for nearly 30 years as volunteer firefighters to protect the lives and the property of their neighbors, their families and their communities.

Larry Walsh and Tom Archer volunteered because they cared. They volunteered because they cared enough to risk their lives whenever called upon. They volunteered because they cared enough to interrupt their jobs, their meals and their precious time with their families. They volunteered because they cared about protecting the property, the safety and the lives of their neighbors in times of need, a need that could have arisen at any time in the day or night or any day of the year.

Tom Archer and Larry Walsh were two of the Nation's finest volunteer firefighters, a group of men and women who inspire so many by the brave actions they take in and for their communities.

□ 1830

Volunteer firefighters are uniquely small town and rural American. They provide a quality protection that their communities would never be able to afford without their dedication.

This evening, I am asking that all Americans take a moment to remember Tom Archer, his wife Kelly, and their 2 children, Cody and Tanner, and to remember Larry Walsh, his wife Valerie, their four children, Angela, Lindsey, Jason and Shannon, in our prayers. May we remember Tom Archer and Larry Walsh in our hearts as fathers, husbands and two of America's greatest heroes. May they rest in peace in God's hands.

Mr. Speaker, I yield to the Chairman of the Congressional Fire and EMS Caucus, the gentleman from Pennsylvania (Mr. WELDON).

Mr. WELDON of Pennsylvania. Mr. Speaker, I thank my colleague for yielding; and I just want to join him and thank him for his eloquent statement on behalf of these two brave Americans and to extend my deepest sympathies to their families along with the gentleman from Iowa.

Let me state, Mr. Speaker, each year, unfortunately, we have a hundred incidents of this type across this Nation, where there is no other volunteer occupation in America where, each year, 100 brave Americans lose their lives and they are torn from their families as we have with the American volunteer fire service. It is another example of where we have people selflessly providing support to protect our families and our neighborhoods, and it is all the more reason why in this terrible tragedy in Iowa we should recommit ourselves as an institution to try to lessen the amount of loss of life that we have not in just these brave Americans but from those people they are trying to save.

I join with my friend and colleague, and I would reiterate that on Thursday, Mr. Speaker, we will be joined by some 2,000 of these leaders from across the country to talk about the kind of needs that would better prepare men like Tom and Larry to deal with these terrible disasters that they face every day in their communities.

Right outside of the House Chambers will be a massive display of support for the men and women of the American Fire Service, both paid and volunteers, asking this Congress and this administration to finally listen, to provide not just training but resources, communications equipment, support for preplanning that does not exist now so that we do not keep having to come down to the well to pay tribute to brave Americans like Tom Archer and Larry Walsh.

Let me say in closing, Mr. Speaker, as we in this country look for heroes we do not have to look to Hollywood, and we do not have to look to our athletic figures. We do not have to look to our politicians. We can look to those men and women across this country, 1.2 million of them in 32,000 organizations and departments just like the one that Tom and Larry belonged to who, day in and day out, protect America. And they do not do it for the pay. They do not do it for the recognition. They do it because it is the right thing to do for their community and for their country.

I join with my friend, and I thank him for his tireless efforts on behalf of

the American Fire Service and in paying tribute to these two great Americans.

Mr. LATHAM. Mr. Speaker, I thank the gentleman very much for his excellent statement.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. STRICKLAND) is recognized for 5 minutes.

(Mr. STRICKLAND addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

TRIBUTE TO DENNIS YARBOROUGH, KIRTLAND, OHIO'S CHIEF OF POLICE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. LATOURETTE) is recognized for 5 minutes.

Mr. LATOURETTE. Mr. Speaker, before I had the pleasure of serving as a Member of Congress, I was a prosecuting attorney in Ohio. And while I prosecuted thousands of cases and saw many defendants in court, there was one in 1990 that was notorious; and the facts of the case do not matter; and the defendants, who are all in prison, really do not matter. But what does matter is that that case, because of its notoriety, gave me the things that those of us in public life need to be successful: name recognition, approval ratings. But, more than that, it gave me a friend for life, Chief Dennis Yarborough of the Kirtland Police Department.

Chief Yarborough served in the special forces posted at the White House. He was a highway patrolman in Pennsylvania, and he served as a deputy sheriff before coming home to his beloved Kirtland, where he served as chief of police for 19 years.

Kirtland, Ohio, is a beautiful town. It is a city of faith, it is a city of trees, many churches. It is the home, and those of the Mormon faith will know Joseph Smith stopped in his travels in Kirtland, Ohio, and built the Kirtland Temple. It is a city of good people, and it is a place that Dennis very much loved.

The last case in this series of cases, because of the pretrial publicity, was transferred hundreds of miles from our home; and Dennis and I lived for weeks at a time in 1990 out of our suitcases. And although it prepared me for this life, I have to say that I do not enjoy living out of a suitcase any more today than I did then.

But we did have the chance, when we had dinner at the end of the day or when we had breakfast before going to the courthouse in the morning, to talk; and, just like here, it is good to not talk always about legislation and things political. It was good not to talk about the case all the time.

Dennis' conversation always focused on three things. It focused on the community, Kirtland, where he grew up, a city that he loved, a place that he very much wanted to serve and protect; and it was obvious today at his funeral, Mr. Speaker, that the City of Kirtland loved him. As we left the driveway of the church, men, women and children lined the street and waved goodbye to their beloved chief. Store merchants put signs on their marquees thanking him for his 19 years of service and saying goodbye.

He talked about his children, Jim and Marcy, and how proud that he was to have been able to participate in the raising of such fine, fine Americans and how he was glad that if he had done nothing else on Earth he was able to provide two young people with a good start in life so that they could be proud Americans as well.

And, lastly, he talked about his wife Gail, his wife Gail whom he had been with since they were 12 years old. As a matter of fact, in our hotel in Toledo the chief had never been away from his wife for an extended period of time, and he could not sleep. So he would get up in the middle of the night, and he would walk the halls of the hotel, and that is how he passed his time.

Today, not only Kirtland, Ohio, but the United States and certainly the area that I represent lost a great man. On Thursday last, while jogging, another one of his passions, he collapsed and died of a heart attack.

Tonight, Mr. Speaker, Dennis Yarborough, Chief Dennis Yarborough of the Kirtland Police Department, I believe is in God's arms. And I also pray this evening that the good Lord watches over his family, Gail and James and Marcy; and I know that this country, my district, Kirtland, Ohio, is better for the fact that Dennis Yarborough came their way.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Connecticut (Ms. DELAURO) is recognized for 5 minutes.

(Ms. DELAURO addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

MEETING THE NEEDS OF OUR MILITARY

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. Mr. Speaker, this week we begin the annual process of marking up our defense bills. These are the largest bills that we enact in this Congress each year and, perhaps, I would argue, the most important.

Unfortunately, we are facing an impossible situation. The only major area of Federal spending where this administration has actually cut has been in the area of national security. All other Federal agencies have either remained stagnant or they have received slight increases. In fact, this is the twelfth consecutive year of defense cuts. Some would say, well, we are still spending more money on the military, but the facts all prove otherwise.

In John Kennedy's era, a time of relative peace after Korea and before Vietnam, we were spending 52 cents of every Federal tax dollar on the military. This year, we are spending 15 cents on the military. In John Kennedy's era, we spent 9 percent of our country's gross national product on defense. This year, it is 2.9 percent.

And back in John Kennedy's era, Mr. Speaker, we had a draft where young people were taken out of high school and they were forced to serve the country and then they served for 2 years and left the service of the Nation. Today, we have an all-volunteer force, well-paid, families, children, education costs, housing costs. So quality of life is a much larger portion of that smaller amount of money that we spend on defense. Our job is to try to meet the needs of our military in a very difficult budget environment.

Now added to this problem of decreasing defense assets is the fact that, over the past 6 years under this President, we have had our troops deployed 25 times around the world at home and abroad. Now that compares to 10 deployments in the previous 40 years. Twenty-five deployments in 6 years versus 10 deployments in the previous 40 years. And the problem, Mr. Speaker, is none of these 25 deployments were budgeted for, none of these 25 deployments were paid for.

So in spite of the dramatically declining defense budgets, we have added up an additional $15 billion that was not planned for that had to come out of defense programs. So we have had an additional cut of $15 billion below the authorized budget amount.

The problem, Mr. Speaker, is, in the case of Bosnia, we are spending $9.42 billion on the Bosnian operation. It is not that we do not think we have a role for the U.S. in Bosnia, but what is being said in this body and the other body is, why should America go it alone? Why did we put 36,000 troops in Bosnia when the Germans right next door only put 4,000 troops in that theater? Why are we always asked to foot the bill for these deployments that are so important for regional and global security?

After all, President Bush in Desert Storm got the allied nations to reimburse the U.S. $53 billion for the costs of Desert Storm which were $52 billion. Under this administration, we have had no reimbursements; and the $15 billion of contingency costs have all come out of an already strapped defense budget.

I raise this issue, Mr. Speaker, because we are in for tough times as we approach the 21st century. We cannot continue to meet the needs of our troops under the type of robust commitments that this President has made for the men and women of America's military. We need to understand the sacrifice, and we need to understand that we need to stop the continuing drain of defense dollars that are so necessary to provide the support for these brave men and women.

We also must fund the emerging threats that we see arising. Missile capabilities around the world are coming up. Iran, Iraq are now developing medium-range missiles that North Korea already has.

Tomorrow, Mr. Speaker, I would ask our colleagues to join us on the Rayburn Triangle where we will unveil one of the Army's newest programs called THAAD, along with a Scud missile, a 40-foot-long missile that was used by Saddam 7 years ago to kill 28 young Americans in Saudi Arabia. This new Army system that we are desperately tying to fund in this difficult budget environment is designed to meet that threat in the 21st century.

I urge our colleagues to join the Army and the Ballistic Missile Defense Organization in seeing firsthand the kind of technology that we are trying to produce in this very difficult budget environment.

A NEW NATIONAL GOAL: ADVANCEMENT OF GLOBAL HEALTH

The SPEAKER pro tempore (Mr. DEAL of Massachusetts). Under the Speaker's announced policy of January 7, 1997, the gentleman from Pennsylvania (Mr. GEKAS) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. GEKAS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on the subject of this particular special order.

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

There was no objection.

Mr. GEKAS. Mr. Speaker, this special order is centered around our effort to double the appropriations, to double the funding, as it were, of the National Institutes of Health over the next 5 years.

I have for a long time appreciated the special efforts made by our scientists, researchers across the country, as have all Members of Congress as we see new, spectacular advances made in research and development of technologies, new ways to cure age-old diseases, those that have scourged the earth for all these years, and new ways of treating people who have reached older age, how to treat infant deaths and the scourge of handicaps that are across the land.

All these research methods and scientific methodologies have blossomed over the last several years to such an extent that we feel confident that to redouble, using those words advisedly, the effort on the part of our entire society will benefit that society in a million different ways.

Pursuant to that, back in November of last year I introduced H.R. 2889. Now this bill would have created and still is extent and could create, if passed, a national commission for the new national goal, that goal being the advancement of global health.

Mr. Speaker, the 20th century saw a goal for the United States thrust upon it.

□ 1845

Our country was designated the role in this entire global conflict that we witnessed during the 20th century of preserving democracy, of repelling total totalitarianism in all of its forms, and advancing the cause of democracy throughout the world. We did that in responding to World War I, and we did magnificently for the sake of preserving Europe; in World War II to preserve the world on every side of the planet, as it were. Since then, in all of the skirmishes and battles and conflicts that have occurred, including Korea and Vietnam and Desert Shield, Desert Storm later, Panama, Grenada, one names it, Bosnia today, the 20th century saw the United States emerge as the saviour of democracy and the proponent, the chief proponent, of democracy. So we met our goal to repel totalitarianism and to preserve democracy.

Now, what should be the goal of the next century, of the 21st century? My legislation calls for the establishment of a commission to determine that the goal for our country should be to eradicate disease from the face of the earth.

Now, this is a great humanitarian goal implicit in the language that I just used, to eradicate disease from the face of the earth, but it also carries with it an enlightened self-interest for our country. Since our country leads the world in pharmaceuticals and research, in development of technologies and biomedical advancements, in biotechnical concepts, in all of the science that is required to hone in on the eradication of disease, not only will we be steadily moving towards the goal of preventing and eradicating disease, but at the same time we will fashion a new leadership, economic worldwide leadership, for our country in producing the wherewithal by which to eradicate those diseases. What that means is more jobs, more enterprise, more prosperity, while helping save humanity from the ravages of the diseases in every corner of the world that too often are unattended.

So what this Special Order here tonight does, it fits splendidly into the goal, the vision that I see for the 21st century. Our message tonight is that now is the time to double, we say to double the appropriations, the funding mechanisms for the National Institutes of Health, which, after all, are the bulwark of all the research and the development that is required to meet these visions that we have of combating disease.

Mr. Speaker, if we relegate funding to the National Institutes of Health of something like 15 percent, to increase the funding for the next 5 years at 15 percent per annum, we would be doubling the number of dollars now being spent for that magnificent institution that provides so much benefit to mankind, the National Institutes of Health.

For instance, right now we spend about $14 billion. We would go up to $28 billion, or the doubling about which we speak, by the year 2003. Now, we have been averaging about a 7 percent increase each year. I understand that this year the President offered a 9 percent increase; the Senate version of the proposals would probably be about 11 percent, and we hope that we can do a little better than that and meet the first leg, the first test of trying to double it by getting up to 15 percent. If we do so, then we will see tremendous momentum build up so that we can accelerate the rate and the breadth of the research that is required to meet that vision of eradication of disease among the citizens of the world.

The other feature of what we are doing here is that we did not come up with this idea about the worthwhileness of the National Institutes of Health just simply by saying it. About 5 or 6 years ago we established the Biomedical Research Caucus here in the House of Representatives.

The gentleman from Alabama (Mr. CALLAHAN), the gentlewoman from California (Ms. PELOSI), the gentleman from Massachusetts (Mr. KENNEDY) and myself are the current cochairs of that Biomedical Research Caucus. We have had over 60 or so special lectures by the most advanced scientists that we could muster as our lecturers to bring us up to date on the various progresses made by the National Institutes of Health. Among them have been about a dozen Nobel Prize winners in their particular field.

So you name the disease, Mr. Speaker, and I will name a lecturer, renowned lecturer, who has appeared in these very halls of the House of Representatives to give us an update on those diseases. Arthritis, AIDS, women's breast cancer, multiple sclerosis, Parkinson's disease, you name it. I challenge you and I will tell you, not only did we have a luncheon on it, I can even tell you the menu for the luncheon, but also who was the guest speaker and who brought us up-to-date on these developments. In every single case, cloning, new technologies, we even had the people from the space program come to tell us the advancements that were made by reason of space research in these very same scientific methodologies about which we speak.

Now, what is the purpose of all of these things? To bring us up to date to these diseases, but also to give incentives to Members of the House to redouble their efforts to bring about solutions and treatments for the various diseases about which we speak. I must tell my colleagues that in many of these cases, just around the corner lies the final solution to a lot of these archaic diseases that have plagued us for so long.

Now, how do we do this? I have colleagues here who are ready to speak on these subjects. I will yield to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Speaker, I thank my colleague from Pennsylvania (Mr.

GEKAS), and I am honored to be here on this Special Order to help him with the endorsement of accelerated funding for the NIH.

As chairman, cochairman with the gentleman from Texas (Mr. GREEN), of the Genetic Privacy and Health Records Task Force of the Committee on Commerce, I can fully understand and appreciate the gentleman's feelings about accelerating the funding for NIH.

It is interesting that when I came to Congress, we were spending almost $18 billion a year for foreign aid, and if anybody said, well, why are we spending so much money for foreign aid, yet we are spending so little for the NIH, I think we have been forceful in trying to get more money for NIH, but we still have a long way to go.

As the gentleman from Pennsylvania (Mr. GEKAS) mentioned, we are now at $14 billion a year. One says, well, that sounds like a lot of money, but when we think of the kinds of things it can do for all Americans and for all of humanity, this is not enough money, and I think so much could be done.

I would like to just, for example, take my colleagues into the area I am familiar with, and that is taking advantage of some of the new opportunities in genetic engineering. For example, as we end this millennium, we will have completed a program to map and identify the entire human genome, but we will not have begun to access this new information. As my colleagues may be aware, I have been working on this legislation before the Committee on Commerce to ensure protective measures for genetic privacy to individuals so that we can move forward with these new technologies for all of our mutual benefits.

But where is this technology occurring? It is occurring at the National Institutes of Health. In the new area of NIH research opportunities, genetics is one of the most exciting and promising developments in molecular medicine. Once the map of the normal function of human genes is made available within the next few years, we will then, Mr. Speaker, be able to make comparisons with our own unique genetic blueprint. This will herald in a whole new era of computer collaboration with molecular medicine to develop a DNA chip, transferring the functions of human genome to a computer chip to be run for comparison for diagnostic and treatment purposes against our own genetic map. I mean, that is an enormous endeavor. It is going to require a lot of research.

The NIH is on the leading edge of doing this, and we need to fund that project, because the ultimate guarantee for all of us is better health by this DNA chip in transferring the function of the human genome to a computer chip so that we can run these comparisons to find out what particular genes are defective or what particular genes provide a predisposition for any of us for certain diseases.

The software and hardware that will be needed to be developed by the cooperative efforts of genome biologists, mathematicians and engineers to make the new field of genetics a reality will require this increased funding for the NIH. So again, I think it is a good case for all Members to be down here on the House floor to argue forcibly the need for increased funding for the NIH.

I think when we talk about funding for the NIH, we perhaps should put it into human terms, and I want to give my colleagues a case example of where this study, this research, has benefited all of us. The first debate in medical circles in the late 1960s and early 1970s was about the role of cholesterol in heart disease. Many scientists reasoned that a high-fat diet clogged the arteries and must surely contribute to heart attacks and strokes. Others argued that because so many Americans who dined on high-fat foods had apparently healthy hearts, cholesterol might just be sort of a wrong, a scapegoat.

Two physician scientists, Michael Brown and Joseph Goldstein of the University of Texas Southwestern Medical Center of Dallas, were treating children at the time, and this is interesting, who had heart attacks before the age of 10. Now, they discovered that the kids' arteries were as full of cholesterol deposits as those of a 50-year-old beef-eating man. Soon they identified the gene that controls special receptors on the surface of the liver, and other body cells, that removed the bad cholesterol before it has a chance to wreak havoc in blood vessels. None of the children with early heart disease had the gene needed to break down the bad cholesterol. So in 1985, Dr. Brown and Dr. Goldstein won the Lasker Award for discovering the mechanism that controlled cholesterol metabolism, and that same year they shared the Nobel Prize.

So that is an example of just simply scientists having the time and energy, working through the National Institutes of Health, through the grants, are able to solve some of the major problems.

I would like to identify another case example by Judah Folkman who generated a new approach to treating cancer that is directed not at the cancer cell itself, but at blood vessels that feed tumors. The cells that line blood vessels put out a host of proteins or growth factors to which tumors are attracted. If the tumors are deprived of its proteins, the cancer can be starved without harming the healthy cells the way normal chemotherapy does. This is a remarkable and once ridiculed idea that is now being tested in recurring and metastatic cancer. Based on Folkman's work, experiments with unique tumor-suppressing drugs will soon be ready for breast, colon, prostate and other cancer trials.

So, Mr. Speaker, we have here a need for this funding for research, and I think many of us are on the House floor today to say that the budget of $14 billion is not enough. A lot of us around here talked about being fiscally responsible, but here is a case where the direct benefits from increasing the funding for the NIH will be enormous. I am happy to say that there are other Members who have stepped forward to do just this.

Recently, Senator CONNIE MACK from Florida, my Senator, advocated doubling the NIH funding over the next 5 years. So I have joined with him and others to double this funding, to increase it, because I think they are consistent with the views of conservative budget policy. We get the biggest bang for the buck by this research to help all Americans, particularly when we look at what the population is doing today. It is aging, and we have Medicare still not completely out of solvency, right now is solvent to the year 2010, but we are going to see more and more baby boomers coming in, and we need this research to protect their lives.

So I was glad to join with Senator MACK and others in the House, with the gentleman from Pennsylvania (Mr. GEKAS) to increase funding for the NIH. It is a wise investment for the many health care results we achieve, and it is not that ambitious an enterprise when we consider that at the current rate of expenditures, we will double NIH funding in 10 years rather than the 5 that the gentleman from Pennsylvania (Mr. GEKAS), proposed.

□ 1900

We are suggesting that we provide this additional funding, we do it now, and I think the important theme tonight is to make all Members aware of the need to get behind this. It is not a lot of money.

As I say, the foreign affairs budget is almost higher than the NIH budget, and so now is the time to continue our efforts.

Mr. Speaker, I yield back to the gentleman from Pennsylvania.

Mr. GEKAS. Mr. Speaker, I thank the gentleman for his remarks and I now yield to the gentleman from Washington (Mr. NETHERCUTT).

Mr. NETHERCUTT. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. GEKAS) for yielding to me.

Mr. Speaker, there is no greater tragedy in life that all of us must face at some time or another than facing a debilitating and serious and chronic disease. It touches Democrats, Republicans, people of all races and religions. It is a fact of life.

It is my pleasure to be here tonight to talk in support of not only the efforts of the gentleman from Pennsylvania to increase funding for the National Institutes of Health, but to stand up in support of that national health organization that leads the world in health research.

I just happened to visit for the second time the National Institutes of Health a week ago Monday. And I commend that visit to every Member of this body; to go out to the NIH and see the resources that we have there, that

we taxpayers fund in order to try to make lives better by curing disease. It is a remarkable experience to see it and to meet with the leaders of the centers and the institutes, the 21 centers and institutes of the National Institutes of Health.

Mr. Speaker, it is celebrating its 50th year, approximately, this year, having been the Public Health Service over the years and being the National Institutes of Health in recent times. I must say, Mr. Speaker, that the history is a proud one. There have been tremendous developments and progress achieved by the scientists, the researchers, the medical professionals, the nurses, the administrators at the National Institutes of Health. It is worthy of a Federal taxpayer commitment to enhance this research, to seek cures in our society for the very serious diseases which affect all Americans and, indeed, all people around the world.

I think we have to look at what increased funding would do. It would certainly help bridge the gap between the National Academy of Sciences and the NIH. There is research going on, scientific research going on throughout this entire government. The Department of Defense has a breast cancer facility and bank that looks at the incidence of breast cancer and blood work that would lead to cures for this terrible disease.

The National Aeronautics and Space Administration does tremendous work on microgravity. In fact, as we speak, there is a satellite and a space station somewhere and a research facility somewhere engaged with NASA doing this great research that is going to help people deal with the chronic diseases that affect their lives.

Mr. Speaker, I happen to have a special interest in diabetes research. In fact, I am proud to be one of the cofounders of the Diabetes Caucus with the gentlewoman from Oregon (Ms. FURSE), and 158 Members are now part of this Diabetes Caucus. We set out over the last three years that I have been in Congress to work very hard to raise the interest level and the understanding of diabetes.

The Speaker of the House, NEWT GINGRICH, has been a great leader in terms of providing additional funding for NIH, for the research mission to cure diabetes, because diabetes affects about 27 cents out of every Medicare dollar. It is spent in the treatment of diabetes and the very serious complications that can come if a diabetic does not take care of himself or herself. Things like blindness, amputations, heart disease, kidney failure, all of those things are consequences of lack of treatment and lack of care for the disease called diabetes that is a killer disease in our society.

So it has been our pleasure, with the other 157 Members, along with the gentlewoman from Oregon (Ms. FURSE) and myself, to push very hard this idea that we have to have increased funding at the National Institutes of Health, in specific terms the National Institute for Diabetes, Digestive and Kidney Diseases, which does this great research on how to cure diabetes.

Mr. Speaker, if we cure diabetes, we will have a better society. If we cure cancer, we will have more productivity among all Americans and around the world. So it is in our interest, our national interest, to dedicate ourselves to increased funding for the National Institutes of Health.

When I visited the National Institutes a week ago Monday, I had a chance to meet with the director of the National Cancer Institute, and he showed me some graphic pictures of a gentleman who was a patient there of the hospital at NIH with skin cancer, a terrible outbreak. Terribly devastating consequences of that disease are present today in our society.

Through the research that has been done at NIH to introduce the concept and the substance of Interleukin, to allow the body to beef up its damaged-cell fighting capability, its natural mechanism for fighting disease, that Interleukin component works wonders. In fact, I had the chance to meet the gentleman who was the subject of the pictures I was shown with his cancer developed earlier in last year. And now I looked at him, and I know through this great research effort, his skin was clear.

So this is one example of how we can cure this disease called cancer 50 percent of the time. We cannot cure all the cancers in America and in the world, but we can cure about 50 percent, I am informed. So it is in our interest, having been touched by cancer in my own family and having been touched by diabetes in my own family, it is in our interest to devote ourselves to this effort to increase research funding for this great institute.

Along with that increased research funding, I think we need to encourage the NIH, encourage the scientists, the 55,000 scientists around the country, through our university systems who do NIH research as NIH grant recipients, to make sure that the money we devote to this institute and this agency is spent wisely. I do not doubt that it is, but I also feel as though we can focus better, perhaps, the resources of America, to allow the NIH to focus better and the institutes to focus better, to work better toward preventive cures and prevention of disease.

The gentleman from Pennsylvania (Mr. GEKAS) and I and others and the Speaker of the House this year, and a lot of Democrats, voted very forcefully in favor of the balanced budget agreement which provided $30 million for diabetes research for five years, $30 million times five; and $30 million times five, $150 million, for Native American research, which is a population disproportionately affected by diabetes.

Speaker GINGRICH and others worked very hard to get Medicare coverage for the preventive side of diabetes, mammographies in women, prostate analysis in men, and the colorectal screening, all covered now and in this year in the Medicare program. That is going to save dollars on the other end.

And with this kind of research for treatment and cures through the NIH, we are going to be a better and healthier and happier and more productive and less wasteful society.

The Diabetes Working Group that we introduced is going to help focus the NIDDK, National Institutes for Diabetes, Digestive and Kidney Diseases, in how we set a chart, set a pathway to cure diabetes. I think it is a great model, Mr. Speaker, for other institutes to follow: To marshal the best minds, the best researchers, the patients, the children, the people who are affected by these devastating diseases, chronic conditions, mobilize them to chart a path, to chart a course to a cure or to better treatment or to making life easier with a particular disease. That is what the Diabetes Working Group is doing.

In fact, they are meeting this week again, all of these great minds and great scientists from around the country, to focus on how we can chart a path for additional research dollars to be spent, all in the cause of curing diabetes and its complications.

I think we have to recognize also that the consumer has a say in all of this, and increased funding for NIH, doubling the funding over the next five years, coordinating that funding with other scientific research throughout the government, has to have as a main component a consumer involvement. If we go out to the National Institutes of Health and see the National Health Library, it is hooked up to the Internet. It gets thousands of hits per month, per week, per day, to see and learn about disease and how NIH is working so very dramatically to help cure and treat those kinds of diseases.

That is a component that is very much a part of this NIH funding doubling. So that we can have the consumer who is touched by multiple sclerosis or AIDS or Alzheimer's or diabetes or cancer or Parkinson's or all the other diseases that are prominent in this country, they have a resource in the National Institutes of Health to touch immediately, to find out about that disease, to help a loved one get through it, to learn about it.

I know that is a common occurrence when people are touched by a disease. The first inclination that we all have is to find out about it, to learn about it and figure out how we can understand the current treatments. This is a value to doctors. It is a value to the consumer. It is a value to the researcher. And, by the way, we have to get good researchers funded through the NIH, the basic research that is done there and the applied research that is done there.

So this is a joint effort that joins diseases, it joins medical specialties across the board. It joins people from Congress, it joins special interest

groups who care deeply about a particular disease. It joins the teachers and students, and families. It joins all Americans in one common cause, one common objective. That is to cure disease in America and throughout the world.

The United States is the leader in that effort. It is the leader because we have the best scientists, the best minds, the best technology, the best resources and the greatest commitment, I submit, to reach this great goal of curing disease globally.

So I want to thank the gentleman from Pennsylvania (Mr. GEKAS) and thank the Speaker and all the others who care deeply about this issue. We will join with our colleagues and make this a reality in the next five years and hopefully get it all done this year.

Mr. GEKAS. Mr. Speaker, we thank the gentleman. His remarks have been right on point. We in the Biomedical Research Caucus recognize the gentleman from Washington (Mr. NETHERCUTT) as one of our leading advocates of focus and concentration on the disease of diabetes. We thank him.

Mr. Speaker, the target of all this and the absolute goal of this special order is to convince the Committee on the Budget that it ought to respond to the resolution that we offered about doubling the funding for the National Institutes of Health over the next five years.

The gentleman from Ohio (Mr. KASICH) chairman of the Committee on the Budget, and the gentleman from South Carolina (Mr. SPRATT) ranking member, have been very workmanlike over the past several years in preparing the budgets for the entire government, of course. We want them to pay special attention to the doubling of the funding effort for the National Institutes of Health.

How do we do that? They have some problems because they are under the constraints that they are, of course, trying to convince us we must maintain, and they are correct, capping on spending so that we can stay within the parameters of the balanced budget that we supported not too long ago and which, of course, has to continue in order for our country to prosper, to make sure that we never fall back into the deficit mode and that the balanced budget carries with it all the benefits that it should.

Well, how do we convince them to be able to do this doubling effort and still maintain those caps? That is an interesting problem, and one which we think can be addressed if only the chairman and the ranking member of the Committee on the Budget will look at the possibilities that lie before us to be able to do that without violating the balanced budget or the guidelines or the caps that they have instituted to protect the fiscal integrity of the Congress and of the government.

□ 1915

We submit that any proceeds that might be forthcoming from the tobacco settlements that may or may not occur or the tobacco financing that can still occur, even without the overall settlement to which all the States are a party, that is a source of funding which would be a natural to devote to medical research, because it does not even have to be stated.

The causes of some of the worst diseases that we have emanate from smoking. We want to try to defeat both ends of the smoking cycle, to prevent teenagers from taking up the habit and to treat those who did not avoid the ravages of smoking, causing all the health problems that we know about.

So we want to be able to say that tobacco increased funding should be devoted, at least partially, towards medical research in the National Institutes of Health on how to prevent all the dastardly diseases that follow a lifetime of smoking.

So that is a natural, but that is not the only source that we can muster for dedication to the National Institutes of Health. We also have what is now being termed as the budget surplus. We are fortunate enough by all the configurations that have been entered into by the Committee on the Budget to be able to proclaim budget surpluses.

What better source for application of surpluses than that which we speak about here tonight, the National Institutes of Health? To be able to pour in a couple of billion dollars a year from the $10 billion or $12 billion or $14 billion or $20 billion, $30 billion per year surplus that we may be enjoying the next several years would be facilitating the doubling of the funding that we are talking about without really harming the path that we will have established for creating surpluses.

So we believe that the letter that we have sent to the Committee on the Budget serves those purposes. We sent a letter dated April 8, 1998, to the gentleman from Ohio (Mr. KASICH), chairman, and the gentleman from South Carolina (Mr. SPRATT), ranking member, signed by, oh, I do not know how many, but a couple of dozen of our Members in which we discussed this very same prospect.

In fact, the last paragraph, the last cogent paragraph, I would like to read into the RECORD.

We say, ''We respectfully request that the Committee on the Budget consider using a combination of sources and funding mechanisms to achieve the doubling goal for the National Institutes of Health. These funding sources include general revenues, budget surpluses, and budget offsets. We also request that the Committee on the Budget consider establishing a reserve fund to capture offsets from any tobacco settlement for the purpose of funding biomedical research and for other purposes stated in the settlement.''

So we are explicit to the powers that be in the budget process. We are not saying, please, oh, help us and double the efforts. We are suggesting concrete methodologies for accomplishing the doubling effort without harming the balanced budget for which the gentleman from Ohio (Mr. KASICH) and the gentleman from South Carolina (Mr. SPRATT) have worked so hard and which we support and which we do not want to violate in any way.

We just want the priorities to be set for the next century to include a heavy emphasis on biomedical research and all the efforts that can go into eradicating disease worldwide with the implicit benefits not only to humanity but to the economic leadership of our Nation.

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

CONGRESS OF THE UNITED STATES,
Washington, DC, April 8, 1998.

Hon. JOHN KASICH,
Chairman, House Budget Committee, Washington, DC.

Hon. JOHN SPRATT,
Ranking Member, House Budget Committee, Washington, DC.

DEAR CHAIRMAN KASICH AND RANKING MEMBER SPRATT: As the Budget Committee begins consideration of the Fiscal Year 1999 Budget Resolution, we urge you to provide sufficient budget authority and outlays to provide a $2 billion increase (15%) for the National Institutes of Health (NIH). This is the first step toward achieving a doubling of the NIH budget over the next five years.

We recognize the pressures and trade-offs that you and your Budget Committee colleagues face in maintaining a balanced budget, but we ask that you consider the benefits derived from America's commitment to medical research, including a reduction in health care expenditures. Medical research is a budget saver, not a budget buster.

Recent breakthroughs in medical and health sciences have dramatically improved the quality of life for all Americans, and continue to yield cures and new treatments for the debilitating diseases which plague our society. The United States leads the world in the field of biomedical research, and will continue to lead the world only through a national commitment to increase support for the NIH.

Based on this record of success, and the tremendous potential for the future, we support sufficient budget authority and budget outlays to double NIH funding over the next five years, and to provide an increase of $2 billion for Fiscal Year 1999 over the current appropriated level.

We respectfully request that the Budget Committee consider using a combination of sources and funding mechanisms to achieve the doubling goal for the NIH. These funding sources include general revenues, budget surpluses and budget offsets. We also request that the Budget Committee consider establishing a reserve fund to capture offsets from any tobacco settlement for the purpose of funding biomedical research and for other purposes stated in the settlement.

As the House Budget Committee begins preparing the FY 1999 Budget Resolution, we remind you of the historically strong and bipartisan support for the NIH, the world's premier research enterprise. We hope that you will honor our request to provide sufficient budget authority and budget outlays to accomplish the will of your colleagues in the House.

Thank you for your consideration. We look forward to working with you on this historic public health and quality-of-life initiative.

Sincerely,

George W. Gekas, Louise Slaughter, Connie Morella, Martin Frost, James

Leach, Randy ''Duke'' Cunningham, Eni F.H. Faleomavaega, Sam Gejdenson, Anna Eshoo, Cliff Stearns, Joseph Kennedy, Brian Bilbray, Rosa DeLauro, Martin Meehan, James Greenwood, Albert Wynn, Steve Horn, Fred Upton, Jose Serrano, Lois Capps, Gene Green, Jim McDermott, Brad Sherman, Robert Borski, Carolyn McCarthy, Edward Markey, Bobby Rush, Frank Mascara, Dennis Kucinich, Bob Clement, Max Sandlin, Harold E. Ford, Jr., Earl Hilliard, Jerrold Nadler, James McGovern, Nydia Velazquez, Members of Congress.

CONGRESS OF THE UNITED STATES,
Washington, DC, March 24, 1998.

JOIN US IN URGING THE BUDGET COMMITTEE TO MAKE MEDICAL RESEARCH A PRIORITY

DEAR COLLEAGUE: As the House Budget Committee begins the process of formulating the FY 1999 House Budget Resolution, we are writing to ask you to sign the attached letter to Chairman Kasich and Ranking Member Spratt Supporting sufficient budget authority and outlays to accomplish two goals. First, to enable the House to provide a $2 billion increase for the National Institutes of Health (NIH) in FY 1999, and second, to enable the House to double NIH funding over the next five years.

Throughout history, the United States has been the world leader in biomedical research. The benefits derived from America's commitment to medical research have led to lifesaving medical breakthroughs, dramatically improving the quality of life for men and women throughout the world, and substantially reducing health care expenditures. Our investment has contributed to the development of innovative medical technologies and made America's pharmaceutical and biotechnology industries second to none.

Research has demonstrated that many diseases can be prevented, eliminated, detected or managed more effectively through a vast array of new medical procedures and therapies. The devastation once caused by polio has been virtually eliminated in most of the developed world. For the first time in history, overall death rates from cancer have begun a steady decline in the United States. Genetic research has enabled Americans to learn if they are more likely to develop osteoporosis, breast cancer, Lou Gehrig's disease, sickle-cell anemia, or some other disease. People with Parkinson's disease, diabetes, Alzheimer's disease, AIDS, and other ailments are living longer, healthier lives. But there is much more for us to learn, and much more we can do to enhance the quality of life for America's ill, frail, and disabled.

America's historic dedication of resources to biomedical research has had a real and lasting impact on our lives and those of our parents, children and grandchildren. The health and well-being of future generations depends upon strengthening our dedication to the principle that the federal government, in partnership with the private sector, has a legitimate role to further the advancement of science.

Turning those discoveries into new methods of treating disease will make every American a beneficiary of these monumental achievements. We ask you to join this effort by agreeing to sign the attached letter to Chairman Kasich and Ranking Member Spratt. To co-sign the letter please contact Seth Johnson in Congressman Gekas' office at x54315.

Sincerely,

GEORGE W. GEKAS.
ANNA ESHOO.

A full exposition of our plans to double the funding for NIH would not be complete without mentioning some key entities that have helped us all along in bringing to the floor all the special problems and special opportunities that we have as the research community begins the work of the 21st century.

We have four research societies, for instance, like the Whitehead Institute, the Human Genome Project, MIT, Dr. Mike Bishop, who is a Nobel laureate for oncogenes, co-recipient with the NIH Director Harold Varmus as the chief program advisor, all who are the umbrella group that helps us put on these biomedical research caucuses, briefings, luncheons, and other special projects that have heightened the level of understanding among Members of the House as to what progress is being made on all these.

By the way, Mr. Speaker, you should know that, in these biomedical research luncheons, not only do Members come but the real important people of the House of Representatives attend, the staffers, the staffers who are charged with the responsibility in their respective Member's offices to discharge the issues of health for their Member, for their congressman, attend these luncheons regularly and become well updated on all the advances that we have made and which the research community has produced.

We also have the Federation of American Societies for experimental biology which issues news bulletins on advances made on a regular basis; and, just recently, they provided for us a whole series of statements on some of the progress that has been made.

Some of their goals are to have the NIH increase its investment in collaborative translational investigations by supporting more grants engaging both basic and clinical biomedical scientists as co-investigators. These are the wool from which the whole cloth is being constructed to try to hone in on and concentrate on eradicating disease from the face of the earth.

We also have lists of research opportunities, if we double this effort, from the Campaign for Medical Research, from the Joint Steering Committee for Public Policy, as we have mentioned, and from various sources that are implicitly and explicitly involved in what we intend to try to accomplish.

Mr. Speaker, I include that list that we have of the cosponsors to H. Res. 363 urging the Committee on the Budget to double the funding for the RECORD:

44 COSPONSORS

Rep. Porter—02/12/98.
Rep. Morella—03/05/98.
Rep. Stearns—03/05/98.
Rep. Pickering—03/05/98.
Rep. Towns—03/05/98.
Rep. Kennedy, P.—03/05/98.
Rep. Cooksey—03/05/98.
Rep. Eshoo—03/16/98.
Rep. Moakley—03/16/98.
Rep. Green—03/16/98.
Rep. Kennelly—03/16/98.
Rep. Davis, D.—03/16/98.
Rep. Faleomavaega—03/16/98.
Rep. Pelosi—03/24/98.
Rep. Clay—03/24/98.
Rep. Bachus—03/24/98.
Rep. Gutierrez—03/24/98.
Rep. Gonzalez—03/24/98.
Rep. Greenwood—03/25/98.
Rep. Filner—04/01/98.
Rep. Fattah—04/21/98.
Rep. Gejdenson—04/21/98.
Rep. Frank—03/05/98.
Rep. Coyne—03/05/98.
Rep. Cunningham—03/05/98.
Rep. Evans—03/05/98.
Rep. Clayburn—03/05/98.
Rep. McCarthy, C.—03/05/98.
Rep. Kennedy, J.—03/16/98.
Rep. Boehlert—03/16/98.
Rep. Peterson, J.—03/16/98.
Rep. Pallone—03/16/98.
Rep. Woolsey—03/16/98.
Rep. Mink—03/16/98.
Rep. Callahan—03/24/98.
Rep. Bentsen—03/24/98.
Rep. Furse—03/24/98.
Rep. Farr—03/24/98.
Rep. Sanders—03/24/98.
Rep. Bilbray—03/24/98.
Rep. McGovern—03/25/98.
Rep. Spence—04/01/98.
Rep. Rush—04/21/98.
Rep. Jenkins—04/21/98.
Rep. Baldacci—4/28/98.

That covers everything that I might have wasted the Speaker's time in presenting at this juncture.

Suffice it to say, again, if indeed the United States continues to be and wants to remain the leader in the world of pharmaceuticals, of biomedical research, biotechnological advances, of all the efforts made towards one goal, to eradicate disease from the face of the earth and to remain the chief spokesman in the world and the chief entrepreneur in these enterprises, then it is a natural gigantic step for us to double the funding for the National Institutes of Health. We trust that the Members of Congress will see it as clearly as we do and help us in this effort.

Mr. PORTER. Mr. Speaker, I am very pleased to speak on the importance of doubling funding for the National Institutes of Health.

In my judgment, basic biomedical research, funded through the National Institutes of Health, is one of our Nations highest priorities. The work performed by the scientists at the NIH campus, as well as those scientists who are funded by the NIH at our Nation's premier academic institutions and nonprofit organizations, is virtually important. There commitment to battling disease has provided signficiant hope for the prevention, treatment, and eventual eradication of disease in the future.

There is hardly a more vital endeavor. Biomedical research lengthens and improves the quality of life for every American—indeed, for every human on this planet. Our country's continued lead in biomedical research—we are the envy of the world in this regard in both basic and applied research—means higher economic growth and the kind of high-tech, high paying jobs for our children and grandchildren that we want. Indeed, biomedical research is the best investment our Government makes because it pays for itself thousands of times over in terms of health care cost savings. The savings from one discover—the Salk vaccine—has paid for all the costs of NIH over its entire 50 year history and there have been thousands, tens of thousands, of such discoveries. In addition, basic research, the kind

most often pursued by NIH and NIH grantees will only be funded by Government; there is no immediate profit motive. Finally, scientific opportunities have never been greater. If we fail to find the resources to take advantage of them, we risk the lives and health of our people and all of the dear economic advantages of our leadership.

I serve as chairman of the Appropriations Subcommittee which funds the National Institutes of Health—as well as the Departments of Education, Health and Human Services, and Labor. Because there is such potential for real progress in treatment, cure, and prevention of disease through NIH research, I'm committed to providing NIH Director Dr. Varmus, the resources he and his colleagues need to advance their work.

Over the last several years, we have achieved great success in doing just this. In fiscal year 1996, despite tremendous budget battles, and frankly, little support from the administration, the Congress provided the NIH with a 5.7 percent increase. For FY97, we increased the NIH by 6.9 percent, and in 1998, by 7.1 percent to nearly $13.65 billion.

Over its 50-year life, the annual real rate of increase in the NIH funding has been about 3 percent. But despite these strong increases the number of research proposals funded is barely keeping up with the number of promising proposals that are available. Because the opportunities in science are unprecedented, I strongly doubling Federal funding for all basic research over 5 years. With this strong commitment, the NIH will be able to pursue many more scientific opportunities that currently go unfunded.

The goal of finding a cure for the diseases that touch every individual in our society is an objective that should be above political partisanship and economic and social divisions. I urge my colleagues to work for this noble goal by viewing the NIH as a whole, the sum of extraordinary science that transcends the artificial boundaries of institute and seeks to cure or alleviate all diseases that afflict humankind.

Mr. BENTSEN. Mr. Speaker, I rise today to express my strong support for maximizing funding for biomedical research through the National Institutes of Health (NIH). I believe that our Nation must increase this investment to capitalize on recent medical advances and ensure that the NIH has the necessary resources to conduct cutting-edge research on diseases such as heart disease, diabetes, cancer, and AIDS.

I believe that doubling the NIH budget is the best approach to meet this goal. In the coming weeks, I plan to offer an amendment in the House Budget Committee to double the NIH budget. As we know, President Clinton has proposed a Fiscal Year 1999 NIH budget of $14.8 billion, an increase of $1.15 billion or 8 percent. The President also proposed increasing funding for biomedical research by at least 50 percent from 1999 to 2003. The President's proposal represents a good starting point, but Congress must make biomedical research an even higher priority, as we have in recent years. The Senate budget resolution includes a 11-percent increase in NIH funding, to add $1.5 billion to the NIH budget. I believe the House budget should include at least the Senate level of funding and preferably the $2 billion increase called for in House Resolution 363, which was introduced by our colleague Mr. GEKAS and which I am co-sponsoring.

Doubling the NIH budget is necessary to ensure that we are meeting the research needs of our scientific community. The NIH supports the work of more than 50,000 scientists within the United States. Yet, on average only one in five of peer-reviewed NIH grants are funded. We need to increase the number of peer-reviewed grants so that more life-saving and cost-effective treatments and therapies can be discovered. In addition, in this age of managed care, the NIH must increase its budget to ensure that clinical trials continue. Academic health centers, where many of these trials are conducted, have traditionally used surplus revenues from patient care to supplement federal funding. With managed care, these surpluses are disappearing just as our scientific community is ready to develop new treatments and therapies for cancer and other diseases. With this added investment, more scientists would be able to conduct research that will reduce health care costs and save lives.

I believe that investment in biomedical research is cost-effective for taxpayers. A recent National Science Foundation study found that advances resulting from government investments in research and development, totaling about $60 billion a year, has produced big results. This study found that more than 70 percent of scientific papers identify government funding, not private research funding, as critical to new patents and biomedical discoveries.

I also believe that investing in the NIH helps our economy to grow. For every dollar spent on research and development, our national output is permanently increased by 50 cents or more each year. The government funds the basic research which biotechnology and pharmaceutical companies use to create new therapies and treatments for cancer, diabetes, and heart disease.

As the representative for the Texas Medical Center, one of our Nation's premiere research centers, I have seen firsthand that this investment is yielding promising new therapies and treatments for all Americans. During a recent tour at the Texas Medical Center, I reviewed a gene therapy project which is helping to map the human genome. With this new information researchers hope to understand the genetic basis for disease and provide new therapies by fixing genetic abnormalities.

I strongly urge Congress to provide maximum funding for the NIH and urge my colleagues to support this effort.

Mr. BILIRAKIS. Mr. Speaker, As chairman of the Health and Environment Subcommittee, which has jurisdiction over the National Institutes of Health (NIH), I want to take this opportunity to express my strong support for increasing Federal funding to support the vital, life-saving research performed by NIH experts. I recently endorsed a proposal to double Federal funding for the National Institutes of Health (NIH) over the next 5 years.

On March 26, my Health and Environment Subcommittee held a hearing on new developments in medical research. This hearing was an important opportunity to learn more about the NIH priority-setting process and ongoing research efforts related to a number of specific diseases.

At this hearing, we heard testimony from a distinguished group of witnesses, including Muhammad Ali, National Spokesman for the National Parkinson Foundation, Dr. Harold Varmus, NIH Director, and representatives of patient groups. While advocating different approaches to disease research funding, all agreed on the need to provide more money for biomedical research.

To that end, I recently introduced H.R. 3563, the Biomedical Research Assistance Voluntary Option or ''BRAVO'' Act. This bipartisan measure would allow taxpayers to designate all or a portion of their Federal income tax refund to support NIH biomedical research. These taxpayers would be entitle to a charitable deduction under existing provisions of the Internal Revenue Code.

Under my bill, funds designated by taxpayers for use in biomedical research would be transferred by the Treasury Department to the gift fund of the National Institutes of Health. The bill specifically states that transfers to the gift fund may not offset amounts that otherwise would be appropriate for the National Institutes of Health.

In addition, my bill would give the Treasury Department flexibility in developing regulations to implement the Act. The bill would only require the designation to be made either on the first page of the return or on the page bearing the taxpayer's signature.

Passage of the BRAVO Act will help channel additional funds to support the critical research efforts ongoing at NIH. I remain committed to working with my colleagues to achieve the goal of doubling Federal funding for NIH over the next 5 years.

Mrs. MORELLA. Mr. Speaker, I am pleased to join my colleague from Pennsylvania, Congressman GEKAS, in this important special order on the critical importance of biomedical research funding. The National Institutes of Health (NIH) is located in my congressional district, and I am proud to represent this premier biomedical research institution.

Tonight, we are devoting this special order to the goal of doubling the NIH budget over the next 5 years. The NIH, the world's leading biomedical research institution, is one of the great success stories of the Federal Government. Our current $13.6 billion investment in biomedical research is a real ''bang for the buck''—saving lives and reducing health care costs, while improving the quality of health care and creating jobs and economic growth.

The historical support of the NIH by Congress and both Republican and Democratic administrations has produced a comprehensive network of more than 50,000 scientists and technicians at more than 1,700 research universities, academic medical centers, and institutions throughout the United States.

NIH-sponsored research provides economic returns of incalculable value. The spawning of the biotechnology revolution is beyond question, with increased sales in 1996 of $10.8 billion (a 15 percent increase over 1995) and the addition of 10,000 new high-tech jobs to our national economy. In 1993 alone, NIH contributed nearly $45 billion to the U.S. economy and over 726,000 jobs. Our country's economic leadership has been secured in large part by our ability to translate scientific discoveries into new product development for export.

However, many Americans still face life-threatening health problems, and new medical challenges constantly arise. For most of these conditions, research offers the best, and, in many cases, the only hope. In recent years, NIH-sponsored research has produced major advances in the treatment of cancer, heart disease, diabetes, HIV/AIDS, rheumatoid arthritis,

and mental illness that have helped save hundreds of thousands, if not millions, of lives.

Currently, fewer than one-third of reviewed grants are funded. Our failure to improve this ratio will cause important scientific leads to be delayed or lost. It will also deter young, talented scientists from careers in biomedical research. The resulting loss in scientists and new ideas could endanger U.S. competitiveness.

Funding biomedical research through the NIH is today's investment in America's future. We must make a substantial commitment now if we are to ensure the future health and economy of our Nation.

As I have for the past several years, I circulated the congressional funding letter, along with Congressman JOE KENNEDY, urging the Appropriations Committee to provide a 15-percent increase for the NIH for Fiscal Year 1999, the first installment toward our goal of doubling the NIH budget. I am pleased to report that we had more than 80 co-signers on this bipartisan letter.

I am also pleased to be a cosponsor of the resolution, introduced by Congressmen GEKAS and PORTER, expressing the sense of Congress that the NIH budget be doubled within 5 years. I also co-signed the letter to Budget Committee Chairman JOHN KASICH, urging that the budget resolution provide an adequate allocation to the Labor-Health and Human Services-Education Subcommittee in order to allow such an increase in funding.

Mr. Speaker, I look forward to continuing to work with my colleagues here tonight to substantially increase our commitment to biomedical research.

Mr. CUNNINGHAM. Mr. Speaker, I rise today to join my colleague from Pennsylvania (Mr. GEKAS) in addressing the critical need for increased funding for the National Institutes of Health (NIH).

I am submitting letters from my constituents who have shared with me the importance of NIH funding to their lives. These letters eloquently make the case for increased NIH funding.

Again, I want to thank my colleague from Pennsylvania for leading this debate tonight and encourage all my colleagues to support increased funding for NIH.

ARTHRITIS FOUNDATION®,
San Diego, CA, April 24, 1998.

Hon. RANDY CUNNINGHAM,
Rayburn House Office Building,
Washington, DC.

DEAR REPRESENTATIVE CUNNINGHAM: This is to share our concerns and express the importance of doubling the funding to the National Institutes of Health (NIH). Funding research is critical to addressing the causes, treatments, and prevention of arthritis, musculoskeletal and skin diseases. Over 40 million Americans have some form of arthritis and it is predicted that by the year 2020 that number will increase to 60 million.

Arthritis occurs at all ages, destroys the quality of life for people who have it, and requires medical care over long periods of time. The current economic costs are estimated to be at least $143 billion. Arthritis and related diseases are the most common causes of chronic illness in the United States and are the leading causes of time lost from work.

Arthritis researchers are making great strides in understanding these diseases. Some of the advances sponsored by NIAMS include: new understandings of the roles of immune system abnormalities, infectious agents, and genetic factors in rheumatoid arthritis; development of new experimental treatments for osteoarthritis, significant insights into the specific genetic factors involved in lupus; and improved total hip replacement materials and techniques that have enhanced quality of life and productivity for many people.

While these are significant advances, we need to continue to support researchers and new investigators so that more answers can be found to reduce the incidence and prevalence of arthritis.

The Arthritis Foundation spent $16 million in 1997 on arthritis research and has committed to more than doubling that amount to $37 million by the year 2000. Please support our commitment by doubling the funding to NIH so that we can work together towards finding a cure for and prevention of arthritis.

Your time and efforts are greatly appreciated by all who have arthritis.

Sincerely,

JULIE SCHWARTZ,
Associate Vice President.

UNIVERSITY OF CALIFORNIA, SAN DIEGO,
April 27, 1998.

Hon. RANDY ''DUKE'' CUNNINGHAM,
House of Representatives,
Washington, DC.

DEAR DUKE: I am writing to urge you to support the goal of doubling the budget of the National Institutes of Health (NIH) in 5 years, and to specifically support a $2 billion increase in the NIH appropriation for FY99. Such action will be an important step towards expanding one of our country's greatest assets, namely the biomedical research supported by the NIH.

To remind you, Federal support of biomedical research and the NIH is of crucial importance to the health and vitality of the people in our country. Historically, this type of research has led to, and continues to lead to, new treatments for previously incurable diseases, as well as new and lower cost treatments for already treatable diseases. Both types of breakthroughs are of crucial economic benefit to the country (imagine the cost of caring for people afflicted with polio if a vaccine had not been developed with federal support). Both types of breakthroughs also reduce much needless human suffering. In addition, biomedical research will be a critical component in the long-term solution of the Medicare financial crisis. Expensive, and ultimately treatable diseases of the elderly such as Alzheimer's, diabetes, and cancer play a large and growing role in skyrocketing medical costs to our society.

Biomedial and other scientific research are also both economical drivers; they create knowledge and insights that lead to new inventions, new companies, innovation, and economic growth. Research supported by the NIH is the main engine that drives the increasingly important Biotechnology industry in this country, and will continue to do so in the foreseeable future.

I also want to point out that the health and quality of life of our citizens is just as much a national security issue as is military defense. Surely, the battle against viruses, bacteria, cancer and other debilitating diseases is just as important to the security of all of the American people as is our vigilance against threats from abroad.

Finally, I want to note that increased funding for NIH research is likely to be supported by the vast majority of your constituents. Recent polls found that 9 out of 10 Americans believe that we are not spending enough on medical research; they overwhelmingly favor medical research over environmental, defense, or energy research. In addition, there are data to support the view that Americans are willing to pay for biomedical research. For example another poll found that 71% of Americans would be willing to pay 1% more for insurance if there were some way to funnel the revenues exclusively to biomedical research.

This is a crucial time in our country's history. The 21st century has the potential to be the golden age of medicine and human health. We must not waver from our determination to make our country the healthiest and wealthiest ever. Biomedical and other scientific research is one of the most time-tested methods for achieving these ends. Your support will help us to achieve these important goals.

Sincerely,

LAWRENCE S. B. GOLDSTEIN, PH.D.

UNIVERSITY OF CALIFORNIA, SAN DIEGO
April 24, 1998.

Hon. RANDY CUNNINGHAM,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN CUNNINGHAM, I understand that you're going to participate in a discussion of the NIH budget on April 28, and I'm writing to urge you to support as strongly as possible the initiatives of the Congress, as well as the Administration to increase the budget allocation for NIH for the next fiscal year. Finally the public realizes that NIH is a magnificent national success story. The United States is leading the world in biomedical research and for the first time in years, morbidity by cancer and cardiovascular diseases is decreasing. The Human Genome Program promises a true avalanche of useful information for diagnostic and follow-up of human diseases and advances made in cellular and molecular medicine continue to be unusually exciting, often leading to practical applications in biotechnology, as well as in the pharmaceutical industry. It would be highly regretful if for myopic financial consideration the momentum we have achieved in biomedical research will be lost. I thank you in advance for your support. I'm available for additional information, if needed and, I remain,

Gratefully yours,

GEORGE E. PALADE, M.D.
Professor, Division of Cellular and Molecular Medicine.

UNIVERSITY OF CALIFORNIA, SAN DIEGO,
April 28, 1998.

Hon. RANDY ''DUKE'' CUNNINGHAM,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE CUNNINGHAM: I am writing to thank you for participating in the floor discussion on doubling the NIH budget tonight. As a research scientist, I know first hand the many benefits that biomedical research provides for this country. The federal government's support of basic science has led to spectacular advances in health while also contributing to our national economic growth. Investment in medical research is the first and critical step in prevention, treatment, and control of disease, which in turn will lead to longer, healthier, and more active lives. However, many Americans still face life-threatening health problems, and new medical challenges are arising. For most of these conditions, research offers the best and in many cases the only hope.

I want to thank you for supporting the effort to substantially increase our investment in biomedical research, which is critical to the health and well-being of our nation.

Sincerely yours,

SCOTT D. EMR,
Professor of Cellular and Molecular Medicine.

APRIL 27, 1998.

Hon. RANDY ''DUKE'' CUNNINGHAM,
U.S. House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE CUNNINGHAM: I would like to strongly encourage you to support the goal of doubling the budget of the National Institutes of Health (NIH) in 5 years, and, in particular, to support a $2 billion increase in the NIH appropriation for FY99. The opportunities for advances in biomedical sciences over the coming decades are unparalleled. The United States has provided worldwide leadership in biomedical science research over the years primarily because of the visionary decision to establish the National Institutes of Health in the 1940's. No other country has done this.

The opportunities in the decades ahead are extraordinary as we see a merging of technologies in the physical, chemical and computational sciences and their applications to biology and disease. Whereas we have made advances with telescopes and rockets that probe the universe in the past, we are now poised to make equivalent progress by focusing our microscopes inward to cells and molecules. An investment in the NIH is not only a sound investment in the benefits it will reap for treating disease, for curing disease, and for eradicating pathogens, it is also a sound economic investment. Not only will it reduce health care costs, the basic science that has grown from basic biomedical research supported by NIH has fueled our rapidly growing biotechnology industry. Once again we are undisputed world leaders. We must continue to lead.

Federal support of biomedical research and the NIH is of crucial importance for the health and vitality of the people in our country. Historically, this type of research has led to, and continues to lead to, new treatments for previously incurable diseases, as well as new and lower cost for treatments. Both types of breakthroughs are not only of crucial economic benefit to the country, but also reduce much needless human suffering. Biomedical and other scientific research are also both economic drivers; they create knowledge and insights that lead to new inventions, new companies, innovation, and economic growth. As indicated above, research supported by the NIH is the main engine that drives the increasingly important Biotechnology industry in this country, and will continue to do so in the foreseeable future.

This is a crucial time in our country's history. The 21st century has the potential to be the golden age of medicine and human health. Our ability to realize this vision depends on the creative leadership of you and your colleagues. Your support will help us to achieve these important goals and is greatly appreciated.

Sincerely,

SUSAN S. TAYLOR, Ph. D.

APRIL 27, 1998.

Hon. RANDY CUNNINGHAM,
Rayburn House Office Building,
Washington, DC. 20515.

DEAR REPRESENTATIVE CUNNINGHAM, Alzheimer's disease is one of the greatest threats to the personal and financial security of most Americans as they reach their retirement years. It is also one of the greatest threats to Medicare and Medicaid. Today, 4 million Americans have Alzheimer's. Most of them are Medicare beneficiaries; on an average, the cost to the Medicare system is almost 70% more than beneficiaries who are not cognitively impaired. This is true even though Medicare does not pay for most of the care they need. Nearly half of the Medicare beneficiaries also receive Medicaid, because they have used up all of their own resources paying for long term care.

By the time the baby boomers reach the age of greatest risk in the next century over 14 million Americans will have Alzheimer's disease. It is hard to see how we can save Medicare and Medicaid for future generations if we let that happen.

There is an answer to Alzheimer's disease and to other costly diseases. The answer is medical research. Scientists now know that changes in the brain start as much as 20 years before the disabling symptoms of Alzheimer's appear. That means that in most of the baby boomers who will eventually get Alzheimer's, the disease process has probably already begun.

The progress that has been made in Alzheimer's research in the past decade is truly remarkable. But just when the path to real answers to the disease is becoming clear, the funding for Alzheimer's research has slowed to the point that scientists cannot begin the important work on prevention that must begin today if we are going to save the baby boomers from the disease.

If we can delay the onset of Alzheimer's disease for even 5 years, we can reduce the incidence of Alzheimer's disease in half and save as much as $50 billion in the annual cost of care. That is one of the best investments in the future that Congress can possibly make.

Time is running out! That is why the Alzheimer's Association is asking Congress to increase funding for Alzheimer's research this year by $100 million, and to increase the overall funding for NIH by at least 15%. Thank you for your support of cause.

Sincerely,

RON HENDRIX.

Ps: My father died of Alzheimer's disease on December 26, 1997, after 10 long hard years. My mother died 7 years earlier due to stresses brought upon by caregiving. I don't want my children to face this disease. Please help!

APRIL 27, 1998.

Hon. RANDY CUNNINGHAM,
U.S. House of Representatives,
Washington, DC.

DEAR MR. CUNNINGHAM: Along with 2,500,000 other Americans, a thief resides in my home, robbing my eleven year old son Skyler of his health, his ability to learn, his self-confidence, his personal safety, and perhaps, one day, his life. The intruder is epilepsy, a brain disorder that presents in the form of seizures. Epilepsy can affect anyone; any gender, any ethnicity, at any age, at any time, and in 30% of all cases, the cause remains unknown.

Modern treatments are successful in fully or partially controlling seizures in about 85% of cases. Unfortunately, my son is counted in the additional 15% for whom all known medical treatments have been tried and failed. Skyler has been on every seizure medication available in the world, including clinical and compassionate use trials. At times it has been difficult to distinguish which were worse, the seizures which assault his brain and body, or the drugs which cause him to lose his balance, his speech, his kidney and liver functions, and at times, his will to live. He has undergone obscure medical therapies such as steroid injections, immuno-globulin transplants, and ketogenic diets. And still Skyler has debilitating seizures everyday of his life.

Mr. Cunningham, research holds the only hope that my son might live a productive and meaningful life. New medications with fewer side effects are desperately needed. Research alone holds the key to treatments for epilepsy and many other catastrophic brain diseases and disorders. Congress must increase the federal commitment to biomedical research by allocating sufficient funding to the efforts at the National Institutes of Health and Center for Disease Control.

Please, on behalf of all Americans who live with the thief epilepsy, like my son Skyler, support initiatives to double the total national commitment to medical research from all sources. It is Skyler's only hope.

Sincerely,

TRACEY J. FLOURIE.

APRIL 26, 1998.

DEAR CONGRESSMAN CUNNINGHAM: I have a beautiful, lovable 13 year old daughter, Cassady, who was diagnosed with Insulin Dependent Diabetes when she was 10. She did nothing to cause it. It is still a mystery why certain people get type I diabetes. She is a normal 13 year old; she loves to go to movies, talk on the phone with friends, play softball, basketball and soccer, figure skate, play piano and go to our church's youth group.

This could happen to anybody. We do not know of any diabetes in my husband's or my families.

We say prayers every night and when she was first diagnosed, she would pray for God to help her get over the diabetes. I had to tell her the bad news: once you get insulin dependent diabetes (Type I), it never goes away. Every day for the rest of her life she will have to prick her finger and test her blood from 4 to 6 times a day and inject insulin from 3 to 5 times a day. And the insulin must be done in proper dosages and at proper times or she will die. That is until there is a cure. Diabetes can have a horrible effect on these children's bodies. One of every 7 dollars in health care and one of 4 Medicare dollars are spent on diabetes and its complications.

So what is the answer? Research to find a cure. These two reasons: (1) to reduce the human suffering and deaths, and (2) to save the billions of dollars that are spent treating diabetes and its complications. Sixteen million Americans have diabetes. (That's Type I and II.)

That is why, as a mother, I feel it is important to join with the many parents and volunteers at the Juvenile Diabetes Foundation is urging a 15% increase in NIH funding this next year and a doubling of the NIH funding in the next 5 years. Thank you for all you are doing to help. Your compassion and commitment are deeply appreciated.

JANET KINTNER.

TOBACCO REPORT ON TEENS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New Jersey (Mr. Pallone) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, I want to address a number of issues tonight: first, a very important domestic issue, and that is the tobacco settlement and some recent information that has come out which supports, in my opinion, the need or the suggestion that many of us have made, that we need to move forward quickly and pass a tobacco bill that is very stringent in its effort to try to get after the problem of teen smoking in this country. That basically increases the Federal tax on cigarettes so that the money can be used for these tobacco prevention programs, particularly among young people.

Then I would like to move on from there and talk about a couple foreign

policy issues. But I would like to begin with a report that just came out again on the issue of tobacco and teen smoking.

Yesterday, the Surgeon General, David Satcher, released a report. It was prepared by the Centers for Disease Control and Prevention. It is called Tobacco Use Among U.S. Racial/Ethnic Minority Groups. The report is the 24th in a series of tobacco reports that began 34 years ago. It has some very disturbing information in it.

This report's release also, I might add, Mr. Speaker, could not be made more timely in light of what is going on in this House of Representatives on the issue of tobacco settlement.

It is very unfortunate, and I have already said on the floor and I will say again, that Speaker GINGRICH and the House Republican leadership has opposed tough tobacco legislation. Because of their opposition and because they are in the majority and control what happens on the floor of this House of Representatives, tobacco legislation and the tobacco settlement's future is essentially in doubt.

It is not clear at all that we will be able to pass a tobacco bill this year. I want everyone to know, and I think everyone does already, that myself and other Democrats and the Democratic leadership and the Democratic caucus in general are very much in favor of a tobacco bill passing. Because if it does not pass this year, we are going to lose the opportunity to deal with the problem of teen smoking in the United States.

Getting back to the report that was released yesterday by the Surgeon General, it makes a compelling case, I believe, for passing a tough tobacco bill.

In a letter to Members of Congress that accompanied the report, the Surgeon General explained, and I quote, smoking is the leading cause of preventable death in the United States. Certain racial/ethnic minority populations remain at high risk for using tobacco and often bear a disproportionate share of the human and economic cost of tobacco use.

Although some recent declines in lung cancer trends are encouraging, we have reason for great concern about reported increases and rates of smoking among African American and Hispanic high school students.

That is in the letter that accompanied the report from the Surgeon General.

The Surgeon General then continues that the report sounds an urgent alarm. If minority tobacco use continues to increase, we can expect severe health consequences to begin to be felt in the early part of the next century. We must use every tool at our disposal to reduce tobacco use amongst racial and ethnic minorities, especially amongst adolescents, and to reverse these frightening trends.

I have to say, Mr. Speaker, if you look at this report, and I actually brought a copy of the report with me this evening, it is a rather thick report, it is a rather thick document, and there is an executive summary, but it does give us some very alarming information.

It says that teen smoking rates grew among all ethnic groups in the 1990s. So even though this is about ethnic minorities, the teen smoking rate grew amongst all ethnic groups in this decade. The smoking rate amongst African American teenagers grew a staggering 80 percent between 1991 and 1997.

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Approximately 20 percent of African American high school students smoke today, and that is one out of every five African American teens. The Surgeon General estimates that if this trend continues, 1.6 million African American children will become regular smokers and 500,000 of them will die as a result of that smoking habit.

I think it is important to note that the increase in the 1990s amongst black children reverses the trend set in the '80s and '70s when smoking rates actually declined.

Among Hispanic teens, the smoking rate rose by 34 percent over this same period. Approximately 33 percent, or one out of every three Hispanic teenagers smokes cigarettes.

Amongst Asian American teens, the smoking rate rose 17 percent between 1990 and 1995; and the overall rate of teens who smoke in the Asian American community is estimated to be about 20 percent.

The report also provides information with regard to Native American teens, the fourth ethnic group examined by the report; and the teen smoking rate rose by 26 percent amongst that group between 1990 and 1995. Approximately 50 percent or one of every two Native American teens smokes.

It is also estimated that about 40 percent of white high school students use cigarettes.

Now, the unfortunate thing about all this is, and we have pointed this out, myself and other Democrats who have been concerned about this issue, is that the tobacco companies clearly see the need to increase smoking amongst teenagers because they are the smokers of the future. If the teen smoking rates decline, then in another 10, 20, or 30 years the amount of tobacco use in the country would significantly decline. So that is the particular reason why the industry targets teenagers. It is also the reason why we must stop them from continuing to do that targeting amongst young people.

As numbers like these continue to roll out, in concert with the documents from the tobacco industry that detail their efforts to target children, I think Republican leaders in both the House and the Senate should not ignore reality and block progress and basically join with the Democrats and particularly with President Clinton in trying to move tobacco legislation in the few months that we have left in this Congress.

Now, of course, we know that the opposite is, in fact, happening. Just last week, Speaker NEWT GINGRICH felt compelled to defend Joe Camel, among all things. He went out of his way to make it known in his opinion that Joe Camel is not the reason why teenagers smoke cigarettes.

Now, we have document after document and report after report being released, many of those reports coming out of my own committee, the Committee on Commerce, and they show the havoc that tobacco has wreaked on our children in the past and the devastation it is causing today, and they clearly show that Joe Camel is part of this effort, that Joe Camel was an effort to essentially target young people. And here we have the Speaker of our House of Representatives defending Joe Camel.

This, I should add, comes shortly after the Speaker picked up the mantle of the tobacco industry itself and blasted the bill authored by his fellow Republican, Senator JOHN MCCAIN of Arizona.

I have said before that I admire Senator MCCAIN for pushing a relatively tough piece of tobacco legislation. It does not go as far as I would have it go. I think it does not go far enough on the issue of liability for the tobacco companies and some of the issues that Democrats care about. But he is making a bipartisan effort to pass a tobacco bill that deals with the problem of teen smoking; and he should be commended for it, not condemned for it.

Speaker GINGRICH said that, in talking about Senator MCCAIN, he said that those people who say that is not a Republican bill, he is talking about Senator MCCAIN's bill, they are right. So I guess, from what the Speaker seems to be suggesting, any bill that does not win the tobacco industry's stamp of approval cannot be called the Republican bill. The reality is, it is sponsored by a Republican, and it was passed on a bipartisan basis, and I commend the Republicans who have been joining with the Democrats to try to move this legislation.

This weekend, still more of Senator MCCAIN's colleagues took to the airwaves to bash his bill. Again another Republican, Senator ORRIN HATCH, appeared on Meet the Press this Sunday to make it known he, too, does not approve of the MCCAIN bill.

And at the same time that members of his own party continue to publicly squabble about tobacco legislation, the Republican majority leader, Senator LOTT, ironically enough, continues to criticize the President for showing no leadership on the tobacco issue.

I would suggest that Senator LOTT needs to check his facts. The President and congressional Democrats are on the same page. We are all in agreement that the tobacco companies should not be left off the hook.

In fact, President Clinton, when this report that I am making reference to today from the Surgeon General, it was

actually released at a press event with the President, where he stood with I think 30 teenagers from the Campaign for Tobacco Free Kids, and he noted the fact that the tobacco industry, in order to survive, has to attract these young people and how wrong it is for them to attract young people. And he has been pushing have very hard for tobacco legislation almost on a daily basis.

To suggest that somehow the President is not supportive of efforts to move a tobacco bill is simply not true.

What I think is going on here is that the Republican leadership is in the process of what I call a work slowdown. There are only about 40 legislative days left in the year in which the Republicans basically have clearly projected their intention to do nothing, and the tobacco bill could very easily be a victim of that. If we do not move something quickly to the Senate floor, out of committee in the House of Representatives, there will not be an opportunity this year to pass a strong anti-tobacco legislation.

With 3,000 kids a day getting hooked on cigarettes, Mr. Speaker, I think it is an awfully high price to pay. We need to move on tobacco legislation.

I know that myself and other Democrats are going to continue to press this until the Republican leadership agrees to move anti-tobacco legislation to address the tobacco settlement and to try to make it possible for us to address the growing problem now of teenage smoking.

NO EXCUSE FOR DELAY IN AID TO NAGORNO KARABAGH

Mr. PALLONE. Mr. Speaker, I would like to now move to a couple of foreign policy issues that I consider very important.

I often talk about Armenia and India because of my position as a cochairman, the Democratic chairman, of the India caucus and also the Armenia caucus; and there are two issues, one with regard to each country, that I would like to address.

With regard to Armenia and the separate Republic of Nagorno Karabagh, which is next to Armenia, I would like to address the need to expedite humanitarian assistance that has already been appropriated to Nagorno Karabagh.

Just by way of background, the Republic of Nagorno Karabagh is a region which has been populated by Armenians since ancient times and which is still an Armenian region known as Artsakh to the Armenian people, but which is claimed by the Republic of Azerbaijan as part of that country's territory.

As I have mentioned in this House on several occasions, the people of Karabagh fought, and won, a war of independence against Azerbaijan. A cease-fire has been in place since 1994, but it has been shaky at best.

The U.S. has been involved in the negotiations intended to pursue a just and lasting peace in this region but, unfortunately, the United States' position has sided with Azerbaijan's claim of so-called territorial integrity, despite the fact that this land has been Armenian land for centuries and the borders which gave the land to Azerbaijan were imposed by the Soviet dictator Joseph Stalin.

Despite the ongoing pressures on Nagorno Karabagh, the people of that mountainous land have built a viable, democratic society. In February, they celebrated the 10th anniversary of the Karabagh movement, the galvanizing moment in the long history of the Armenian people.

But it has not been easy. The people of Karabagh are victims of a cruel and illegal blockade maintained by Azerbaijan. Karabagh's only connection to the outside world is via the Republic of Armenia, which is also the victim of blockades imposed by Azerbaijan and Turkey; and front-line Karabagh defense forces are constantly under attack from Azeri snipers violating the cease-fire, as I witnessed firsthand during my visit to the region just in January of this year.

The humanitarian and infrastructure needs of this area are severe, and I also witnessed that firsthand.

Now, last year, this Congress played an extremely positive and constructive role in helping the people of Karabagh. I want to praise the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations for providing for the first time direct aid to Karabagh in the amount of $12.5 million for humanitarian assistance.

Unfortunately, Mr. Speaker, none of that aid has yet been provided to Karabagh, and that is why I am addressing the House tonight on this issue. I am very concerned that some elements in the administration have misinterpreted the clear intent of Congress that the aid is destined for the people of Karabagh and, instead, are suggesting some of the funds should be diverted to Azerbaijan.

I will be circulating a letter to Brian Atwood, the Administrator of USAID, the Agency for International Development, urging that the funds be provided immediately; and I am also demanding the entire $12.5 million be provided to Karabagh as it was intended by Congress. I hope my colleagues will join me in this appeal as we go around and try to get co-signatures for this letter over the next few days.

It is true that USAID did send a need assessment team to Nagorno Karabagh earlier this year pursuant to the language in the Foreign Ops bill. While the team has reported its findings to Congress, we are still waiting for the aid to be provided.

Give us the aid. It needs to be provided. These people are hurting, and they need the help.

USAID officials have suggested that humanitarian aid will be committed in the near future; but, Mr. Speaker, I wanted to emphasize this aid was appropriated by Congress last fall. So we are talking 6 months for humanitarian assistance that is desperately needed, and there is no excuse for this delay.

While working to get the aid that has already been appropriated to its intended recipients in Karabagh, I am also urging the Subcommittee on Foreign Operations, Export Financing and Related Programs this year to build upon its historic achievement in the fiscal year 1998 bill to earmark assistance to Nagorno Karabagh at $20 million, an increase, and make it even more clear that aid is intended for disbursement within Nagorno Karabagh.

I also hope the subcommittee will consider broadening the scope of assistance to Karabagh to include the rebuilding and reconstruction of infrastructure damaged during the war. I know there are some true friends of Armenia on that subcommittee, and I am hopeful of support for these much-needed funds.

Mr. Speaker, let me say that, having twice visited this mountainous republic, I can attest that it is indeed a functioning society, a fact also attested to by members of the USAID team that visited Karabagh to conduct a needs assessment pursuant to this year's fiscal year 1998 bill.

Unfortunately, the State Department has apparently interpreted the provision of aid to the ''victims of the Karabagh conflict'', and they have interpreted this language of ''victims of the Karabagh conflict'', contrary to the intent of the House Subcommittee on Foreign Operations, Export Financing and Related Programs, as referring also to expanding existing funds for Azerbaijan's needy.

While I am concerned about the needy people of Azerbaijan, two things are important to point out: First, U.S. assistance is already being provided to Azerbaijan's needy through nongovernmental organizations, with tens of millions of American funds having been provided over the past few years. And, second, and I regret to say, the government of Azerbaijan has done very little to help the needy population in its rural areas, despite the huge revenues being generated for Baku for development of the Caspian Sea oil reserves. This is a fact that even our own State Department acknowledges.

Finally, Mr. Speaker, I wanted to again stress the importance of maintaining the current ban on government aids to Azerbaijan until that country lifts its blockade of Armenia and Karabagh. This ban was enacted as part of the Freedom Support Act of 1992, and it is a good law.

Now, Congress, unfortunately, is reexamining the issue of the prohibition on aid to Azerbaijan as part of an effort to enhance U.S. engagement in the region. While I am all for greater U.S. engagement in the Caucasus, we must not tinker with this provision. That is Section 907 of the Freedom Support Act.

Unfortunately, some in Congress, the administration and the oil industry are

looking to curry favor with Azerbaijan by lifting or at least easing the ban on aid to Azerbaijan. And for the ban on aid to be lifted, Azerbaijan need only lift the blockades of Armenia and Karabagh. Until then, there should not be any consideration of asking the United States taxpayers to support the dictatorship in Baku.

Again, Mr. Speaker, I feel very strongly about this matter, and I think we need to seriously address the fact that this aid has not been coming to Nagorno Karabagh and that, hopefully, if we continue to tell the State Department that they are not doing their job in providing the assistance, they will do so forthwith.

POSITIVE DEVELOPMENTS IN U.S.-INDIA RELATIONS

Mr. PALLONE. Lastly, this evening, Mr. Speaker, I had the opportunity today to visit in New York with the President of India. Some of my other colleagues were there, the gentleman from New York (Mr. ACKERMAN) and the gentleman from New York (Mr. MANTON). Each of us had the opportunity to talk for some time with the President, and I wanted to comment on his historic visit to New York.

He was there to receive an award, I believe at a reception this evening; and he also spent some time at the United Nations. But he, in my conversations with the President, was very optimistic about what has been happening in terms of India and U.S. relations. And those of us who are members of the India caucus, again which I mentioned that I co-chair, are very pleased because we see more and more positive developments in terms of U.S.-India relations.

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Just to mention a few things, just a few weeks ago, one of our former colleagues who is now the U.N. Ambassador, Bill Richardson, visited India along with Rick Inderfurth, who is the Assistant Secretary of State for South Asia, and also some other U.S. officials as part of the first delegation that the President sent to India since the new government was formed just about a month ago. And that trip I commented on last week was a very good trip because it really enhanced good feeling, if you will, between other two countries.

But one of the things that the President of India said today that was very good about the trip or that he appreciated about this trip by Bill Richardson was the fact that the U.S. representatives, including Ambassador Richardson, viewed India independently from the other South Asian countries. In other words, in the past, India has felt that U.S. foreign policy looks at India vis-a-vis Pakistan or vis-a-vis Bangladesh or some of its other South Asian neighbors and does not see it as its own country with its own place, if you will, an important place in world affairs. And that clearly has changed.

When Ambassador Bill Richardson went to India, he made it quite clear that India is a priority of U.S. foreign policy, and it is a priority viewed independently, if you will, because of India's own status in world affairs.

Now, that is not to say that Ambassador Richardson and the others during this visit did not want to increase the dialogue between India and its neighbors in South Asia. Quite the contrary. They stressed during the trip, and the media reported the fact, that they stressed the need for India and Pakistan to resume their dialogue and try to improve their relations. And in fact, today when I spoke to the President of India, he was very optimistic that that indeed would happen, that sometime in the next few weeks or the next few months that the two Prime Ministers of India and Pakistan would meet at the Prime Minister level possibly, at the trade meeting of the SAARC group in July, or maybe even sooner than that, and that this dialogue between the two countries to try to reduce tension and bring not only Pakistan and India but all the countries of South Asia together again economically, politically and maybe even eventually militarily, that this dialogue would continue. So that was a very optimistic aspect of my conversation today with the President that I wanted to mention to my colleagues this evening.

The other thing that the President of India stressed at the meeting today was the need for U.S. support for India to become a permanent member of the U.N. Security Council. Obviously, a big part of his trip today to New York related to the United Nations, and the United Nations is a focal point of India's efforts these days to become a permanent member of the Security Council.

Myself and a number of other members of our India caucus have, in fact, sponsored a House resolution where we express the sense of this Congress that India should be a permanent member of the Security Council, and we are hoping that eventually we can get that resolution passed, but we are also hopeful that the State Department will eventually come around to that point of view.

Again, the President of India was appreciative of the fact that the United States is pushing for an expanded Security Council, but he would like to see the U.S. directly support India's bid for a seat, as would I.

The last thing I wanted to mention in this regard is that when I spoke to India's President today, he was also very much of the vein, and I certainly agree, and I think it has been shown in the last 2 weeks as well, that the trade and business and investment relationship between our two countries, between India and the United States, is also going to move progressively forward.

There was some concern, I think, on the part of American businesspeople that with the new government, the BJP government as we call it, that they might not be as willing to move forward to encourage U.S. investment and more trade or might put up some barriers to U.S. articles, certain U.S. materials or articles coming into India. But that has sort of been put to rest in the last 2 weeks.

India's Finance Minister was in Washington just a short time ago, and he made it quite clear that the new government wants to move forward in terms of U.S. investment, particularly in infrastructure, that the market reforms would continue, that privatization would continue. And I mentioned to the President of India today that this was very important to the United States, and he was of the opinion that we had nowhere to go but forward in terms of increasing our trade and business relationships.

So once again, I just wanted to say in conclusion this evening that what has been happening since the new government was elected in India in March has been very positive in terms of U.S. relations. I believe very strongly that the United States needs to think of India as a priority of its foreign policy and that we need to expand business and trade opportunities with India and basically have our countries work together in almost every area, whether it is political, diplomatic, economic, or even military. And I think we are clearly moving in that direction in terms of the developments that have taken place in the last month between our two countries.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3717, TO PROHIBIT THE EXPENDITURE OF FEDERAL FUNDS FOR THE DISTRIBUTION OF NEEDLES OR SYRINGES FOR THE HYPODERMIC INJECTION OF ILLEGAL DRUGS

Mr. HASTINGS of Washington (during the Special order of Mr. OWENS), from the Committee on Rules, submitted a privileged report (Rept. No. 105–497) on the resolution (H. Res. 409) providing for consideration of the bill (H.R. 3717) to prohibit the expenditure of Federal funds for the distribution of needles or syringes for the hypodermic injection of illegal drugs, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3546, THE NATIONAL DIALOGUE ON SOCIAL SECURITY ACT OF 1998

Mr. HASTINGS of Washington (during the Special order of Mr. OWENS), from the Committee on Rules, submitted a privileged report (Rept. No. 105–498) on the resolution (H. Res. 410) providing for consideration of the bill (H.R. 3546) to provide for a national dialogue on Social Security and to establish the Bipartisan Panel to Design Long-Range Social Security Reform, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 6, HIGHER EDUCATION AMENDMENTS OF 1998

Mr. HASTINGS of Washington (during the Special order of Mr. OWENS), from the Committee on Rules, submitted a privileged report (Rept. No. 105–499) on the resolution (H. Res. 411) providing for consideration of the bill (H.R. 6) to extend the authorization of programs under the Higher Education Act of 1965, and for other purposes, which was referred to the House Calendar and ordered to be printed.

HIGHER EDUCATION ASSISTANCE ACT

The SPEAKER pro tempore (Mr. DEAL of Georgia). Under the Speaker's announced policy of January 7, 1997, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, today is April 28. Tomorrow will be April 29. A major event will take place on the floor of the House of Representatives.

Tomorrow we shall begin the consideration of the Higher Education Assistance Act, the reauthorization of the Higher Education Assistance Act. I think that I would like to proclaim to the American people, to the public, to everybody who cares in this Nation, that this is no small event.

Reauthorization of the Higher Education Assistance Act is a major event. We only do it once every 5 years. And the role of the Federal Government in higher education has been no small one. It is very important. In fact, it is quite unfortunate that there has been so little discussion and so little debate up to this point. We should have had more dialogue, more interaction with the people who are involved, students, faculties, presidents of colleges. It has been a very quiet reauthorization process.

I have been here now for 16 years, and this is the third reauthorization I have gone through, and I have never seen it so quiet. It is part of the process that has been forced upon us by the leadership, the Republican majority leadership here in the House, that everything is kept at a low profile, everything important is kept at a very low profile.

This session, this second year of the 105th Congress, the art of forcing the low profile, the art of forcing a low visibility for important issues has been perfected. Never before have we been in a session where we have had as many recesses as we have had this year, as short a workweek as we have had this year.

A decision was made by the ruling Republican majority that the less visibility this Congress had, the less the people of the United States see their Legistature at work, the better. So we have minimized a very important discussion on education, as we minimize all discussions. We are in a situation now where we have not even passed a budget. And I suppose one is being prepared in secret like everything else. It is a process where most things go on behind closed doors, and very little participation is encouraged.

In the case of the Higher Education Assistance Act, I found it very difficult as a member of the committee, I am a member of the Committee on Education and the Workforce, and I found it difficult to find out how things were moving as the preparation of this very important piece of legislation took place at the committee level. I have heard my colleagues in other committees complain about the same process. Even the Members of Congress are not invited to participate. We have to sort of force our way into the dialogue. Therefore, it is not surprising that the same ruling majority here does not provide opportunities for the public to know very much about what is going on, the voters.

I suppose this is a result of what happened in the 104th Congress in terms of a very well-publicized, highly visible agenda in the form of the Contract with America. We had maximum debate. The Democratic Minority had a chance to answer the proposals put forth by the Republican majority. We had out on the table the intentions of the Republican party, especially in the area of education. They clearly had intentions that were in confrontation with the majority of the American people. They wanted to abolish the Department of Education. They wanted to drastically cut certain education programs, even cut Head Start, school lunches.

It was a situation where we appreciated the honesty of the majority. The majority was honest. They put their cards on the table; and the American people, in their wisdom, rejected them. They knew that these ideas had been rejected as we approached the election date in November of 1996. They knew that with respect to education, they had miscalculated, and they ran very fast and used their power to make amends.

At the last minute during the appropriations process, the Republican majority increased the budget for education programs by $4 billion. Whereas they had been threatening to cut as much as $4 billion in the previous year in 1995, in 1996 they increased it by the same amount, $4 billion increase, instead of a cut. So they understood, they understood through the focus groups, they understood through the public opinion polls all of the barometers that we use to measure opinions and to determine where the voters are. They understood that the commonsense wisdom of the American people was not with them.

Education is a high priority, and anyone who threatens to abolish the Department of Education and greatly cripple the involvement of the Federal Government in education matters has to pay the price for that kind of position. Fortunately for them, and unfortunate for the Democratic Minority, they changed radically at the last minute, and they went out, after giving us a $4 billion increase in education, they went out as the friends of education, as the champions of education.

Unfortunately, in this 105th Congress, that is not the case. The kind of last-minute conversion did not carry over. We are back to business as usual when it comes to the Republican majority. First of all, they have the old proposals for school vouchers and privatization of education on the table with greater gusto than ever before. Block granting and vouchers and all of those old items that did not sit well with the American people in the last Congress have been resurrected. We do not hear any more of the talk of the abolishment of the Department of Education. The extremism is not there anymore. They do not put it out on the table.

If they feel the Department of Education should be abolished, then that is a covert matter; they do not talk about it in public. If they feel that Head Start should be cut, that is a covert matter.

They actually have been very civil in this process of reauthorizing the Higher Education Assistance Act. The Higher Education Assistance Act has come forward. It will go to the floor tomorrow from the committee. And the Republican majority on that committee is to be commended, I suppose, for not proposing any drastic cuts. There are no drastic cuts in the previous higher education programs.

We should rejoice. We should applaud this. Let us give credit where credit is due. The jackals of the 104th Congress that wanted to cut everything have left, basically, higher education assistance alone. We should be rejoicing. And I do rejoice.

On the other hand, as I said, on the occasion of the markup of this important piece of legislation, it is most unfortunate that given the fact that we reauthorize higher education assistance acts only once every 5 years, in a 5-year period, whatever we legislate tomorrow, whatever comes out of our House tomorrow and goes to the Senate and conference and signed by the President, that will be in effect for 5 years.

□ 2000

It is unfortunate that a bill which is going to carry us through the next 5 years into the 21st century and beyond is really a status quo bill. We can applaud the fact that they did not cut anything, we can applaud the fact that there was no attempt to roll back history, but we cannot applaud the fact that there are no innovations in the bill tomorrow, there is nothing new, there is nothing that looks at the 21st century and says that our thrust should be different, our commitment to higher education should be enhanced, we should meet some of the problems that have surfaced and are clear on the

horizon, we should meet these problems in this Higher Education Assistance Act or project a way to begin to deal with them. This is a status quo bill.

I complained at the level of the committee and I will complain again tomorrow that it is most unfortunate that at a time when we are enjoying the greatest prosperity the Nation probably has ever known, at a time when there is no war to absorb resources, at a time when the window of opportunity is wide open, we cannot come up with some more creative and imaginative proposals as to how we are going to proceed to educate the population. We have a lot of problems below the level of high school graduation. But certainly we have always committed ourselves and always been praised by for the fact that higher education in America is exceptional. We are ahead of most of the industrialized nations when they begin to make comparisons between the higher education systems among the countries. Not so with our elementary and secondary school systems. But at a time like this when we are ahead and it is clear that our higher education system has played a major role in our ability to quickly take advantage of the scientific revolution and to apply science and technology in many areas of life, including, of course, in the military area where the American people invested billions and billions of dollars in the military research and development, a situation which is very relevant because right now the kind of prosperity we are enjoying is partially fueled and pushed by the revolution in information technology. The companies that are newest and making the greatest amount of money on Wall Street are information technology companies, Intel, Microsoft, you name it, the newest companies, by the way who are not dependent on defense contracts or government contracts, they are all information technology related. That information technology that they have chosen to make great profits off of did not happen overnight and it did not happen by magic. It did not come directly from God. Everything comes from God indirectly but it did not come as a natural resource. It is not like an oil well, striking it rich with a diamond mine or a gold mine. Information technology and the state of the art right now is a direct result of the investment of the American people in great amounts of research and development for military purposes.

Information technology was really developed by the American people through their military services seeking ways to accomplish the jobs that they have to accomplish. The Internet was created by the American military forces. The Internet was created to assist and aid and speed up the exchange of information throughout the world, scientific information. The Internet is the creation of the American people through their military services. Something called the Defense Technical Information Center, another way for saying the world's greatest system of libraries, was created by the Defense Department. One of the by-products of that tremendous system for research and for development was the Internet. We are the beneficiaries of a system which was produced and financed by the American people which was conceived and operated and all the details have been put in place by American science and technology. Yes, we might have had some foreign scientists participate, we will not take that away from them, but basically the technicians and the scientists, the theoreticians and the philosophers who put this great technological revolution together in terms of information technology were products of our education system, mainly our higher education system, our higher education system which is still like all other higher education systems in the world basically an elitist system. Only a small percentage of people go to college. Only a small percentage of people totally still enjoy higher education opportunities throughout the world. That group and what they do and how they do it is critical to the advancement of our society and the continued prosperity that we enjoy. So if we are authorizing a piece of legislation called the Higher Education Assistance Act, then we ought to look at it in terms of this is a critical piece of legislation which will have a great impact on what we are doing in the future, how can we make this a better piece of legislation.

My first concern was that the legislation did not take advantage of an opportunity to increase greatly the amount of opportunities for Americans to go to college. The opportunities need to be increased for many reasons. We need more educated people. It is clear that there is a correlation between the number of educated people and our progress. If that is the case, then there should not be any question about having more people who have college education or higher education opportunities. Maybe some of them will only go to community colleges for 2 years but the principle of the value added, education adds value to everybody who participates, higher education adds very extensive, very great value to anybody who participates in higher education. A person coming out of a higher education institution is going to earn income and really pay back the investment that society has made in them. The person who comes out of a higher education institution is definitely not going to be dependent on subsidies. They will contribute to the process instead of absorbing any resources. We know all of this. It should not be difficult to conceive of the necessity of increasing the number. However, there are some people who balk at the idea that we need more college graduates and we need more college students. There is some notion that always runs throughout deliberations about higher education that, hey, you may get too many educated people and if you get too many educated people, you will drive down the standards and the salaries and the quality of life of the people who are educated. That has been a stream running through decision-making in America for a long time. It is not new. Fifty or 75 years ago they were talking about the possibility of having too many educated people, but it has never happened. We have never yet reached a point where we have too many educated people. People with college degrees may have some difficulty in the job market nowadays or they may have always had some difficulty, but generally they land on their feet, and generally people with college degrees do not end up being dependent on society. It is true now, it was true 25 years ago, it is going to be true in the year 2010.

Right now we are seeing an explosion of the need for people in the information technology sector. Information technology involves work with telecommunications apparatus, computers. It involves a lot of things which require higher education. Most people do not know it, but it also requires imagination, it also requires people who have some conception of spatial relationships, not just in terms of engineering but also in terms of artistic presentations. If you look at Web sites and you look at the kind of things that they are doing with Web sites, you know that these are not just mathematicians, these are not just physical scientists. The successful Web sites are being generated by people with imagination. They have imagination, they have some background beyond math and science or they are working in teams, so a person who is in drama and who is in art illustration or in just social science, understanding psychology of people, they may be on a team of people, some of whom have math and physics backgrounds, to produce what has to be produced in terms of software or in terms of Web sites, et cetera. We do not know, we cannot pick exactly who is going to be most successful in this area. But we should assume that all education can be fitted in somewhere. The psychologist may be as valuable as the physicist. We should have as much education as possible across the whole spectrum. We understood that briefly when the Russians outpaced us in space. The Russians put up Sputnik and began to put up one space rocket and one space satellite after another. We went to work in this country to deal with the fact that you can only compete in that arena if you have more and more people in the area of science. They did not all have to be geniuses and Einsteins. Some were theoretical scientists, some were applied scientists, some were technicians and technologists, some were good mechanics. The entire array of people needed to produce the kind of military hardware and the military processes that matched the Soviet Union and eventually made it spend itself to death in the

area of military technology, that was produced through the education process. We understood it then.

We are facing now a situation where there is a survey that tells us that information technology workers are in great shortage. This new revolution, these information technology companies that are producing such great profits on the stock market, these are the places where we have vacancies appearing at a great rate. There is some debate about it but some pretty thorough and credible surveys have been done which shows we are talking about 300,000 people in this area right now who are needed and are not there, 300,000 vacancies exist out there now. That will only get worse, because the reading of the survey of where students are in college, how many are majoring in the appropriate fields, generally what the education pool is in our colleges and universities, that survey leads the information technology experts to project that you may have a million vacancies 5 or 6 years from now trying to cope with an expanded enterprise, not only in business. Right now the great investment is in business. Profit-making businesses want to be on top of the latest technology, information technology. The state of the art is always being sought by these profit-making businesses that have lots and lots of money to spend because they are making great amounts of profit, so the money is being spent now in the business arena. They have not even started yet to really apply information technology en masse to higher education institutions, and further down the public schools which the President, President Clinton and Vice President Gore certainly have seen the vision to include in this information technology revolution. The public schools are way, way down the chain. Even in some places like California where they led the country in showing us how to get schools wired using volunteers and put schools on the Internet, even there we are talking about a situation where every school that was wired by volunteers on a Saturday afternoon, we called them wired if they wired the library and five classrooms. The library and five classrooms was the extent of the wiring. There is a lot more to be done even in the places where we have been most successful. But in my hometown, New York City, and home State, the big cities in New York have nothing close to anything like 10 percent of the schools wired. We have a project going in our area where it has taken us almost 2 years to get 22 schools wired using our volunteers on Saturday. Even with the cooperation of the Board of Education, Bell Atlantic and a lot of private sector people have participated, it is a slow process. Of course in the suburbs surrounding New York City, they have dealt with the process. They have not depended on volunteers. They have wired their schools. They have state of the art media in some of those places. Where the largest number of poor people go to school in the inner cities, we are way behind.

In this Higher Education Assistance Act, my point is we have not taken into full consideration the fact that right now there are tremendous amounts of vacancies in the information technology sector, 300,000 vacancies right now, and a projection that there will be many more, these people have to go through higher education even if it is only 2 years of college in many cases. We have not taken that into consideration. Just to meet that need, we should have special programs in colleges and universities at increasing the number of students in the pool.

□ 2015

We have to replenish the number of doctors and lawyers and MBAs. You know, there is a whole society demanding more and more educated people. One of our biggest exports is not goods but services, the services supplied by experts, and these are experts that come out of our colleges and universities that export services around the world. There will be a more greater demand for services from highly educated people in the future.

Mr. Speaker, let me just recapitulate. I do not want anybody to get lost. I am talking about the fact that there is a great demand for people with higher education, and the demand will increase, and we should have taken that into consideration when we considered this Higher Education Assistance Act.

The act that we will be considering tomorrow on the floor of the House is a status quo bill. It maintains things pretty much as they are. And while we applaud the fact that there are no drastic cuts, it is unfortunate that we have not taken advantage of a window of opportunity to go forward and deal with needs that are obvious in our work force.

I also complained about the fact that, at the time that we considered this bill in our committee, about the fact that the great debate right now with respect to affirmative action and the problem of trying to provide diversity on higher education campuses by taking into consideration certain matters that go beyond just the scores on the SATs and the averages in courses in high school and that great debate, which is escalating, and certainly in California, has led to some real disasters in terms of the policy changes made by the board of regents of California.

You have a drastic reduction in the number of Hispanics and African American students who are in the higher education freshman class. You have an even more drastic reduction in the higher education graduate institutions. Texas has had a similar problem, and across the country there are more discussions and referendums and policy changes now in process with respect to ending efforts to promote diversity by considering the ethnicity of a particular student and the need to achieve balance in the student body.

If we are going to go that route, and there are people who argue that affirmative action is not good, but if we have proposals and programs that seek to provide more help for people who are disadvantaged, people who need help because they are poor, well, that is across the board. You know, consider race. You do not consider ethnicity, you just consider the fact that they are disadvantaged, they need help, that that is the way to go.

I have heard proponents of ending affirmative action. The people want very much to end affirmative action, including the Speaker of the House. They argue that we do not want any consideration on the basis of ethnicity. Let us forget about the 232 years of slavery and the descendants of slavery who did not have a chance to accumulate any wealth, and if you did not have a chance to accumulate any wealth, the whole family structure and the whole supportive atmosphere that breeds, that creates, middle-class people who are more successful in the formal education structure, forget about that they said.

Let us just consider everybody equal and take care of those who happen to be unfortunate economically all across the board so that white poor and the African American poor and the Hispanic poor are all treated equally.

I do not concede that affirmative action is not important. I do not concede you should forget about 232 years of slavery and the impact of that on the descendants of slaves, the impact of a hundred and some years of oppression as second-class citizens that followed the Emancipation Proclamation and the 13th, 14th and 15th amendments. I do not concede that, but let us for a moment lay it aside. Let us consider the arguments that are made by these people who want to get rid of affirmative action. They say they are ready to be fair to everybody.

If you are honest about that assertion, then you will create more opportunities. We should be considering how the Education Act, which had a tremendous increase in the amount of money available in order to create more opportunity for more people regardless of their race, creed or color.

We should have the Pell grants greatly increased. They are increased somewhat, but the Pell grants should be greatly increased in terms of the number of people covered. The amount for Pell grants, the number of people covered should be greatly increased.

We should have great increases in all of the loan programs, in the TRIO programs and every program that is designed to promote higher education. Because we should anticipate a great increase in the number of students coming in who have been denied an opportunity because of the fact that they are poor.

That requires money, that requires appropriations and commitments. In the authorization of this bill, we have not dealt with that.

Oh, yes, there is a lot of money involved here, but it is status quo, you know. It is taking into consideration the fact that we are throwing out affirmative action programs and, therefore, the affirmative action programs ought to be replaced with greater opportunity programs. There should be more opportunity programs.

You know, consider the constellation that we are dealing with here. In America now, there are roughly about 15 million students in college and universities, 15 million students in colleges and universities. That includes the community colleges and senior colleges. In America right now, there are about 3,688 institutions of higher learning, community colleges, senior colleges, et cetera.

Right now, the expenditures of the State and local governments for higher education is approximately $89 billion per year. These may seem like big numbers, but the cost, the amount we are spending per student in our public institutions supported by State and local governments and by the Federal Government, the Federal Government expenditure I think is around $38 billion for cash, programs receiving cash directly, and another $40 billion if all the tax credits and various new programs that have been established are utilized.

You are talking about $38 billion, $40 billion. That is a lot of money, a lot of commitment. $38 billion, $40 billion, you know you are talking about nearly $80 billion of federal assistance, $89 billion is expended by State and local governments. I suppose that comes to, you know, $169 billion, a lot of money.

But what is our defense budget? How much money do we spend on defense? It is way, way up there at $200 billion, almost $300 billion. Combined events in intelligence, you are talking about $300 billion on defense and intelligence.

So you can only compare. These figures will drown you. You will get lost quickly if you do not make comparisons. You can only compare, determine the value of what is being spent and get some perspective if you look at what modern costs are in other areas. What are we spending in defense? Close to $300 billion. $89 billion at the State and local level for higher education and another $80 billion probably at the Federal level.

It seems like a lot of money, but in terms of modern costs it is not a very great expenditure.

How much does the cigarette industry make in billions of dollars per year? I mean, in terms of modern costs, our commitment to higher education is, I assure you, nothing staggering.

City University in New York, City University of New York, which probably has one of the best bargains in education, we educate students in City University for less than $20,000 per year. I think that the recent budget cuts, they have had steady budget cuts for the last 20 years. This is a university that has been squeezed and pushed and manipulated and very badly treated by the people who appropriate funds over the last 20, 25 years.

City University, the cost of educating one student is about $20,000, and you might say $20,000 per year to educate a student. Well, Harvard and Yale is the Ivy League. Students are above $30,000 and climbing, and you might say those are large amounts of money, but compared to what?

The taxpayers of America spend $120,000 per student to educate students who go to West Point. Let me repeat that figure so you will understand what I said, and I had it checked and double checked, and this is not the military training. Military training takes it up to the $200,000 range. Just the academic training of every student that goes to West Point costs the taxpayers of America $120,000.

Now get the perspective in place. I would say that we are spending much too much to educate a student at West Point, but I would say at the same time we are spending much too little to educate a student at City University, or maybe it is not relevant unless you look at how the money is being spent.

City University has 200,000 students. You know, the economies of scale would allow you to do things cheaper, but City University also has students jammed into classrooms and college classes with 40 and 45 students; you know, are not conducive to learning.

City University has an antiquated infrastructure. Only recently, last 10 years, did some of the colleges get phones, push-button phones. You know they had rotary phones. In many cases the buildings have, the academic buildings, have only a few phones, let alone lines that could connect computers to the Internet.

The higher education establishments and City University are way, way behind the state-of-the-art higher education institutions in respect to computers and information technology. They need a great infusion of capital just for that purpose.

I am not saying that New York State and New York City should spend $120,000 per student as they do at West Point. But I think that, instead of the present rage that is being promoted by certain editorials in certain papers and certain of our political figures, the rage against City University for trying to educate too many students and having too much remediation and needing to raise its standards by locking out large numbers of students from the opportunity in higher education provides all of that is going in the direction which is counter to where we ought to be going as we move toward the 21st century.

So I want to reemphasize the fact that it is probably one of the most important bills that we consider in this Congress. The Higher Education Assistance Act that we will be considering tomorrow is probably one of the most important bills that we will consider. We only do it once every 5 years.

There are very real problems out there related to affirmative action and the way opportunities for higher education are being cut off, smothered in our various States, the Hopwood decision in Texas and the City University of New York.

If they end remediation, they would be accomplishing what California has accomplished through a back-door means. They do not talk about affirmative action, but it is large numbers of poor students, beginning with the poor students who are African American, the poor students who are Hispanic, but large numbers of white students also who are poor will be cut out of the opportunity to go to a higher education institution, that kind of opportunity provided by City University.

□ 2030

At a time when we ought to be considering how to have more of a pool of people upon which we can draw to meet the challenges of the 21st century, we are going in the opposite direction. There are some midget minds at work; there are some timid spirits that are moving things, and people that have power do not have any vision about where we are going.

Governor Rockefeller, who was a Republican, laid out a vision for the university systems of New York's SUNY and CUNY, which catapulted them into a whole new stratosphere in terms of the kind of activities they are involved in now. Now we are under a Republican Governor going in the opposite direction in terms of that vision and understanding of the role of higher education at a time when we should be going in the opposite direction.

Consider the history of higher education in this country. Consider the fact that if we had not had visionaries who understood the importance of education in the overall achievement of prosperity in this country, in the establishment of circumstances which would allow our people to pursue happiness, if that vision had not been there, we would be in serious trouble. We do not realize how much education and the initiatives taken by a few legislators, people in power, has meant over the years.

First, Thomas Jefferson and the University of Virginia. It probably did not become the model he wanted it to become, but it certainly planted the seed at the University of Virginia as a State institution and as one of the first of its kind in terms of being established and run with public funds, not being burdened with the necessity to heavily weight its courses, courses related to theology and philosophy, et cetera. There is nothing wrong with theology and philosophy, but the mission of the University of Virginia was to learn everything that they could learn about everything that was useful. Maybe it did not achieve that, but it planted a seed.

A man named Justice Smith Morrill, M-O-R-R-I-L-L, the Morrill Act, people

who have tossed off that term, the Morrill Act, the land grant colleges, Justice Smith Morrill was a Congressman from Vermont, first as a Member of the House of Representatives, and then he became a Senator in 1862. He was here during the period of the Civil War and the period shortly after the Civil War. He served in the Senate until 1898, and he came forward several times with proposals to establish institutions that would go beyond the usual parameters of education at that time, the agricultural and the mechanical colleges which would deal with a scientific approach to farming, a scientific approach to the practical matters of our Nation, and eventually Morrill was able to prevail, and we established land grant colleges in every State in the Union.

The land grant colleges came out of the Morrill Act. It was later on improved and doctored by other actions by Congress, but the whole conception that the government should participate in the process of educating the population was institutionalized in the Morrill Act and the land grant colleges that flowed from that action.

The kind of education provided by the land grant colleges proved to be the greatest thing that ever happened to America in terms of the production of people who understood how to apply learning and knowledge and science to farming, to engineering, and a whole core of people were created who moved us forward. In the area of agriculture in particular, they moved us forward in a way that no other industrial power, none of the leading nations in the world, have ever been able to match. We are way ahead in terms of production of food at low cost for the population as a result of the Morrill Act and the land grant colleges.

Mr. Speaker, we need that kind of vision now. We need an innovation, an initiative now which would match the Morrill Act initiative. It has to go in a different direction, but it is not so different. Information technology alone offers a challenge just to move so that our colleges and universities are the premier agents for the development of the human capital. Information technology demands human capital. We do not have to have oil or gold or natural resources, coal, but we must have human beings who have been very well-educated. We should have some initiative which understands that and applies it across the board to all of our institutions of higher learning so that they can begin in a systematic way to meet the needs.

Mr. Speaker, we had another innovation that took place in 1944. The GI Bill, which established the right for every returning GI, every veteran of World War II, to receive an education, was signed first by Franklin D. Roosevelt on June 22nd, 1944, called the Serviceman's Readjustment Act of 1944. During the past five decades the law has made possible the investment of billions of dollars in education and training for millions of veterans. The Nation has in return earned many times its investment in increased taxes and a dramatically changed society. The law also made possible the loan of billions of dollars to purchase homes for millions of veterans and helped transform the majority of Americans from renters to homeowners.

But the education part of it, the fact that returning veterans were able to go into colleges and universities and come out with the kind of training and know-how put us in a position after World War II to mount the kind of industrial revolution that we have now, the information technology revolution, the research and development revolution, and the military which led the way, allowed us to bring the competing Soviet empire to its knees. All of that could not have happened if we had not had a Morrill Act, a GI Bill of Rights, and the subsequent opportunities that that provided.

The American Legion is credited with designing the main features of the GI Bill. These ideas are not radical, they are part of a consensus that has been developed in America, and Republicans and Democrats have participated. The American Legion is credited with designing the main features of the GI Bill and pushing it through Congress. The Legion overcame objections that the proposed bill was too sweeping and could jeopardize veterans getting help at all. At the time Congress had already failed to act on about 640 bills concerning veterans.

Members of the American Legion met first in Washington on December 15, 1943, and by January 6 had completed the first draft of the GI Bill, and on and on the story goes. The bill was another one of those landmarks in American history that produced a great leap forward, a great leap forward in our society. The GI Bill, the Morrill Act, they are the kinds of actions that have propelled us forward, and they ought to be celebrated and understood.

It is a pity that at a time like this, when probably the Members of Congress are better educated than ever before and understand more about the dynamics of our society and the need for some kind of comprehensive approach to where we are going in the next century, it is a pity that those forces are all, for the moment, either paralyzed or oppressed or lulled to sleep or blocked, and that we have the Higher Education Assistance Act which makes no great steps forward.

This Higher Education Assistance Act, as I said before, is at least not a bill that is going to take us backwards, but it really is pathetic in terms of its understanding of the need for the next 5 years as we go into the 21st century.

The bill that we will be considering on the floor tomorrow reauthorizes Federal student loans, Pell grants and other student financial aid programs for 5 years. It resolves a controversy over cutting interest rates on student loans, which took us a lot of time. Banks were accused of trying to make a killing off student loans, and that was resolved.

Pell grants in this bill, the bill authorizes an increase in the maximum Pell grant award. It stands at $3,000 in the current academic year, and it will go to $4,500 in the year 1999–2000 academic year. It is a slow, incremental set of increases, not keeping pace with the cost of living, but at least nobody proposed that we cut it out or back. It authorizes annual increases of $200 until the 2003–2004 academic year when the authorized maximum amount would be up to $5,300. So it is an incremental movement forward in the area of student aid, which is the hallmark of the bill in terms of providing opportunity for the poor, the Pell grants.

The bill makes a number of changes to the formula used to calculate how much financial aid students receive. The bill denies Federal student aid to those convicted or possessing or selling illegal drugs, an amendment which had a great deal of discussion. I do not approve of cutting off opportunity for young people so early in life. There is one factor that must always be considered is that children are children. They are not adults. The aging process, anybody who is as old as I am, I am almost 62, one understands that one just could not know at age 18 or 20 or 22 what one knows later on. One cannot make the same judgments. And practically every young person is in danger of at some vulnerable moment making a mistake of some kind that is quite serious, but we should not set up situations where that mistake becomes a trap that is eternal for that person. Not to be able to get a college education because one made a mistake is a little too harsh, but that is part of the legislation at this point. Of course, I think it will be debated on the floor to some extent, but the majority has prevailed thus far on that matter.

It has many other good features before I talk about the negative. It does have loan forgiveness for people who teach in low-income communities; it does have a number of features that are improvements, slight improvements over what was there before. There is a provision related to the whole matter of affirmative action that will be on the floor tomorrow. Again, we will have to debate this whole matter of no efforts whatsoever can be made to diversify campuses, and we will have to deal with the fact that more stringent national standards will be applied; there will be an attempt to apply stringent national standards that are similar to the California antiaffirmative action program.

Of the amendments that have been noticed, there will be an amendment offered by the gentleman from California (Mr. RIGGS), an amendment to prohibit any institution of higher education that participates in any higher education program from discriminating against or granting preferential

treatment to any person or group in admissions based on, in whole or in part, on race, sex, color, ethnicity or national origin. The amendment exempts from its ban any private institution of undergraduate higher education that traditionally and continually from its establishment admitted students to schools on the basis of sex. The amendment also specifies that it does not prohibit or limit any institution from encouraging or recruiting qualified women and minorities from seeking admission, provided that such recruitment and encouragement does not involve granting preferential treatment in selecting any person for admission based, in whole or in part, on race, sex, color, ethnicity or national origin.

This is an amendment which, in very nice language, coats the fact that what it is saying is that we do not want any effort to encourage and promote diversity on a campus. The world is diverse. The United States is diverse. The number of people who are minorities, the proportion keeps increasing. To have diversity on campus, of course, is only to have students live on campus in a world that is very similar to the world outside. But this language, however civil it may seem on paper, seeks to wipe all of that out in one stroke. It would do what the University of California has done across the Nation. Because practically every higher education institution does receive some Federal funds, every higher education institution would have its hands tied in terms of promotion of diversity through its own affirmative action programs.

□ 2045

So the Riggs amendment will be debated, and I hope that we will prevail and not have the Federal Government participate in the blocking of opportunities for large numbers of deserving students who need to go to college.

Unfortunately, as a New York City resident, a New York State resident, I will be participating in the argument knowing fully well that an effort is being made in my own city and my own State to accomplish the same action, to accomplish the same ends through the back door. We are going to close off opportunity to large numbers of people.

And whereas I started by saying this Higher Education Assistance Act fails to increase opportunity by increasing the amount of funds and resources available so that poor people, no matter what color, race or creed they may be, will be able to take advantage of the higher education process, we do not have that. Yet we are going to have to debate an attempt to throttle even further that which exists already.

At City University of New York proposals are being made that they raise the standards of the senior colleges using SAT scores and cut off the admission of large numbers of students who cannot measure up to those SAT scores, although they are graduates of the schools in New York City. They also want to greatly reduce the amount of remediation done in the senior colleges and in the community colleges, two-year colleges. What this will do, if we reduce remediation, if we require students to make remediation before they enter college, we will greatly reduce the number of students because remediation is needed by large numbers of students. Eighty percent of the students have some form of remediation that they participated in during the course of their time in college.

Remediation are courses in effect across the country. Most colleges and universities have some remediation programs. What we have learned about the human mind and the learning process ought to tell us that remediation is a natural thing to have in higher education, because genius and talent is not comprehensive. It is not across the board that every student who is very good in English is also going to be good in math; those who are good in science are also going to be good in foreign languages. Remediation helps to balance out a process that nature has started, and we only rule out genius if we start insisting that remediation courses should be eliminated.

Mr. Speaker, I made the following statement, and I want to close with this statement. I did want to talk a bit about one other amendment that we will have on the floor tomorrow connected with information technology, the need for information technology workers.

I will have an amendment to provide for information technology partnerships between colleges and community-based agencies in order to provide more opportunities for young people to get exposure to computers and be able to determine whether or not they want to go into computer technology. They will have a chance to practice and a chance to get excited by it, and then apply it to a community college and a college to go into a program. The college would run these local centers where students would have these opportunities.

Mr. Speaker, I just want to close with my statement before the City University Board of Trustees. I thanked them for the opportunity to testify and then I mentioned that all over the world the education of masses of youth emerging from educationally deprived backgrounds is a vital challenge to the process of building a new global society with abundant supplies of indigenous leadership. If we meet this challenge of educating those who arrive in our college classrooms with inadequate preparation in the City of New York, in the City University, if we can take freshmen from impoverished backgrounds with enormous skills deficits but who have normal brains and great potential, if we can take this kind of raw material and create productive and independent citizens able to take care of themselves and also serve as leaders, if we can seize the situation which we presently confront, then we will have a system that produces a priceless global product.

Using this method, the methods established in New York, with our great and enormously diverse population, we will have developed a blueprint, a model for higher education which would be applicable anywhere in the world. The world market for such a service is almost unlimited. It would be a product of highest value. In other words, the challenge is to take the people who have the deficits educationally for whatever reason. The New York City public schools are inadequate now and they have gotten worse over the last 10 years, so students with good brains and great potential may have skills deficits, and the only way to deal with those skills deficits is when they get to college.

What is happening in New York City is a tragedy, however. At a pivotal point in the life of the city, as we approach the dawn of the 21st century, there are confused but powerful forces in the city which are turning a time for triumph into a time for tears.

President Clinton has rightfully referred to America as an indispensable nation. It is not exaggerated to state that in this indispensable nation, New York City is the indispensable city. In order for this city to maintain its rightful place and fully realize its destiny, an open, thriving, creative City University of New York is an indispensable institution. City University of New York is the jewel in the crown of our unique urban civilization.

This is a moment at which we must truly rally our better instincts, our common sense. We must rally our well-cultivated logic and our receptivity to the evidence provided by well-known studies. Such studies show that the record of CUNY is a laudable one. City University of New York has a laudable record.

Consider the fact that the cost to educate a single student is so much greater in Harvard, and even greater at West Point, $120,000 per year per student. Despite the shoestring budget of the City University of New York and repeated fiscal harassments, City University of New York has endured over many lean years. City University of New York still stands in the ranks of the greatest in its production of outstanding scholars, Nobel laureates, scientists and international prize winners.

The City University, as I said before, is indispensable to the life of the city. Any university anywhere in the country, all of our public institutions, following the tradition of the Morrill Act, following the tradition of the GI Bill, all of these have a great deal to offer as we go into the 21st century.

We should look at the Higher Education Act tomorrow as being inadequate but at least a start, and find ways to improve and expand on the Higher Education Assistance Act which will come before us for deliberations on the House of Representatives floor tomorrow morning.

RELIGIOUS FREEDOM AMENDMENT TO THE CONSTITUTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Oklahoma (Mr. ISTOOK) is recognized for 60 minutes as the designee of the majority leader.

Mr. ISTOOK. Mr. Speaker, tonight I am going to be talking about a very important issue that is coming before this House in approximately a month, that being the Religious Freedom Amendment.

Mr. Speaker, I will submit a copy of a detailed analysis of the proposed constitutional amendment which I will provide to the Clerk, to be printed and included in the RECORD.

The Religious Freedom Amendment, known as House Joint Resolution 78, is responding to the public's very valid concern for the last generation that the courts in the United States of America have become hostile to religion. They have placed barriers to religious expression which do not exist for other forms of speech for free speech.

A false standard has been created by the courts basically saying, well, if everyone is not unanimous in agreeing on some religious topic, then we ought to be censoring it, if it is something like a prayer in a public school during the school hours or the football game or at a graduation.

In the next 30 days or so, Mr. Speaker, all across America we are going to have students graduating from high school, and in some places from college, and they will usually want what has become an American tradition, or was until the Supreme Court interfered, namely having a simple prayer to begin or to close or both at a public school graduation.

In fact, it is a tradition. The earliest recorded public school graduation in the United States, according to the Supreme Court, featured a prayer. In fact, multiple prayers. But the Supreme Court has basically taken a stand and said if everybody does not agree, then we ought to censor it, because they say we do not want to have an establishment of religion created.

Or some people use a catch phrase, and I will talk about this more, Mr. Speaker, use a catch phrase of saying, well, it would violate the wall of separation between church and State, which is not a phrase found in the American Constitution. It is a phrase that has been put in by other people for other purposes and often, rather than quoting the Constitution itself, people cite that phrase as though it explained everything.

What does the Constitution say? ''Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.''

The Supreme Court rulings against school prayer and other religious issues have been provoking public outrage since 1962. We have not had a vote here in the House of Representatives since 1971 on a proposal to correct the Supreme Court by amending the Constitution to provide for voluntary school prayer, and to reinstate other protections in religious expression which used to be common in the U.S.A. until approximately 36 years ago.

Mr. Speaker, the text of the proposed amendment has been approved by the House's Subcommittee on the Constitution. It has been approved by the House Committee on the Judiciary. It is ready to come to this floor and will be coming to the floor soon.

Let me quote, Mr. Speaker. It reads thusly:

> To secure the people's right to acknowledge God according to the dictates of conscience: Neither the United States nor any State shall establish any official religion, but the people's right to pray and to recognize their religious beliefs, heritage, or traditions on public property, including schools, shall not be infringed. Neither the United States nor any State shall require any person to join in prayer or other religious activity, prescribe school prayers, discriminate against religion, or deny equal access to a benefit on account of religion.

And of course under the normal process it is proposed that two-thirds of the House approve this amendment, two-thirds of the Senate approve, and then during a seven-year window of opportunity it would require ratification by the necessary three-fourths of the State legislatures.

That, of course, is the process that was created by the Founding Fathers to amend the Constitution, and indeed it has been amended before to correct erroneous Supreme Court decisions. For example, the Dred Scott decision back in the middle of the last century provoked a lot of outrage with its decision that basically was in favor of slavery, and that was corrected by a later amendment to the Constitution.

Mr. Speaker, a lot of people today, and I think the media has a great deal to do with this misleading, because we will find in the press too a lot of people are told, well, the issue is separation of church and State.

Mr. Speaker, we could talk among ourselves and say, well, what does that term mean? But I think that it is instructive to look at what the Chief Justice of the United States Supreme Court, our current Chief Justice, William Rehnquist, has said about the use of this term, which he said has been used to mislead people about what the Constitution actually says and what the Founding Fathers actually intended when it comes to religious freedom.

Justice Rehnquist, our Chief Justice, has written in official Supreme Court opinion that the use of that term should be ''frankly and explicitly abandoned.'' Those are his words. ''It should be frankly and explicitly abandoned.''

Why? Because it has not been used to promote neutrality toward religion, but it has been used to promote hostility. Essentially, it has been used to say that if government is present, then religion must be absent. So if government comes into a situation, religion must be pushed out and pushed aside.

Mr. Speaker, when we have the growth of government where it is with us in every aspect of our lives today, in schools, in something involving health care, in so many bodies that are created as public bodies, and we are told, ''My goodness, this is a government-funded activity. You cannot have a prayer to open or close, or we feel hesitant if you involve your religious beliefs in sharing your opinion.''

For example, a first grade student in Medford, New Jersey, in the last year was told by a Federal judge that even though he won a contest, a reading contest, and could read whatever story he wanted, because he chose a story from the Beginner's Bible, the school said, ''Oh, no, you cannot read that at school,'' and the Federal judge said, ''That is right. You cannot read that at school,'' and cited as his mantra what Justice Rehnquist has condemned, separation of church and State.

In Florida, in Fort Myers, Florida, they said they wanted to have a course not teaching doctrine but teaching about religion. And so they were going to have aspects of the course that dealt with the Bible as history, which is something that is supposed to be expressly approved, many people think, as long as it is taught as history. But the Federal judge in Florida ruled that they could teach about the Old Testament as history, but they could not teach anything about the New Testament because not everybody believes in the resurrection. So the Bible even as literature was singled out by a Federal judge. Why? Because they are following the standards set by the U.S. Supreme Court, standards not of neutrality but, unfortunately, to promote hostility.

□ 2100

Our courts blaze a wayward trail because they use a broken compass. Let me tell you, it was in the case of Wallace v. Jaffree that Chief Justice Rehnquist made his remarks about his little catch phrase, ''separation of church and state.'' This was an opinion, it came down from the Supreme Court in 1985 in Alabama. Because they were so upset with the effort of the courts to strip prayer out of the public schools, they passed a law that said, let us have a moment of silence, a moment of silence at public schools. The U.S. Supreme Court ruled the moment of silence was unconstitutional because it could be used for silent prayer.

A lot of Americans are not aware of that, Mr. Speaker. They do not know that the Supreme Court has gone so far as to say if you have a moment of silence, that is unconstitutional, because people could be offering a silent prayer. Now, if that is not an outrage, Mr. Speaker, I do not know what is.

The Chief Justice was outraged by what five of the Justices did. It was a 5–4 decision. He was so outraged, and he wrote about it, and he talked about what they had said and the error of it.

For example, the originator of the phrase ''wall of separation between

church and state'' is usually said to be Thomas Jefferson. But as Chief Justice Rehnquist noted in his opinion, and I quote here, ''It is impossible to build sound constitutional doctrine upon a mistaken understanding of constitutional history; but unfortunately, the establishment clause has been expressly freighted with Jefferson's misleading metaphor for nearly 40 years. Thomas Jefferson was, of course, in France at the time the constitutional amendment known as the Bill of Rights was passed by Congress and ratified by the States.''

The person that originated that phrase was not involved in drafting the first amendment. So the Chief Justice said clearly in the Wallace v. Jaffree opinion, and I quote him again, ''The establishment clause did not require government neutrality between religion and irreligion, nor did it prohibit the Federal Government from providing nondiscriminatory aid to religion. There is simply no historical foundation for the proposition that the framers intended to build the wall of separation.''

As Justice Rehnquist said, the evil that they wanted to address was from proposals to establish an official national church, or an official religion, because we do not want that in the United States of America. But he said, the Congress clearly intended to have a positive attitude toward religion.

Then the Chief Justice said that this so-called wall of separation is actually what he labeled a blurred and distinct and variable barrier. He called it a metaphor based on bad history. In his words, quoting again, ''A metaphor based on bad history, a metaphor which is approved useless as a guide to judging, it should be frankly and explicitly abandoned.''

Now, Mr. Speaker, I go through all that talking about what the Chief Justice of the U.S. Supreme Court has written merely to try to get people to understand that the issue is freedom. The issue is religious freedom.

If someone wants to stand up in a school and together wants to say the Pledge of Allegiance, can they say the Pledge of Allegiance at a public school? Sure. There was a challenge to that a number of years ago. It came out of West Virginia. The U.S. Supreme Court wrote that no child can be compelled to say the Pledge of Allegiance. I agree with that. But, Mr. Speaker, they never gave a child who did not want to say it the right to censor and silence the classmates who did want to say the Pledge of Allegiance.

Mr. Speaker, that is the correct standard that needs to be followed when it comes to a prayer that people may want to offer in public school, a positive expression of hope and faith at the beginning of the day. Whether it be part of a devotional activity, whether it be done on a school basis or classroom basis, whatever they choose to implement, the issue is the freedom to do so.

Are we to say that, because someone has overly sensitive ears and they choose to be offended by an expression of faith, that, therefore, we must censor and we must silence those expressions? Or if there may be a chance that one prayer out of a million might be offensive, do we say that we silence a million prayers just to be sure that one particular offensive prayer is never uttered? We do not apply that standard of free speech. We say that something with which we may disagree is nevertheless protected.

Were we to say that you can censor people if you do not like what they are saying, Mr. Speaker, we would not have free speech in this country. How, then, can we say you can censor what someone is saying if it is a prayer in a public place and still claim to have freedom of religion?

No, Mr. Speaker, freedom of religion means that we accept those with whom we agree and those with whom we disagree. It means we look after the rights of the majority and the rights of the minority. We don't fall for this mistaken theory that the Bill of Rights is meant to protect only minorities and not protect the rest of us. It is meant to protect all of us with a standard of tolerance.

In the cases where the U.S. Supreme Court ruled against prayer in public schools, one of the dissenting Justices was Supreme Court Justice Potter Stewart; and he noted that, if we really believe in diversity, then we ought to say people can offer their prayers. We know there will be different prayers, because we follow a basic principle, Mr. Speaker. You do not have a prayer composed by government. The religious freedom amendment says absolutely not. You do not have an imposition of government to require prayer to be said, nor its content.

Who then selects a prayer or offers it? Well, we follow a very basic principle that is used in so many aspects of school, something we learned in kindergarten. It is called taking turns, and let different people have their turns, and let people be aware.

Yes, there are diverse ways in which people pray. There are different opinions. But do we expect our children to be isolated from those during their daily activities at school, and then, when they become an adult, suddenly they are supposed to understand, suddenly they are supposed to be tolerant of different opinions when they have been told for years that those are dangerous or damaging or must be silenced? No, Mr. Speaker.

As Justice Stewart wrote, in a society of compulsory attendance at public schools, to say that, during the school day, a child must be isolated from what is normal in everyday life is not neutrality. It is placing religion at an artificial and State-created disadvantage.

Mr. Speaker, prayers are normal. They are common. We begin each day in this House of Representatives with a prayer. The United States Senate, the other body, begins its meetings with a prayer. Chambers of commerce, civic clubs, Lion's, Kiwanis, PTA organizations, State legislatures, city councils, all sorts of groups open with a prayer. Yet, if it happens in a public school, they say that is to be condemned.

In the State of Alabama, there is an outrageous court order from a Federal judge that is covering the students there. Many students have been kicked out of school because the judge has issued a gag order against so much religious expression in the Alabama public schools, appointing monitors to make sure that something does not happen that he believes is wrong.

I want to read to you from part of the opinion that was rendered by Federal Judge Ira DeMent in Alabama just this last year. As requested by foes of public prayer, U.S. District Judge Ira DeMent, permanently enjoined the schools from this, and I will read to you what he said could not happen under penalty of law. This was what was banned: ''Permitting prayers, Biblical and scripture readings and other presentations or activities of a religious nature at all school-sponsored or school-initiated assemblies and events, including, but not limited to, sporting events, regardless of whether the activity takes place during instructional time, regardless of whether attendance is compulsory or noncompulsory, and regardless of whether the speaker, presenter, is a student, school official, or nonschool person.''

No matter what the occasion, if it involves a public school, whether it is from a student or anyone else, there better not be a prayer, whether it be in the classroom, a school assembly, a football game, a graduation, you name it.

He appointed court monitors. In fact, he recently issued an order saying all the teachers and administrative personnel from the school system have to come to special training sessions to hear what the judge's standards are to make sure that people do not mouth religious utterances in a public school.

Mr. Speaker, that is not free speech. That is not freedom of religion. That is oppression of religion masquerading, masquerading as constitutional law. Why do the courts do this?

Remember what the First Amendment says. Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof. That last phrase is basically ignored by the Supreme Court and, therefore, by the inferior courts, because the Supreme Court has said, well, anything, anything that smacks of religion becomes suspect.

Therefore, even if you are not creating a church, you are not advocating an official set of beliefs, you are not telling people that we are going to have a hierarchy, or priesthood, or a church building, or a tithing, or doctrine, or theology or any of those things, nevertheless, if it is a simple prayer, that is going too far. That is

too close to an official establishment of religion. Mr. Speaker, that is using the establishment clause of the Constitution as a weapon to suppress the free exercise of religion.

One of the outrageous things, and there is plenty of them, one of the outrageous things in the Supreme Court decisions came in the graduation prayer case, the Lee v. Weisman decision, which came out of a public school graduation in Rhode Island; and in that case, Justice Kennedy wrote that a prayer must be assumed to be offensive. That is right. He said a prayer must be automatically assumed to be offensive. Those were his words, Mr. Speaker.

Do we automatically assume that anything else is not only offensive, but must be suppressed? We do not apply that to about anything else other than, I guess, pornography, Mr. Speaker. We say that you have to be silent about this because we find it to be offensive.

Now, if it is pornography, let us kick it out, and let us enforce the laws against it. But since when is a prayer or religious utterance considered to be automatically assumed to be offensive?

The Internal Revenue Service, and, you know, obviously, they are following the same rationale as Justice Kennedy, the Internal Revenue Service, in one of its major California districts, sent out a memo to its employees about 2 years ago. The memo said, in your personal work space or on your desk, you cannot have any sort of religious emblem or item. It may be a little nativity scene. No. It may be a star of David, no. It may be a Bible, no.

I wrote them, Mr. Speaker. I said, why are you doing this? The Internal Revenue Service wrote back to me, citing some different court cases. Frankly, Mr. Speaker, I think they went beyond them, but citing a court case, they said, items which are considered to be intrusive , such as religious items or sexually suggestive cartoons or calendars, were to be banned.

Mr. Speaker, that is the full list of what they said was offensive, to be banned; if it is religious, or if it is sexually suggestive, if it is pornographic. You see how the courts are equating the two, saying that something that is religious is offensive.

Mr. Speaker, that flies in the face of everything on which this country was founded and on which most Americans place their hope and faith and trust. It flies in the face of what we believe.

Mr. Speaker, I yield to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Speaker, I want to thank the gentleman from Oklahoma for his leadership and persistence on this issue in pushing us to get a House vote and to give us at least the opportunity to attempt to pass this constitutional amendment. I could not take any more of the examples. My outrage was rising. It is inconceivable that even a moment of silence is illegal because people might be thinking about prayer.

□ 2115

The danger in our society, if we keep backing away from this moral premise, is if we ever do get a moment of silence, the kids will be thinking about stock market reports instead of a prayer. And is that really going to be better for America if we lose this idea that there is a power higher than us?

I find it extremely offensive that in class, and I agree with the gentleman's allusion to this. It is not clear where the law exactly is on a lot of this. In fact, school districts have been intimidated for fear of lawsuits and, probably because of that, have gone farther than they need to go. But currently in America we are in a situation where a teacher probably could talk about Native American religions but, boy, she better be careful if she mentions Jesus Christ.

A teacher could probably post on the wall, Desiderata was big back when we were in college, to God, whoever he may be but, boy, if they put the 23rd Psalm up there or the 10 Commandants, that might poison these poor little kids.

It is one thing if they have a book of astrology or magic spells on a desk, but what if it is a Bible? Woe be to that teacher, because these kids might pick up something that has a moral base.

Now if the kids in the hall want to talk to other kids about marijuana or how that works, or crack or how that works, as long as they are not selling drugs, they can talk about drugs all day. But if they want to talk to another child about eternal salvation, they will probably go down to that principal's office, may even, as a friend of my son's did, get expelled from school for raising the question. Not aggressively pushing it, for raising the question of eternal salvation because it could make somebody feel bad.

You can wear a Black Sabbath T-shirt, a mockery of the Sabbath and all this kind of thing, but if you wear a religious T-shirt, you might be evangelizing. Not that all this crappy rock music stuff is evangelizing or the drug hints or the hats that you can find in many stores in the mall with the marijuana weed on it or other types of drugs, that is not evangelizing. But, boy, if you have any religion on your T-shirts or symbols that could make other kids feel slightly intimidated, you can be reprimanded.

What are we coming to? I don't understand how we have gotten in this situation in the country. It is why so many people are despairing. It is why we have to take the extraordinary step that the Founding Fathers have given us to go to a constitutional amendment.

Quite frankly, we can pass laws here in Congress, and the courts do not seem to care. If we just pass laws without amending the Constitution, we are totally at their mercy to continue this what I believe is nonsense in these rulings.

Mr. ISTOOK. I think the gentleman has made some excellent points. Yet I want to give a lot of credit to the American people. We are a generation beyond now the original decisions in 1962, and people have not given up.

It is not just the public opinion polls, because they consistently, for 36 years, show that 75 percent or more of the American people support a constitutional amendment to make it possible to have prayer in public schools or a nativity scene on public property or whatever it might be, so long as we are not establishing an official church or a national religion or saying that somebody has precedence because their religion is better than somebody else's. We do not do that.

And the American people haven't given up because, as the gentleman knows, there is a lot of civil disobedience that goes on. There are people that are still having prayer, in some cases in public schools or at football games or at school graduations, often because the ACLU has not gotten around to their town yet.

But the moment that the ACLU does come in, or some of the other groups that work with them and bring these lawsuits around the country, groups like Americans United for Separation of Church and State or People for the American Way, these are groups that are typically involved with the ACLU and these lawsuits to suppress religious expression because it makes some people uncomfortable.

Well, as we know, it is common for someone to say something with which someone else may disagree, and we are supposed to be taught to be tolerant, but they are teaching them to be intolerant. But yet the American people keep trying.

We have something called the Equal Access Act, and that means that before school starts or after school kids have been able to get together in Bible clubs, although they have problems with them there. They are not permitted the same rights as other school clubs. They cannot meet during the hours once school starts until school is out for the day. Other clubs can meet during the day in different set-aside time but not the Bible clubs. Or they can have a faculty adviser but not the Bible clubs. Or they can be recognized in the yearbook and other things as other groups are, but the Bible clubs are typically excluded.

I looked through my high school annual recently. I graduated from high school in Texas in 1967. There is Fellowship of Christian Athletes and Youth for Christ, but in many places today those are considered suspect and they have to be handled with care. Yet clubs for any other purpose, as the gentleman mentioned, are routinely approved.

So some people say, well, the fact that we have Bible clubs being formed at school or kids having prayer before or after school in their groups of their own initiative, that is not a symbol of the fact that there is nothing wrong, because there are things wrong. It is a

symbol of the great desire of the American people and how they are always looking for a way.

But why should we say that in classrooms where, as the gentleman mentioned, they may be talking about drugs, they may be talking about sex, they may be talking about all sorts of different alternate life-styles, but if somebody gives a religious perspective or says we ought to be able to start our days with prayer just like the U.S. Congress does, oh, no, we cannot do it, and people are threatened with arrest.

I have to tell my colleague another horror story here. In Galveston, Texas, Santa Fe High School, a Federal judge was persuaded that, since the initiative came from students, he said, well, okay, you can have a prayer at graduation, but I will have a U.S. Marshal there, and if anybody mentions the name of Jesus Christ, they can be arrested and be held accountable to me.

So it was not enough that they tried to squeeze out the ability to have some semblance of prayer. The judge wanted to control it. And how offensive that is to so many people.

I know we have people of different faiths. We will pray different ways. But we learn. We learn from our differences.

Mr. SOUDER. If the gentleman will yield, it is almost, well, it is not almost inconceivable, it is inconceivable when we have gangs, we have drug problems all over our country, we have teachers getting raped in the hallways, and we are concerned about stamping out anybody talking about Jesus Christ.

In 1983 and '84, I cannot remember which year, when then Congressman Dan Coats, I was working on his district staff, was working on the equal access bill, we actually had a series of problems come up in the school district that my kids were in that helped provide some of the fodder that led to the passage of the equal access bill, including a series of rules that the administration did not mean for the parents to get ahold of, which included not allowing any religious affiliated instructors or teachers or ministers to go on school grounds during the day.

The way this came about is one rural high school, the student who got in trouble at school asked to talk to his pastor. The pastor came into the school, and that led to a banning of pastors going into the school during the school day.

The church that I grew up in had a children's home. Many of those people who worked as house parents were lay pastors. And the question is, could they go on to school grounds? No, they were banned under this rule. It was absurd. You could not use the school for after hours if you had any religious affiliations.

This whole prayer question. A whole series of type of things led to many of these changes, supposedly covered by equal access. But we have backslid.

I want to use one other personal example. For anybody who, by any stretch of the imagination, thinks that I am a liberal, this will get rid of that impression. I mean, there are issues where I disagree with the majority of my conservative friends, and tomorrow on the amendment of the gentleman from California (Mr. FRANK RIGGS) and other things on affirmative action, it is one area where I have a disagreement. But, for the most part, I am very conservative; and my roots are very conservative.

I grew up in the Apostolic Christian Church of America. It is a very fundamentalist church. When we join that church, we do not have infant baptism. We believe in the age of accountability, and we commit our lives to Jesus Christ. When we do, we agree to accept certain guidelines of that church. When we accept those guidelines, we are expected to follow them.

One of the guidelines is that we do not go to movies. That was a difficult thing, I think it was my junior year in high school, because the school decided to go to the Sound of Music. Now, the church rule was not PG films or G films, it was no movies. That meant that I had to go sit alone in a classroom while the rest of the kids went to see Sound of Music.

I did not file an objection to stop everybody else in the school because I was isolated, because my religious beliefs were a minority and somehow I was going to be eternally damaged or even temporarily damaged because I was singled out, because other kids made fun of me because of my church, because I was extra conservative. I had to go sit alone.

The small school that I grew up in has a lot of Amish around it. The Amish do not believe in taking public showers. Therefore, often they were excused from gym or had to sit there or did not shower if they had to go to the gym class. But the school did not cancel gym classes. And in this particular school 12 percent of the kids were Amish. Twelve percent was not considered a significant enough minority to change the behavior of the rest of the school around it.

There needs to be a sensitivity. And I have to say I never ran into a teacher who mocked my religious beliefs. I ran into plenty who questioned my religious beliefs and were curious about them or told me they did not think they were very sound even biblically, but nobody mocked my beliefs.

And, quite frankly, because I had to go through experiences much, quite frankly, like other minorities have gone through in different ways, I had to decide to give in or actually firm up my beliefs.

In fact, to use a reverse example, the Communist party, in their indoctrination, used to send new recruits onto the street to try to spread their doctrine. And when they were attacked, they learned the beliefs better than if they did not have to defend them.

I learned more about the principles, not all of which I agree with today; but, at the same time, I learned to understand even why rules were there that I did not agree with because I had to execute them and I had to execute them in a period where I was the only one or sometimes one of only three who held that position.

I did not go to my senior prom because I did not dance. And I was senior class president, and I was supposed to speak at the senior prom. They had printed up the programs with my name in it. I told them I am not going to go. It was embarrassing, and it was difficult as a senior. It was difficult in many of these years to go through that personal discipline of being different than everybody else. But I did not ask everybody else to change because they were not like me.

The problem we have in America right now is that, if there are a few people who do not like what the majority of the people like, they feel they have a right to stop them from their practice of religious freedom, which, quite frankly, is the fundamental belief that America was founded on; that we were going to have free exercise of religion; that we were going to be able to worship God as we saw fit; that in America we had a fundamental belief in this Congress, in this body, in the Christian holy trinity.

Now, we have more diversity in America today, but it is still the preponderant belief. All our laws, as Francis Schaeffer said, are really echoes and remnants, if not direct outgrowth, of old testament law and of the Judeo-Christian tradition. If we lose that foundation as a country, we are lost.

What we are trying to do, and what the gentleman has tried to do in his leadership with this religious liberty amendment, is to allow free practice. We could make a case that our Founding Fathers, with their State establishment of religion, which they did not ban, different States had State religions, intended it to go far more. They just did not want one national religion. They believed in aggressive promotion of religious values.

We are not asking that anymore. In America, we are down to saying, can we not wear a T-shirt; can we not put a Bible on our desk; can we not talk to other people about our religious faiths? This is how far we have gone in America. This is the least we can do. Not the most we can do. It is the least we can do for our children in our schools is to allow them free exercise of religion.

We are not trying to impose anything here. Now we have the reverse. The minority is imposing on the majority.

Mr. ISTOOK. I think the gentleman makes some excellent points. The first amendment's first protection, the Bill of Rights, the very first thing is freedom of religion. That is the first thing the Founding Fathers put in the bill of rights. And yet now, this doctrine that the courts have adopted is, as the gentleman has illustrated, it is encouraging people not only to be thin-skinned

but to seek to control the behavior of others under the guise of freedom. It is a topsy-turvy philosophy.

We need to recognize that the intolerant person is not the one who wants to be able to say a prayer. The intolerant person is the one who insists on stopping it and bringing down the weight and power and might of the Federal Government through the Federal courts to stop people from simple religious expression such as a prayer.

□ 2130

The cases go on. There was another case in Texas where a minister that had an antidrug program was banned from presenting it in public schools not because there was anything religious about his presentation. But simply because he was a minister. In Colorado, a teacher was fired, and the courts upheld the firing, for reading a Bible during the class reading time when the students were told, ''This is reading time. Read whatever you want to read.'' And while the students read when they wanted to read, he read his Bible, and he was fired because he was told, ''You cannot do that,'' and he insisted upon doing it. And the courts said that was okay?

You take symbols. In San Francisco, California, in a city park for more than 60 years there has been a large cross. Even during FDR's days when Franklin D. Roosevelt was President of the United States, in a national address he praised that as a great example and monument. And the Supreme Court a year ago said it has got to go.

There have been similar cases in Hawaii and Eugene, Oregon, saying we should not have those on public property. And yet, if we will pull out a dollar bill, on the back of the dollar bill is the Great Seal of the United States and the stars on the Great Seal, the 13 stars, are arranged in the form of the star of David. And we have plenty other religious references.

Mr. SOUDER. If the gentleman would further yield, behind us on the wall is Moses. All the other lawgivers are pointing to the side.

Mr. ISTOOK. We have a couple Popes on the wall of the House Chamber.

Mr. SOUDER. Moses is looking straight on the Speaker's chair. We know, and our Founding Fathers knew, where our laws were derived from.

Mr. ISTOOK. If we look right above the Speaker's chair, above the Speaker's chair and the flag are emblazoned the words ''In God we trust,'' which we also find on our currency. There are people that find that offensive. Does that mean we should take it off?

Mr. SOUDER. It is important to know these were not additions after the Republicans took over Congress in 1994. They have been here under Republicans, they have been here under Democrats, because we have a unified tradition in America that this is our cultural heritage, it is our spiritual heritage, it is the foundation our country is built on.

Mr. ISTOOK. And the religious freedom amendment is intended to protect these to say that the standard ought to be the same as it is for the Pledge of Allegiance. If they do not want to say it, that is fine, but that does not mean that they can stop other students that may want to have a prayer in public school.

Take the Supreme Court's decisions on nativity scenes, the Allegheny v. Pittsburgh ACLU case from the Supreme Court, where they said they cannot have a nativity scene or a Jewish menorah, they were both covered on public property there, because there was not in the same line of sight secular emblems, Santa Claus, plastic reindeer, and so forth.

In Jersey City, New Jersey, gosh, over 30 different religions have been permitted by Mayor Bret Schundler to put their religious emblems on City Hall property, but they got sued over the nativity scene. And the judge said, well, they have done it for the other religions, that is fine, and they put out a manger scene, and they have put here secular emblems, Santa Claus, the plastic reindeer, Frosty the Snowman, but it is still not good enough because the nativity scene is just too powerful, and it has got to go. So that was another Federal court ruling this last December. Outrageous. But it comes from the U.S. Supreme Court's case and the Allegheny case.

Now, do my colleagues know what I am really waiting on? The Supreme Court says, well, they can't have religious emblems unless they balance them with a secular emblem, and even then they say the religious emblems are too powerful. But I have never seen them say they cannot have secular emblems unless they balance them with religious emblems. Are we going to say they cannot have a Frosty the Snowman unless they also have Mary and Joseph?

Let us get real, my colleagues. Let us quit being so thin-skinned. Let us make the standard where the religious freedom amendment says, which is what Justice Rehnquist said, it is what the Founding Fathers intended. We do not want an official religion. We will not have an official religion in the United States of America. That is inconsistent with freedom of religion. But suppressing expressions of religious heritage or tradition or belief or a prayer on public property, that is also inconsistent with our beliefs in America. So let us correct these court decisions.

Mr. SOUDER. Perhaps my colleague had not heard, we cannot refer to him as Santa Claus. It is just Claus. ''Santa'' is, of course, ''saint'' in Spanish, so we really should not say that. And I am waiting for it to be called Patrick's Day rather than St. Patrick's Day. It has a little bit of religious overtones. We have to be so careful in our society anymore.

Mr. Chairman, at the end of this particular special order, I would like to insert into the RECORD an article. It is actually a book review in this week's Weekly Standard magazine by Richard Neuhaus, one of the tremendous Christian writers in this country who wrote ''Religion in the Public Square.'' He has a review of John Noonan's new book ''The Luster of Our Country, the American Experience of Religious Freedom.'' I would like to insert this review into the RECORD at the end of this special order.

He makes two points in this review that, in fact, one of the reasons some people want to suppress religious freedom and free exercise is that, in fact, it is a danger to the State; that there have been a number of efforts in this country rooted in religious freedom, the abolition of slavery, the war against polygamy, the prohibition of alcohol, and the civil rights movement under the leadership of Martin Luther King, that really forced changes in our political system.

Furthermore, he points out in this book, he has whole chapters to four contrasting case studies. The French Revolution's affirmation and betrayal of the American idea of religious freedom; the American imposition of the idea on a defeated Japan; Russia's current and deeply flawed efforts to incorporate the idea; and the American influence in the Second Vatican Council's teaching on religious liberty.

In other words, in societies where they have not followed our pattern of religious freedom, they have developed problems. And because we allowed it, religious freedom, in fact, drove the system and changed the system.

One other thing that I would like to insert into the RECORD also following this article is a cover story in this week's U.S. News about James Dobson. This article is not directly on this subject but touches on some of the problems of this country that are occurring because of the lack of responsiveness.

I know the gentleman from Oklahoma (Mr. ISTOOK) has been in some of these meetings, as well as our friend, the gentleman from Colorado (Mr. BOB SCHAFFER) in the chair. We have some differences as to how to approach this, but what we understand is that Dr. James Dobson has been a spokesman and has been a mentor to many of us in his family issues and how he has done this, and he is speaking for a lot of our supporters and millions of people in America when he says that he is frustrated and he is frustrated with the types of thing that the gentleman from Oklahoma has been talking about tonight and I have been talking about when he says in here, and he is speaking for many people when he said that he cares about the moral tone of the Nation. ''I care about right and wrong. I have very deep convictions about absolute truth.''

And he says, had he stayed simply on family themes, he could have moved with ease through all denominations and in both political parties. But he has started to speak out because he is

concerned about the general thrust and direction of our society that causes some heartburn in our party, causes some heartburn in Members of Congress, such as the gentleman from Oklahoma and myself.

At the same time, we understand why this article says ''a righteous indignation,'' because that is what many people in America feel right now. They do not understand what in the world is wrong with the government. The examples that my colleague has given defy common sense.

Mr. ISTOOK. Mr. Speaker, I think the gentleman is making the point that we cannot separate values and principles and moral standards from the religious beliefs which gave them birth and gave them life and give them meaning.

If we look at the original founding document of this Nation, the Declaration of Independence, there is a very well-known clause in that. Many people only read it partway. But I am speaking of the clause that says, ''We hold these truths to be self-evident that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men.''

Now, if we look at what the Founding Fathers wrote, Mr. Speaker, we see that they say our rights did not come from the State, they did not come from the Federal Government, they did not come from the State government, they did not come from a local government, they did not come from a king, they do not come from an emperor, our rights come from God. ''We hold these truths to be self-evident. We are endowed by our Creator with certain inalienable rights.''

And what is the purpose of government according to the Declaration of Independence? To secure these rights, to secure the rights which come to us from God. That is what the Founding Fathers wrote they believed was the purpose of government, to protect our God-given rights.

I must question, if we cannot acknowledge the author of our rights, if we cannot acknowledge the origin of our rights, if we cannot express belief in He who created our rights, for which government was created to protect those rights, if we cannot do those things, can we stay believers and true persons to those beliefs and to the principles on which this Nation was founded? If we abandon the source of this Nation, we abandon its principles.

Mr. Speaker, the religious freedom amendment is intended to protect these rights which are in jeopardy. It has not gone without notice across the world that even though we enjoy great religious freedom in the United States of America, but let us not measure it by what we have left. Let us look at what has been taken away by these and other court decisions.

They have been chipping and chipping and chipping away at our rights. Are we then to be satisfied because we still have something left, or must we recognize the process of this chipping away, of this diminishing, of this fencing in of our rights and our freedom and our precious religious heritage? Are we to accept this false notion that, as government expands, religion must shrink to maintain a separation between church and state, because we live in the era of expanding government, and if that is the philosophy, then expansion of government necessitates a shrinking of religion?

Mr. Speaker, that is not the philosophy in which our Founding Fathers believed. That is why I quoted Chief Justice Rehnquist on that, and many other things to this effect can be found in their writings. We want to have a positive attitude toward religion, but make sure that we never embark upon anything that would create any official religion or any official church or any official faith for the United States of America. But the severity of this problem in the USA has been noted around the world.

I want to read a statement from Pope John Paul II, which he issued this past December, just 5 months ago. He was greeting the new American Ambassador to the Vatican, and Pope John Paul II spoke these words to the new American Ambassador: ''It would truly be a sad thing if the religious and moral convictions upon which the experiment was founded could now somehow be considered a danger to free society such that those who would bring these convictions to bear upon your Nation's public life would be denied a voice in debating and resolving issues of public policy. The original separation of church and state in the United States was certainly not an effort to ban all religious conviction from the public sphere, a kind of banishment of God from civil society.''

☐ 2145

Mr. Speaker, it is time that we take notice and that we take action. We will have the opportunity on the floor of this House within approximately a month to vote on the Religious Freedom Amendment. It has been approved by the Subcommittee on the Constitution, by the Committee on the Judiciary, it has over 150 Members of Congress who are cosponsors of it. I hope even more will add their names to it.

I hope, Mr. Speaker, that those all across the country who are aware of this will contact their Member of Congress. I hope they will say to their Member of Congress, ''We need to protect our religious freedom, we need to reverse the attack upon prayer in school and our other religious freedoms, we need the Religious Freedom Amendment, and we expect our Members of Congress to support it.'' Members of Congress need to hear that message.

Our children in public school need to be free to have a simple message of hope and faith in their school day, and let them be aware that yes, there are some differences in how some people pray and we have some differences among us that reflect some of our different faiths. But yet we are united, we are united by our common beliefs that almost all Americans share.

That certainly was part of the beliefs of the Founding Fathers, that we owe our existence to God, and if we do not recognize God and if we do not do it freely and openly and consistently and yes, daily, Mr. Speaker, then how long can we expect the blessings of the Lord to continue with us and with our families and with our beloved Nation? We need that freedom which has been under attack by the courts.

Let me share with you once again, Mr. Speaker, the words of the Religious Freedom Amendment which would become a part of the Constitution, not to replace the First Amendment but to supplement it, to be side-by-side with it. The Religious Freedom Amendment states as follows:

> To secure the people's right to acknowledge God according to the dictates of conscience: Neither the United States nor any State shall establish any official religion, but the people's right to pray and to recognize their religious beliefs, heritage or traditions on public property, including schools, shall not be infringed. Neither the United States nor any State shall require any person to join in prayer or other religious activity, prescribe school prayers, discriminate against religion, or deny equal access to a benefit on account of religion.

Those are the simple words, that is the simple language which will correct these things which we have been discussing, which will correct these wayward court decisions, which will give the Supreme Court a better compass than the one which they have been following.

Mr. Speaker, it is long overdue. We should have had this vote decades ago. I am so grateful to be an American, to live in a land where the American people have not lost their faith, but they need to be free to express it. With faith comes value, with faith comes principles, with faith comes morals, with faith comes strength, and with faith comes the blessings, the blessings of liberty which we seek to secure for ourselves and for our posterity.

DETAILED AND LEGAL ANALYSIS OF THE RELIGIOUS FREEDOM AMENDMENT, HOUSE JOINT RESOLUTION 78

(By U. S. Congressman Ernest J. Istook, Jr.)

THE RELIGIOUS FREEDOM AMENDMENT (HOUSE JOINT RESOLUTION 78)

''To secure the people's right to acknowledge God according to the dictates of conscience: Neither the United States nor any State shall establish any official religion, but the people's right to pray and to recognize their religious beliefs, heritage or traditions on public property, including schools, shall not be infringed. Neither the United States nor any state shall require any person to join in prayer or other religious activity, prescribe school prayers, discriminate against religion, or deny equal access to a benefit on account of religion.''

BACKGROUND

The Religious Freedom Amendment, House Joint Resolution 78, responds to the public's

valid concern that our courts have become hostile to religion, placing barriers to religious expression which do not exist for other forms of free speech.

A false and impossible standard of unanimity has been created, saying that if a single person objects to a prayer or other religious expression, then an entire group must be silenced and censored. This is the exact opposite of free speech. Free speech exists only when people have a right to say something with which others disagree.

For over 36 years, court decisions have harmed religious freedom in America; the Religious Freedom Amendment (RFA) is intended as the solution, because the courts have left no other remedy than to amend the Constitution. Over 150 Members of the House of Representatives are co-sponsoring the RFA. It also is supported by a broad coalition that includes Christian groups, and Jewish groups, and Muslim groups. Support ranges from America's largest black denomination, the National Baptists, to the Salvation Army, Youth for Christ, and the country's largest Protestant group, the Southern Baptist Convention, and many more.

Supreme Court rulings on school prayer and other religious issues have provoked public outrage since 1962. Throughout the last 36 years, public opinion polls consistently show about 75% or more of the American public want a constitutional amendment supporting prayer in public schools.

Not since 1971 has such a constitutional amendment been voted upon in the House of Representatives.[1] The Senate conducted votes in 1966,[2] 1970,[3] and 1984.[4] Obviously, none of those succeeded. Additionally, related votes not involving a constitutional amendment have ranged from efforts to limit the jurisdiction of the federal courts, to equal access proposals, to riders on appropriations bills. (These efforts are described in detail in a 1996 report by the Congressional Research Service.[5]) In 1997, on March 4th, the House approved legislation (HCR 31) to promote display of the Ten Commandments on public property, despite Supreme Court rulings to the contrary. It prevailed by 295–125, a 70% margin. It was, however, only a resolution of support, not changing any statutes or court decisions, much less changing the Constitutional language which the courts have misconstrued.

TEXT OF THE RFA

The RFA will end 27 years of inaction by the House on a constitutional amendment, by adding to our Constitution this language:

''To secure the people's right to acknowledge God according to the dictates of conscience: Neither the United States nor any State shall establish any official religion, but the people's right to pray and to recognize their religious beliefs, heritage or traditions on public property, including schools, shall not be infringed. Neither the United States nor any State shall require any person to join in prayer or other religious activity, prescribe school prayers, discriminate against religion, or deny equal access to a benefit on account of religion.''[6]

H.J. Res. 78 also includes the normal protocol for submitting this text to the states for ratification, with a seven-year limit on that process.

ABOUT ''SEPARATION OF CHURCH AND STATE''

The phrase ''separation of church and state'' is a term whose usage has been officially condemned by the Chief Justice of the Supreme Court, William Rehnquist, and with good reason. He labels it a ''mischievous diversion of judges from the actual intentions of the drafters of the Bill of Rights. . . . a metaphor based on bad history, a metaphor which has proved useless as a guide to judging.'' Rehnquist then stated his conclusion: ''It should be frankly and explicitly abandoned.''[7]

The term ''separation of church and state'' has been frequently used not to promote official neutrality toward public religious expression, but to promote hostility. Essentially, it suggests that whenever government is present, religion must be removed. Unfortunately under this philosophy, because government today is found almost everywhere, the growth of government dictates a shrinking of religion. ''Separation'' becomes a euphemism for ''crowding out'' religion.

A proper analysis should center on the actual text of the Constitution, but too often the language of the Constitution is ignored, and is replaced with a focus on the catch-phrase ''separation of church and state.'' It is cited almost as a mantra, often in an effort to foreclose further discussion, and without critical analysis of what the phrase actually might mean. That phrase is not found in the Constitution; yet it commonly is erroneously treated as the standard measuring stick for religious freedom issues.

A wrongful focus on this term inevitably becomes antagonistic to religion, because its premise is that wherever government exists, religion must be pushed aside, to maintain the ''separation.'' Since American government today is far, far larger than in the days of our Founding Fathers, or than in any other era,[8] its expansion automatically crowds out religious expression. When government enters, religion must exit. Our courts are blazing a wayward trail because they use a broken compass, a fact noted by dissenters on the Supreme Court. Chief Justice Rehnquist has decried the phrase as a ''misleading metaphor'' which the Court has followed ''for nearly forty years.''[9]

After reviewing at great length both the extra-Constitutional origin of the phrase, and the history of the development of the First Amendment itself, Chief Justice Rehnquist in Wallace v. Jaffree, 472 U.S. 38 (1985) condemned the reliance on the phrase ''separation of church and state''. Among his comments:

''The evil to be aimed at, so far as those who spoke were concerned [in the Congress which approved the First Amendment], appears to have been the establishment of a national church, and perhaps the preference of one religious sect over another; but it was definitely not concern about whether the Government might aid all religions evenhandedly.

* * * * *

''It would seem from this evidence that the Establishment Clause of the First Amendment had acquired a well-accepted meaning: it forbade establishment of a national religion, and forbade preference among religious sects or denominations. Indeed, the first American dictionary defined the word ''establishment'' as ''the act of establishing, founding, ratifying or ordainin(g,'') such as in ''[t]he episcopal form of religion, so called, in England.'' 1 N. Webster, American Dictionary of the English Language (1st ed. 1828). The Establishment Clause did not require government neutrality between religion and irreligion nor did it prohibit the federal government from providing non-discriminatory aid to religion. There is simply no historical foundation for the proposition that the Framers intended to build the ''wall of separation'' that was constitutionalized in Everson.

* * * * *

''Our recent opinions, many of them hopelessly divided pluralities, have with embarrassing candor conceded that the ''wall of separation'' is merely a ''blurred, indistinct, and variable barrier,'' which ''is not wholly accurate'' and can only be ''dimly perceived.'' [Citations omitted.]

* * * * *

''But the greatest injury of the ''wall'' notion is its mischievous diversion of judges from the actual intentions of the drafters of the Bill of Rights. . . . The ''wall of separation between church and State'' is a metaphor based on bad history, a metaphor which has proved useless as a guide to judging. It should be frankly and explicitly abandoned.

* * * * *

''The Framers intended the Establishment Clause to prohibit the designation of any church as a ''national'' one. The Clause was also designed to stop the Federal Government from asserting a preference for one religious denomination or sect over others. Given the ''incorporation'' of the Establishment Clause as against the States via the Fourteenth Amendment in Everson, States are prohibited as well from establishing a religion or discriminating between sects. As its history abundantly shows, however, nothing in the Establishment Clause requires government to be strictly neutral between religion and irreligion, nor does that Clause prohibit Congress or the States from pursuing legitimate secular ends through nondiscriminatory secular means.''

The Religious Freedom Amendment reflects Rehnquist's analysis as Chief Justice of the Supreme Court, and corrects the decisions he criticizes.

Catch-phrases such as ''separation of church and state''[10] have had a chilling effect in modern America because government has expanded into almost every area of life. If the church must be segregated from government, then government's entry into any activity is a de facto expulsion of religion from that area. The severity of the problem was noted by Pope John Paul II, on greeting the new American ambassador to the Vatican in December, 1997, when he stated, ''It would truly be a sad thing if the religious and moral convictions upon which the American experiment was founded could now somehow be considered a danger to free society, such that those who would bring these convictions to bear upon your nation's public life would be denied a voice in debating and resolving issues of public policy. The original separation of Church and State in the United States was certainly not an effort to ban all religious conviction from the public sphere, a kind of banishment of God from civil society.''

HOW WILL THE RFA CHANGE THE OUTCOME OF PREVIOUS SUPREME COURT DECISIONS?

As noted in numerous examples, some of which follow, the RFA reflects the opinions expressed by many Supreme Court justices prior to the Court's detours in recent years, and also reflects the dissenting opinions of many Justices during this period. (Often these were 5–4 decisions, meaning the dissenters were but a single vote short of being a majority.) The RFA effectively incorporates (or re-incorporates) their arguments into the Constitution.

The following are some of the key decisions which are affected:

ENGEL V. VITALE

—The threshold case of Engel v. Vitale[11] held that government may not compose any official prayer or compel joining in prayer. This portion of Engel would remain intact. However, that portion of Engel which precluded students from engaging in group classroom prayer even on a voluntary basis would be corrected by the RFA.[12]

ABINGTON SCHOOL DISTRICT V. SCHEMP

—Abington School District v. Schemp[13], to the extent that it prohibited the composition

or imposition of prayer by an entity of government, would remain the law under the RFA. But to the extent that Abington broadly permits the Establishment Clause to supersede the Free Exercise Clause, it would yield to the standard enunciated in Justice Stewart's dissent:

''It is, I think, a fallacious oversimplification to regard these two provisions as establishing a single constitutional standard of ''separation of church and state,'' which can be mechanically applied in every case to delineate the required boundaries between government and religion. We err in the first place if we do not recognize, as a matter of history and as a matter of the imperatives of our free society, that religion and government must necessarily interact in countless ways. Secondly, the fact is that while in many contexts the Establishment Clause and the Free Exercise Clause fully complement each other, there are areas in which a doctrinaire reading of the Establishment Clause leads to irreconcilable conflict with the Free Exercise Clause.''

WALLACE V. JAFFREE

—The prohibition on silent prayer in public schools, incorporated into Wallace v. Jaffree[14], would be corrected by the RFA. Silent prayer (as well as vocal prayer) would be legitimized, so long as there was no government dictate either to compel that it occur, or to compel any student to participate.

As Chief Justice Burger stated in his dissent in Wallace v. Jaffree:

''It makes no sense to say that Alabama has ''endorsed prayer'' by merely enacting a new statute ''to specify expressly that voluntary prayer is one of the authorized activities during a moment of silence, . . . To suggest that a moment-of-silence statute that includes the word ''prayer'' unconstitutionally endorses religion, while one that simply provides for a moment of silence does not, manifests not neutrality but hostility toward religion.

* * * * *

''The notion that the Alabama statute is a step toward creating an established church borders on, if it does not trespass into, the ridiculous. The statute does not remotely threaten religious liberty; it affirmatively furthers the values of religious freedom and tolerance that the Establishment Clause was designed to protect. Without pressuring those who do not wish to pray, the statute simply creates an opportunity to think to plan, or to pray if one wishes . . .''

In Justice Potter Stewart's dissent from Abington, he found permitting school prayer is a necessary element of diversity:

''. . . the duty laid upon government in connection with religious exercises in the public schools is that of refraining from so structuring the school environment as to put any kind of pressure on a child to participate in those exercises; it is not that of providing an atmosphere in which children are kept scrupulously insulated from any awareness that some of their fellows may want to open the school day with prayer, or of the fact that there exist in our pluralistic society differences of religious belief.''

LEE V. WEISMAN

—Graduation prayers (so long as not prescribed by government) would be freed of the prohibition in Lee v. Weisman, 505 U.S. 577 (1992). Justice Kennedy wrote in that case that the normal expectation of respectful silence (which is expected for so many other school programs), became coercion when a rabbi offered a graduation prayer, because it creates ''pressure, though subtle and indirect, . . . as real as any overt compulsion.''

The RFA takes issue with Justice Kennedy's view, and instead embodies the views of the four Justices who dissented to this 5–4 decision. Whether at a graduation or other school setting, the RFA incorporates the conclusions of these four Justices (Scalia, Rehnquist, White and Thomas) that ''hearing'' is not ''participating'' and ''hearing'' is not ''joining'' in prayer, and thus there was no coercion to pray.

The Court never explained how expecting respect for a rabbi's prayer at graduation is worse or more ''coercive'' than expecting courtesy and quiet for non-religious school presentations, or for the Pledge of Allegiance which was also a part of the graduation ceremony. The majority, though, turned its back on neutrality by holding that expecting courtesy and tolerance is coercive, even though seeking respect for non-religious speech was normal and permitted. But because Lee V. Weisman transmuted simple listening into ''participation'', the Religious Freedom Amendment instead requires something greater than this before an activity is deemed to be an infringement of rights. The RFA applies a simple common-sense standard that makes prayer an expressly-permitted activity, so long as actual joining-in and/or prescribing of prayer are not required. Listening is not joining and is not participating and is not coercion.

In dissenting to Lee V Weisman's 5–4 ruling, Justice Scalia called the new ''psychological coercion'' standard ''boundless, and boundlessly manipulable''.[15] He noted that prayer at school graduations had been standard since the first known graduation from a public high school, in Connecticut in July 1868.[16] Just as the RFA now does, Justice Scalia and the other three dissenting justices distinguished between being present and actually joining in a prayer. As these four justices wrote (at 636):

''. . . According to the [majority opinion of the] Court, students at graduation who want ''to avoid the fact or appearance of participation,'' . . . in the invocation and benediction are psychologically obligated by ''public pressure, as well as peer pressure, . . . to stand as a group or, at least, maintain respectful silence'' during those prayers. This assertion-the very linchpin of the Court's opinion—is almost as intriguing for what it does not say as for what it says. It does not say, for example, that students are psychologically coerced to bow their heads, place their hands in a Durer-like prayer position, pay attention to the prayers, utter ''Amen,'' or in fact pray. . . . It claims only that students are psychologically coerced ''to stand . . . or, at least, maintain respectful silence.'' . . . The Court's notion that a student who simply sits in ''respectful silence'' during the invocation and benediction (when all others are standing) has somehow joined—or would somehow be perceived as having joined—in the prayers is nothing short of ludicrous.''

The standard of Lee v. Weisman's bare 5–4 majority has been dangerous, because it declares that simple exposure to religious speech (like exposure to pornography) is so inherently damaging that people must be protected from it. In the majority opinion, Justice Kennedy wrote (at 505 U.S. 594), ''Assuming, as we must, that the prayers were offensive . . .''. Even pornography is granted a chance to be measured against prevailing community standards; but prayer is assumed automatically to be offensive. Lee v. Weisman's subjective standard permits a lone ''offended'' individual to silence all others in a public place, thereby censoring their religious expressions.

The effect of this ruling was to create the dangerous notion of a new ''freedom from hearing'' right which is superior to others' express free speech rights under the First Amendment. This is especially insidious and chilling when it is used for prior restraint of religious speech. It also perpetuates the notion that an offense to a few must be corrected, even if doing so gives offense to the vast majority. As Justice Kennedy noted (505 U.S. 595), ''for many persons an occasion of this significance lacks meaning if there is no recognition, however brief, that human achievements cannot be understood apart from their spiritual essence.'' But he found that interest immaterial, so long as any one person was offended. The four dissenters took a view much more in keeping with respecting the rights of all, and not just of a few. They noted that, in trying to avoid offense to one student and one parent, the Court's anti-graduation prayer ruling ignored the fact that it was giving offense to all the other students and parents. They stated (at 505 U.S. 645):

''The reader has been told much in this case about the personal interest of Mr. Weisman and his daughter, and very little about the personal interest on the other side. They are not inconsequential. Church and state would not be such a difficult subject if religion were, as the Court apparently thinks it to be, some purely personal avocation that can be indulged entirely in secret, like pornography, in the privacy of one's room. For most believers it is not that, and has never been. Religious men and women of almost all denominations have felt it necessary to acknowledge and beseech the blessing of God as a people, and not just as individuals, because they believe in the ''protection of divine Providence,'' as the Declaration of Independence put it, not just for individuals but for societies; because they believe God to be, as Washington's first Thanksgiving Proclamation put it, the ''Great Lord and Ruler of Nations.'' One can believe in the effectiveness of such public worship, or one can deprecate and deride it. But the longstanding American tradition of prayer at official ceremonies displays with unmistakable clarity that the Establishment Clause does not forbid the government to accommodate it.''

Lee v. Weisman, in discussing the tradition of graduation prayer, also included an interesting note that the practice was part of the first known American graduation ceremony. As it noted (at 505 U.S. 635):

''By one account, the first public high school graduation ceremony took place in Connecticut in July 1868—the very month, as it happens, that the Fourteenth Amendment (the vehicle by which the Establishment Clause has been applied against the States) was ratified—when 15 seniors from the Norwich Free Academy marched in their best Sunday suits and dresses into a church hall and waited through majestic music and long prayers.''

Under the pretense of promoting tolerance, our courts have thus been used to promote censorship. The RFA corrects this, protecting the rights of both minorities and majorities. The Constitution and the Bill of Rights were intended to protect each and every one of us, not merely some of us.

STONE V. GRAHAM

—The ability to post the Ten Commandments on public property (as an expression of religious beliefs, heritage or traditions of the people), prohibited by Stone v. Graham,[17] becomes protected under the RFA, although there would be neither a mandate nor a guarantee that it would be proper under all circumstances. But Stone v. Graham's automatic prohibition on such a display would be ended.

Stone's majority decision expressed concern that posting the Ten Commandments would ''induce the schoolchildren to read, meditate upon, perhaps to venerate and obey, the Commandments.''[18] But, in dissent, Chief Justice Rehnquist noted:[19]

''The Establishment Clause does not require that the public sector be insulated from all things which may have a religious significance or origin. . . . Kentucky has decided to make students aware of this fact by demonstrating the secular impact of the Ten Commandments.''

Chief Justice Rehnquist then quotes from a 1948 opinion[20] by former Justice Jackson:

''. . . Perhaps subjects such as mathematics, physics or chemistry are, or can be, completely secularized. But it would not seem practical to teach either practice or appreciation of the arts if we are to forbid exposure of youth to any religious influences. Music without sacred music, architecture minus the cathedral, or painting without the scriptural themes would be eccentric and incomplete, even from a secular point of view. . . . I should suppose it is a proper, if not an indispensable, part of preparation for a worldly life to know the roles that religion and religions have played in the tragic story of mankind. The fact is that, for good or for ill, nearly everything in our culture worth transmitting, everything which gives meaning to life, is saturated with religious influences, derived from paganism, Judaism, Christianity—both Catholic and Protestant—and other faiths accepted by a large part of the world's peoples.''

LEMON V. KURTZMAN

—Lemon v. Kurtzman[21] and its subjective three-pronged test have often been used to achieve a desired result rather than to guide an analysis. The Lemon test would necessarily be revised, because a ''purely secular'' objective would no longer be compulsory. Recognition of religious heritage, tradition or belief would be a proper objective, so long as it did not rise to the level of promoting a particular faith.

ALLEGHENY V. ACLU

—The case of County of Allegheny v. ACLU, Greater Pittsburgh Chapter,[22] would be brought back into line with Lynch v. Donnelly.[23] (Both were 5–4 decisions.) The so-called ''plastic reindeer'' test for holiday symbols on public property would no longer be decisive. Lynch permitted display of a government-owned Nativity scene, whereas Allegheny restricted the display of a private creche on public property, citing a need for better visual ''balance'' with secular emblems. It would be no more compulsory to add secular items to a religious display than to require adding religious symbols to ''balance'' purely secular displays.

A truer test would consider whether symbols of differing faiths were afforded similar opportunity for display during their special seasons. The proper test would be whether government sought to establish an official religion, rather than outlawing traditions from a public forum.

The Religious Freedom Amendment would correct the Supreme Court's bias that secular symbols, regardless of how perverse, are constitutionally-protected for public display,[24] whereas religious symbols are considered suspect. The intent of the RFA is to re-establish true neutrality, by affording religious expression the same equal protection as other expression, rather than the pretense of neutrality that too often exists in name only.[25] The carryover of true neutrality would extend to other aspects of once-common but now-suppressed reflections of beliefs, heritage and traditions. School holiday programs would not feel the pressure to limit songs to ''Frosty the Snowman'' or ''Rudolph the Red-Nosed Reindeer''. The carols of Christmas, the hymns of Thanksgiving, the songs of Hanukkah, and those of other holidays and other faiths would be welcome. Tolerance and understanding would be promoted, rather than avoided. The standard would be that reflections of faith, meaning minority faiths as well as majority faiths, are clearly permitted, so long as it does not progress into advocating or promoting any particular faith.

SECTION-BY-SECTION REVIEW OF THE RFA

Preamble: ''To secure the people's right to acknowledge God according to the dictates of conscience: . . .''

The preamble has a purpose. As former Chief Justice Story described the nature of a constitutional preamble, ''Its true office is to expound the nature and extent and application of the powers actually conferred by the Constitution, and not substantively to create them.''[26] The preamble to H.J. Res. 78 serves principally to indicate intent, to assist in interpreting the substantive provisions.

The concept of this particular preamble is attributed chiefly to Forest Montgomery, legal counsel for the National Association of Evangelicals. There is nothing unique or unusual, however, to have constitutional language which expressly mentions God. Such language is the rule, and not the exception, in our state constitutions.

Critics of this mention of God should review the constitutions of our 50 states. Through these, the American people have freely embraced attitudes very different from those expressed by the U.S. Supreme Court. All fifty of our states [27] have adopted express and explicit mentions of God in their constitutions or preambles. The attached Appendix details the express language, from each of the states.

In Alaska, the constitution states that its citizens are ''grateful to God and to those who founded our nation . . . , in order to secure and transmit to succeeding generations our heritage of political, civil and religious liberty''. In Colorado, theirs reads, ''with profound reverence for the Supreme Ruler of the Universe.'' Idaho states, ''grateful to Almighty God for our freedom,'' which is the identical phrase used by California, and Nebraska, and New York, and Ohio, and Wisconsin. Pennsylvania phrases it as ''grateful to Almighty God for the blessings of civil and religious liberty, and humbly invoking His guidance.''

Some go even farther. Maryland's Article 36 declares ''the duty of every man to worship God.'' Maryland's constitution further states that nothing in it shall prohibit references to God or prayer ''in any governmental or public document, proceeding, activity, ceremony, school, institution, or place'' and declares that those things are not considered to be an establishment of religion. Virginia's refers to the ''duty which we owe to our Creator'' and to the ''mutual duty of all to practice Christian forbearance, love and charity.''

These references to God are typical of our state constitutions.

Just as America adopted ''In God We Trust'' as our national motto, the states have mottoes, often incorporated on their state seals. Arizona's seal states, ''Ditat Deus'', meaning ''God Enriches.'' Florida's seal states, ''In God We Trust.'' Ohio doesn't put it on a seal, but proclaims its motto, ''With God, All Things Are Possible.''[28]

The Religious Freedom Amendment echoes the philosophy found in our state constitutions, namely that faith guided the creation of America's common principles and ideals, and faith is at the core of preserving them. It tracks the essence of the Declaration of Independence, wherein our Founding Fathers proclaimed that our rights come not from government, but from God, declaring, ''We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights; that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men.''

The Religious Freedom Amendment also applies a phrase common to many of the original state constitutions: ''according to the dictates of conscience''. Virginia used it in 1776 as part of its Declaration of Rights, proclaiming, ''all men are equally entitled to the free exercise of religions, according to the dictates of conscience.'' It appeared with slight variations in the original constitutions of Delaware, New Jersey and North Carolina (all 1776), Vermont (1777), Massachusetts (1780) and New Hampshire (1784). Today, this phrase of ''according to the dictates of conscience'' is echoed in the constitutions of 28 states—Arkansas, Connecticut, Delaware, Georgia, Indiana, Kansas, Kentucky, Maine, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New Mexico, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia and Wisconsin.

It must always be stressed that the Religious Freedom Amendment is not intended to override the First Amendment's prohibitions on establishing any religion as a state religion and on creating official status for any set of beliefs. The RFA would not do this. The preamble's inclusion of the phrase, ''according to the dictates of conscience,'' is the first of multiple protections within the Religious Freedom Amendment to safeguard the rights of religious minorities.

The term ''according to the dictates of conscience'' does not, however, protect lewd behavior under the claim or pretense of religion. Although worded in absolutist fashion, the First Amendment nevertheless yields when necessary to avoid ''substantial threat to public safety, peace, or order''.[29] The courts have determined that free exercise of religion is not a license to disregard general statutes on behavior, such as those against advocating violent overthrow of the government,[30] outlawing polygamy [31], use of illegal drugs[32], prostitution[33], and even snake-handling[34]. The right to free speech does not permit shouting ''Fire!'' in a public theater[35], or wanton and intentional libel and slander[36]. Free speech does not give students a right to interrupt and usurp class time to speak whenever they want about whatever they want. Neither does the RFA. The RFA would not permit or sanction disruptive behavior by those wishing to pray or to speak about religion. It does not open public schools to anyone who might wish to enter to bring in their own religious message. Trespass remains trespass. The RFA simply permits religious openness by those students who have a right (and usually a legal obligation) to attend school.

''The people's right'' is a right held both by individuals and as a collective group. The RFA does not, however, create a mechanism for government officials to begin dictating wholesale inclusion of religious symbols for constant or incessant display on public property, because they would remain bound by the First Amendment's prohibition against establishing an official religion via government! The RFA simply shifts the boundary, away from exclusionism and into greater accommodation, but stops well short of actual endorsement of religion. It provides a check upon the court challenges which have erroneously equated and confused accommodation and recognition with endorsement.

The RFA would correct the trend of using the Establishment Clause to run roughshod over the Free Exercise Clause. The First Amendment consciously established a tension by stating not only what government could not do, but also stating what the people could do. Our courts have instead used it

to halt voluntary religious expressions by citizens, individually and collectively, whenever government has some connection.

Because the scope and intrusiveness of government into all aspects of American society has grown so rapidly, it has become all-pervasive, making it a rare occasion when there is no presence of government. Accordingly, the judicially-created ''wall of separation'' has become a moving wall. As the presence of government constantly expands, this standard crowds out opportunities for religion to be present and to flourish. As shown by the recent ruling in City of Boerne v. Flores, Archbishop[37] even a church's ability to have room to seat its worshippers is subjected to government control. This was never the intention of our Founding Fathers.

The RFA's preamble stresses our shared belief that government should accommodate and protect religious freedom, but it simultaneously stresses that government should not and must not dictate in regard to religion. By concluding with the safeguard of ''according to the dictates of conscience,'' the preamble assures that as it protects religious expression in public places, it nevertheless cannot be used to dictate expression or non-expression of beliefs, nor can it be used to favor one religious faith over another.

Protecting religious expression: ''Neither the United States nor any State shall establish any official religion, but the people's right to pray and to recognize their religious beliefs, heritage or traditions on public property, including schools, shall not be infringed. . . .''

NEVER AN OFFICIAL CHURCH

This phrase draws a clear boundary beyond which government cannot go. No public property occasion which recognizes religious beliefs, heritage or tradition, and no such exercise of the right to pray shall rise to the level of denoting any religion as official. This follows the intent of the drafters of the First Amendment, as understood by now-Chief Justice William Rehnquist and related in his opinion in Wallace v. Jaffree:

''The evil to be aimed at, so far as [its drafters] were concerned, appears to have been the establishment of a national church, and perhaps the preference of one religious sect over another, but it was definitely not concern about whether the Government might aid all religions evenhandedly.''[38]

Government should accommodate America's faiths, and the emphasis they have always received in this nation's life, but should not be promoting any one faith in particular. For example, the RFA would not permit government to proclaim officially that the United States is a ''Christian nation'', nor a ''Jewish nation,'' ''Muslim nation,'' nor that of any other particular faith. But the supposed accommodation under current rulings is typically a pretense, the functional equivalent of no accommodation at all.

The proper standard of accommodation was described by then-Chief Justice Warren Burger, in his dissent to Wallace v. Jaffree, 472 U.S. 38, at 90:

''The statute [permitting a moment of silence, and thus silent prayer, in Alabama's public schools] ''endorses'' only the view that the religious observances of others should be tolerated and, where possible, accommodated. If the government may not accommodate religious needs when it does so in a wholly neutral and noncoercive manner, the ''benevolent neutrality'' that we have long considered the correct constitutional standard will quickly translate into the ''callous indifference'' that the Court has consistently held the Establishment Clause does not require.

''The Court today has ignored the wise admonition of Justice Goldberg that ''the measure of constitutional adjudication is the ability and willingness to distinguish between real threat and mere shadow.''

The language to permit religious expression on public property is the first corrective segment of the RFA; the second is the portion dealing with non-discrimination.

The text of the RFA uses the two-part structure employed by the First Amendment, intended to balance freedom from state-imposed religion (via the so-called Establishment Clause, ''Congress shall make no law respecting an establishment of religion . . .'') with freedom of religion (via the so-called Free Exercise Clause, ''or prohibiting the free exercise thereof''). The RFA likewise echoes the prohibition on an official religion, then follows it with language clearly indicating that the intent is not to restrict religion, but to maximize it. The RFA's terms are necessarily more explicit than the First Amendment, as a necessity to correct court rulings of recent years.

The RFA reflects former Chief Justice Warren Burger's comments about how government should accommodate expressions of religious tradition, heritage and belief. As he wrote in Lynch v. Donnelly, 465 U.S. 668, at 675 (1984) (and before Lynch was undercut by a later 5–4 ruling):

''[t]here is an unbroken history of official acknowledgment by all three branches of government of the role of religion in American life from at least 1789'' and that there are ''countless . . . illustrations of the Government's acknowledgment of our religious heritage and governmental sponsorship of graphic manifestations of that heritage.'' These included, in part:

''—invocations of Divine guidance in deliberations and pronouncements of the Founding Fathers and contemporary leaders;

''—George Washington's designation of a religiously-toned Thanksgiving, which 80 years later was made a national holiday;

''—the designation of Christmas as a national holiday and the grant of paid leave to public employees on that day;

''—Presidential proclamations commemorating other religious events, such as the Jewish High Holy Days;

''—Usage of ''In God We Trust'' as a national motto, and on coins and currency;

''—Display of religious paintings in publicly-supported art galleries [to which he could have added the religious overtones of many of the depictions in Statuary Hall in the U.S. Capitol itself].''

WHO ARE ''THE PEOPLE''?

The word ''people'' was purposefully chosen rather than specifying simply ''a person's right'' or ''every person's right'' to pray, and to recognize religious tradition, heritage or belief. In speaking of ''the people's right'', the RFA embodies ''people'' in both the individual and the collective meaning of the word. This is consistent with the dual usage already employed by Constitutional references to ''the people.''

In its Preamble, the Constitution opens with ''We the People'', thus referring to the collective conduct of the American people acting to create their government.

The First Amendment uses an obviously collective sense of ''people'' when it proclaims ''the right of the people peaceably to assemble, and to petition the government for a redress of grievances.''

The Fourth Amendment employs it to indicate individual rights in protecting ''The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures.''

The Ninth and Tenth Amendments make obvious reference to the collective rights of the people, using their instrumentality of government, in specifying that ''The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.'' and that ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.''

PROTECTING KEY DECISIONS

The RFA is also intended to preserve and protect the precedential value of Supreme Court decisions favorable to religious freedom and to even-handed treatment of religion, namely Marsh v. Chambers, 463 U.S. 783 (1983) and Rosenberger v. Rector and Visitors of the University of Virginia, 115 S. Ct. 2510 (1995). Without the RFA, the future of these precedents is problematical, because they are isolated exceptions to the trends of the Supreme Court in other religious freedom cases. Their viability and precedential value is subject to sudden change by the Court, absent the RFA.

The RFA also cements the precedent of another series of Supreme Court decisions, relating to government providing of benefits to students who are in parochial schools. That ruling, in the 5–to–4 decision in Agostini v. Felton, is discussed as part of the ''benefits'' clause of the RFA, later in this document.

Marsh v. Chambers, 463 U.S. 783 (1983), by 6–to–3 upheld the constitutionality of prayers by a government-paid chaplain, at the opening of legislative sessions.[39] Rosenberger by a 5–to–4 Court margin directed that when a public university funded other student publications, it could not refuse to assist one with a Christian association.

These decisions in Marsh v. Chambers and Rosenberger v. Rector are protected by the Religious Freedom Amendment, guarding them from the vagaries of back-and-forth shifting margins on the Supreme Court.

PROTECTING RIGHTS OF THE PEOPLE

H.J. Res. 78 does not seek to protect religious rights simply by restricting the power of government; it also proclaims an affirmative right of the people themselves. The Bill of Rights and other Constitutional amendments have likewise used both approaches to establish and protect rights of the people.[40] The Religious Freedom Amendment expressly declares the rights of the people, to make its intent clearer to the courts. (But, as previously noted, the absolutist statement of an affirmative right does not impede reasonable requirements for the time, place and manner of speech. For example, the RFA does not give a student any right to disrupt class by spontaneously offering a prayer, just as the First Amendment does not give them any right to disrupt class by spontaneously launching into any other form of speech.)

''Public property'' as used in the RFA is synonymous with ''government property'', but is not limited to real estate. In a proper case, it can for example address public property such as a city seal which contains a depiction of a community's heritage, traditions or beliefs. Thus, the limiting test is to assure that any role of government does not go beyond recognizing religious belief, heritage or tradition, and avoids becoming the promoting of any religion. The RFA does not repeal the Establishment Clause of the First Amendment, but interacts with it, restoring the former balance between the Establishment Clause and the Free Exercise Clause. Use of public property to go beyond the Equal Access Act, to go beyond recognition and into promotion of a religion would continue to run afoul of the Establishment Clause of the First Amendment.

Protecting individual conscience and minorities: ''. . . Neither the United States nor

any State shall require any person to join in prayer or other religious activity, [or] prescribe school prayers . . .''

The RFA does contain any language to overturn the First Amendment's prohibition on establishing an official religion, neither expressly nor impliedly. Nevertheless, it contains protective language as an extra safeguard to assure this. The RFA echoes the pattern of the First Amendment, with both a prohibition on establishing an official church, coupled with guarantees intended to assure maximum religious liberty.

No school prayer (nor any religious activity) could ever be mandatory; the RFA explicitly makes this clear. It demonstrates an abundance of caution and concern for religious freedom for all, in particular for any who may be in a minority in their area. It does not permit a large group to muzzle or suppress a small group; it does not permit a small group to muzzle or censor a large group. Nor does it permit anyone to compel prayer or other religious conduct by those who do not wish to participate.

Neither the federal nor state government could prescribe prayer. This covers both principal definitions of ''prescribe''. It could not ''prescribe'' prayers, in the sense that it could not direct that they occur; under the RFA, that initiative properly comes from students. Nor could government ''prescribe'' prayer, in the sense that it could not dictate the content of prayer.

This language reinforces the ''according to the dictates of conscience'' protection of the RFA's preamble.

The RFA effectively endorses and follows the standard applied by the Supreme Court in West Virginia State Board of Education v. Barnette.[41] There, the Court correctly ruled that no child could or should be compelled to say the Pledge of Allegiance. However, the Court did not create a right for an objecting student to prohibit their classmates from saying the Pledge.

Providing equal protection: ''. . . [Neither the United States nor any State shall] . . . discriminate against religion, or deny equal access to a benefit on account of religion.''

ENDING DISCRIMINATION AGAINST RELIGION

Religious symbols and religious behavior are treated by current court decisions as being automatically suspect when they occur on public property, or in association with a government activity or program.[42] But unlike the standard on religion, secular symbols, behavior, or activity are not pre-burdened. This discriminatory dual standard is prohibited by the RFA. The amendment does not prohibit positive accommodation of religion, such as non-profit tax treatment, but focuses instead to bar discrimination against religion.

The Congressional Research Service reported recently on 30 instances of federal statutes and regulations which assure that government does not subsidize religious practices of receiving organizations. But CRS also found an additional 51 federal statutes and regulations which disqualify religious organizations or adherents from neutral participation in generalized government programs.[43] This discrimination needs correction.

There is a growing recognition that faith-based programs can succeed, winning results even when other programs cannot, to combat crime and violence, teen pregnancy, welfare dependency, recidivism, and other social problems. To disqualify them because of their religious component not only violates the notion of neutrality, but denies assistance to a great many Americans.

NEUTRALITY REGARDING BENEFITS-PROTECTING FRAGILE PRECEDENTS

The ''benefits'' provision of the RFA reflects and protects (among other policy decisions) two recent Supreme Court decisions. Both were decided by 5–4 margins, in an area where the Court still shifts back-and-forth, unless the RFA provides an anchor to preserve these fragile rulings.

The first of these protected holdings is Rosenberger v. Rector and Visitors of the University of Virginia, 115 S.Ct. 2510 (1995), holding it impermissible viewpoint discrimination to exclude student religious publications from the University's general subsidy of student publications. The Court concluded that free speech itself was threatened if religious speech were singled out for different treatment:

''The governmental program at issue is neutral toward religion. Such neutrality is a significant factor in upholding programs in the face of Establishment Clause attack, and the guarantee of neutrality is not offended where, as here, the government follows neutral criteria and even-handed policies to extend benefits to recipients whose ideologies and viewpoints, including religious ones, are broad and diverse.''

The RFA also reflects the philosophy embodied—by a bare margin—in Agostini v. Felton, No. 96–552 (June 23, 1997). Agostini by 5–4 reversed a prior ruling on the same issue (a ruling in Aguilar v. Felton, 473 U.S. 402 (1985)), which likewise was decided by 5–4). The Court justified the reversal because the Court had also reversed two prior opinions on crucial points. Those cases likewise turned on margins of 5–4 in one instance[44] and also 5–4 in the other![45] What the Court gives, the Court can take away tomorrow, especially on 5–4 decisions! The RFA protects these important decisions from such judicial schizophrenia.

In Agostini v. Felton, the Supreme Court ruled that New York City may use federal Title I funds to provide special teachers on the premises of parochial schools, to give supplemental and remedial instruction to disadvantaged children.[46]

The Court opined that there were sufficient safeguards to assure that sectarian schools would not have a profit motive to provide religious instruction. It added:

''First, the Court has abandoned *Ball*'s presumption that public employees placed on parochial school grounds will inevitably inculcate religion or that their presence constitutes a symbolic union between government and religion. *Zobrest v. Catalina Foothills School Dist.*, 509 U.S. 1, 12–13. No evidence has ever shown that any New York City instructor teaching on parochial school premises attempted to inculcate religion in students. Second, the Court has departed from *Ball's* rule that all government aid that directly aids the educational function of religious schools is invalid. Other Establishment Clause cases before and since have examined the criteria by which an aid program identifies its beneficiaries to determine whether the criteria themselves have the effect of advancing religion by creating a financial incentive to undertake religious indoctrination. Cf. e.g., *Witters*, supra, at 488; *Zobrest*, supra, at 10. Such an incentive is not present where, as here, the aid is allocated on the basis of neutral, secular criteria that neither favor nor disfavor religion, and is made available to both religious and secular beneficiaries on a nondiscriminatory basis.''

NEUTRALITY REGARDING BENEFITS-PROTECTING CURRENT POLICIES

In addition to the Supreme Court precedents of *Rosenberger* and of *Agostini*, the ''benefits'' provision of the RFA protects other current policy. For example, the RFA's ''benefits'' provision protects these existing programs: Over a billion dollars each year in federal grants goes to Catholic Charities USA for various social services, ranging from shelters for the homeless, to aid to refugees and to unwed mothers. Over a billion dollars each year is spent on GI Bill education benefits, over $7-billion to federal Pell Grants to students, $23–billion a year in federally-guaranteed student loans, and $17-billion a year in direct lending to students, all of which may be used at private and church schools, as well as at public schools.

The RFA does not permit any appropriation or other funding for religious activities. Government funding for a religious purpose would still be banned by the prohibition on official religion found both in the First Amendment and in the RFA. However, once a government program was established, to accomplish a governmental purpose, participants could not be disqualified on the basis of religion or religious affiliation.

Other illustrations of the current problem (and the not-clearly-settled law in light of 5–4 Supreme Court rulings):

—Although the case was ultimately settled, the Federal Communications Commission denied a federal grant to Fordham University, because its campus station included a religious program on Sunday mornings. The federal district court[47] sided with the FCC that Fordham was disqualified by supposed church-state considerations. The RFA will prevent such injustices in the future.

—Provisions of state constitutions have been used to deny using general benefit programs when there was any connection with a religious institution. Again, the RFA will rectify this, because it applies at both the federal and the state levels.[48]

—After the Oklahoma City bombing, it was reported that HUD attorneys almost denied nearby churches the ability to receive bombing repair money, on the same basis as other damaged property, because of ''separation of church and state'' concerns. Again, the RFA protects the ability to participate on an equal and non-discriminatory basis.

The ''benefits'' language does not guarantee any benefit to any person or group. Instead, it assures ''equal access'' *if and when* some benefit is made available for a permitted governmental purpose. For example, the RFA does not create a program of vouchers for education. *If* and when a unit of government chose to create them, however, the RFA would simply assure that all individuals and private entities are afforded equal access to them. This is the identical standard already utilized in federal student loan programs and the G-I Bill.

Private institutions, including those affiliated with churches, should be permitted to participate under the same standards as public institutions. For example, neither the University of Notre Dame nor Boston College are disqualified from federal education programs for being Catholic, nor is any other school disqualified on the basis of religion. This is a proper standard which has proven workable, which should be applied uniformly, and which should be protected from the uncertainty of the Supreme Court rulings in this area.

CONCLUSION

Rather than promoting understanding, recent decades of current Supreme Court decisions have promoted the opposite. A correct standard of tolerance would accept the benefits of listening respectfully to other views, rather than using the courts to silence them.

As four current Supreme Court justices have expressed:[49]

''. . . nothing, absolutely nothing, is so inclined to foster among religious believers of various faiths a toleration—no, an affection—for one another than voluntarily joining in prayer together, to the God whom they all worship and seek. Needless to say, no one should be compelled to do that, but it

is a shame to deprive our public culture of the opportunity, and indeed the encouragement, for people to do it voluntarily. The Baptist or Catholic who heard and joined in the simple and inspiring prayers of Rabbi Gutterman on this occasion was inoculated from religious bigotry and prejudice in a manner that cannot be replicated. To deprive our society of that important unifying mechanism, in order to spare the nonbeliever what seems to me the minimal inconvenience of standing or even sitting in respectful nonparticipation, is as senseless in policy as it is unsupportable in law.''

The wayward state of Supreme Court decisions has been decried by Chief Justice Rehnquist:

''George Washington himself, at the request of the very Congress which passed the Bill of Rights, proclaimed a day of ''public thanksgiving and prayer, to be observed by acknowledging with grateful hearts the many and signal favors of Almighty God.'' History must judge whether it was the father of his country in 1789, or a majority of the Court today, which has strayed from the meaning of the Establishment Clause.''[50]

The American people have never accepted the Supreme Court's extra burdens levied against school prayer and against religious freedoms during the past 36 years. It has been 27 years since this House has acted upon the necessary constitutional amendment to correct this, and the time to remedy that is now. The Religious Freedom Amendment should be adopted.

APPENDIX

References to God in State Constitutions & Preambles

Alabama—''invoking the favor and guidance of Almighty God''

Alaska—''grateful to God and to those who founded our nation . . . in order to secure and transmit succeeding generations our heritage of political, civil, and religious liberty''

Arizona—''grateful to Almighty God for our liberties''

Arkansas—''grateful to Almighty God for the privilege of choosing our own form of government, for our civil and religious liberty''

California—''grateful to Almighty God for our freedom''

Colorado—''with profound reverence for the Supreme Ruler of the Universe''

Connecticut—''acknowledge with gratitude, the good providence of God''

Delaware—''Through Divine goodness, all men have by nature the rights of worshipping and serving their Creator according to the dictates of their own conscience.''

Florida—''being grateful to Almighty God for our constitutional liberty''

Georgia—''relying upon the protections and guidance of Almighty God''

Hawaii—''grateful for Divine Guidance''

Idaho—''grateful to Almighty God for our freedom''

Illinois—''grateful to Almighty God for the civil, political and religious liberty which He has permitted us to enjoy and seeking His blessing upon our endeavors''

Indiana—''grateful to Almighty God for the free exercise of the right to choose our own government''

Iowa—''grateful to the Supreme Being for the blessings hitherto enjoyed, and feeling our dependence on Him for a continuation of those blessings''

Kansas—''grateful to Almighty God for our civic and religious privileges''

Kentucky—''grateful to Almighty God for the civil, political, and religious liberties we enjoy''

Louisiana—''grateful to Almighty God for the civil, political, economic, and religious liberties we enjoy''

Maine—''acknowledging with grateful hearts the goodness of the Sovereign Ruler of the universe in affording us an opportunity, so favorable to the design; and imploring God's aid and direction in its accomplishments, do agree''

Maryland—''grateful to Almighty God for our civil and religious liberty''

Massachusetts—''acknowledging with grateful hearts, the goodness of the great Legislator of the Universe, in affording us, in the course of His providence, and opportunity''

Michigan—''grateful to Almighty God for the blessings of freedom''

Minnesota—''grateful to God for our civil and religious liberty''

Mississippi—''grateful to Almighty God, and invoking blessings of freedom''

Missouri—''with profound reverence for the Supreme Ruler of the Universe, and grateful for His goodness''

Montana—''grateful to Almighty God for the blessings of liberty''

Nebraska—''grateful to Almighty God for our freedom''

Nevada—''Grateful to Almighty God for our freedom in order to secure its blessings''

New Hampshire—''unalienable right to worship God according to the dictates of conscience''

New Jersey—''grateful to Almighty God for the civil and religious liberty which He hath so long permitted us to enjoy, and looking to Him for a blessing upon our endeavors to secure . . .''

New Mexico—''grateful to Almighty God for the blessings of liberty''

New York—''grateful to Almighty God for our Freedom''

North Carolina—''grateful to Almighty God, the Sovereign Ruler of Nations''

North Dakota—''grateful to Almighty God for the blessings of civil and religious liberty''

Ohio—''grateful to Almighty God for our freedom''

Oklahoma—''Invoking the guidance of Almighty God''

Oregon—''to worship Almighty God''

Pennsylvania—''grateful to Almighty God for the blessings of civil and religious liberty, and humbly invoking His guidance''

Rhode Island—''grateful to Almighty God for the civil and religious liberty which He hath so long permitted us to enjoy, and looking to Him for a blessing upon our endeavors''

South Carolina—''grateful to God for our liberties''

South Dakota—''grateful to Almighty God for our civil and religious liberties''

Texas—''Humbly invoking the blessings of Almighty God''

Tennessee—''to worship Almighty God''

Utah—''Grateful to Almighty God for life and liberty''

Washington—''grateful to the Supreme Ruler of the Universe for our liberties''

West Virginia—''Since through Divine Providence we enjoy the blessings of civil, political and religious liberty . . . reaffirm our faith in and constant reliance upon God . . .''

Wisconsin—''grateful to Almighty God for our freedom''

Wyoming—''grateful to God for our civil, political, and religious liberties''

Vermont—''to worship Almighty God''

Virginia—''. . . duty which we owe to our Creator . . . mutual duty of all to practice Christian forbearance, love, and charity''

FOOTNOTES

[1] Although the Judiciary Committee in 1971 refused to report any of several proposed prayer amendments, a discharge petition sponsored by Ohio Rep. Wylie successfully compelled a floor vote. Thereafter, on November 8, 1971, the language voted upon read, ''Nothing contained in this Constitution shall abridge the right of persons lawfully assembled, in any public building which is supported in whole or in part through the expenditure of public funds, to participate in voluntary prayer or meditation.'' The vote was 240–162, falling 28 votes short of the necessary two-thirds majority needed, of the 402 House Members who voted.

[2] Sen. Dirksen of Illinois led the effort which promoted this language, ''Nothing contained in this Constitution shall prohibit the authority administering any school, school system, educational institution or other public building supported in whole or in part through the expenditure of public funds from providing for or permitting the voluntary participation by students or others in prayer. Nothing contained in this article shall authorize any such authority to prescribe the form or content of any prayer.'' A vote on September 19, 1966, resulted in a 51–36 favorable vote to substitute this for other text, but the final vote of 49–37 was nine votes short of the two-thirds needed.

[3] During floor action on the proposed Equal Rights Amendment, Sen. Baker of Tennessee proposed adding this text to the ERA, ''Nothing contained in this Constitution shall abridge the right of persons lawfully assembled, in any public building which is supported in whole or in part through the expenditure of public funds, to participate in nondenominational prayer.'' By 50–20, the text was added to the then-pending ERA. However, this plus another successful amendment, to exempt women from the military draft, were seen more as anti-ERA maneuvers than anything else, and final passage of the ERA (with this language added) was blocked at that time.

[4] A Reagan Administration initiative, S.J. Res. 73, was revised in committee to read, ''Nothing in this Constitution shall be construed to prohibit individual or group prayer in public schools or other public institutions. No person shall be required by the United States or by any state to participate in prayer. Neither the United States nor any state shall compose the words of any prayer to be said in public schools.'' On March 20, 1984, the vote on this language was 56–44, falling 11 votes shy of the two-thirds needed.

[5] ''School Prayer: The Congressional Response, 1962–1996'', by David M. Ackerman, Legislative Attorney, American Law Division, October 16, 1996.

[6] This differs slightly from the language of H.J. Res. 78 as originally introduced. As introduced, the RFA read as follows:

''To secure the people's right to acknowledge God according to the dictates of conscience: The people's right to pray and to recognize their religious beliefs, heritage or traditions on public property, including schools, shall not be infringed. The government shall not require any person to join in prayer or other religious activity, initiate or designate school prayers, discriminate against religion, or deny equal access to a benefit on account of religion.''

[7] Excerpted from Chief Justice Rehnquist's dissent in Wallace v. Jaffree, 472 U.S. 38 (1985).

[8] For example: Government runs most schools, with laws to compel attendance, and requires taxes to support those schools, even from those who pay to send their children to private schools. Charitable works, once the primary domain of the religious sector, now are dominated by government programs. The largest portion of American health care is paid in some way by a unit of government. Government runs most of the public welfare system, and massive quantities of public housing.

[9] Rehnquist commented at great length in his dissent to the graduation prayer case of Wallace v. Jaffree, 472 U.S. 38 (1985):

''Thirty-eight years ago this Court, in Everson v. Board of Education, 330 U.S. 1, 16 (1947) summarized its exegesis of Establishment Clause doctrine thus: 'In the words of Jefferson, the clause against establishment of religion by law was intended to erect 'a wall of separation between church and State.' Reynolds v. United States, [98 U.S. 145, 164 (1879)].'

''This language from Reynolds, a case involving the Free Exercise Clause of the First Amendment rather than the Establishment Clause, quotes from Thomas Jefferson's letter to the Danbury Baptist Association the phrase 'I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should 'make no law respecting an establishment of religion, or prohibiting the free exercise thereof,' thus building a wall of separation between church and State.' 8 Writings of Thomas Jefferson 113 (H. Washington ed. 1861).

''It is impossible to build sound constitutional doctrine upon a mistaken understanding of constitutional history, but unfortunately the Establishment Clause has been expressly freighted with Jefferson's misleading metaphor for nearly forty years. Thomas

Jefferson was of course in France at the time the constitutional amendments known as the Bill of Rights were passed by Congress and ratified by the states. His letter to the Danbury Baptist Association was a short note of courtesy, written fourteen years after the amendments were passed by Congress. He would seem to any detached observer as a less than ideal source of contemporary history as to the meaning of the Religions Clauses of the First Amendment.''

Chief Justice Rehnquist thereafter presents a detailed account of the actual history of the development of the First Amendment's language on religious freedom.

[10] Although it is the most-often used, this is not the only catch-phrase that is used to mislead in debate on these issues. The terms of ''state-sponsored'' prayer, and of ''captive audience'' are also misused often.

The term ''state-sponsored'' prayer is invoked to include situations when a school or government official simply permits prayer to occur, even when student-initiated. Thus, in the 1997 Alabama federal court ruling, Chandler v. James, CV–96–D–169–N (Middle District of Alabama), U.S. District Judge Ira Dement (at pages 7 & 8) permanently enjoined the schools from ''permitting prayers, Biblical and scriptural readings, and other presentations or activities of a religious nature, at all school-sponsored or school-initiated assemblies and events (including, but not limited to, sporting events), regardless of whether the activity takes place during instructional time, regardless of whether attendance is compulsory or noncompulsory, and regardless of whether the speaker/presenter is a student, school official, or nonschool person.''

The ''captive audience'' notion is never used to express concern for the majority of students, who are required to be in school, yet required to leave their normal religious expressions behind while they are there—which is the largest segment of their waking day. As Justice Potter Stewart noted in his dissent in Abington v. Schemp, ''a compulsory state educational system so structures a child's life that if religious exercises are held to be an impermissible activity in schools, religion is placed at an artificial and state-created disadvantage. Viewed in this light, permission of such exercises for those who want them is necessary if the schools are truly to be neutral in the matter of religion.''

[11] Engel v. Vitale, 370 U.S. 421 (1962).

[12] The pertinent portion of Engel stated, ''Neither the fact that the prayer may be denominationally neutral nor the fact that its observance on the part of the students is voluntary can serve to free it from the limitations of the Establishment Clause, as it might from the Free Exercise Clause, of the First Amendment, both of which are operative against the States by virtue of the Fourteenth Amendment.'' To this Justice Stewart wrote in dissent, ''With all respect, I think the Court has misapplied a great constitutional principle. I cannot see how an ''official religion'' is established by letting those who want to say a prayer say it. On the contrary, I think that to deny the wish of these school children to join in reciting this prayer is to deny them the opportunity of sharing in the spiritual heritage of our Nation.''

[13] Abington School District v. Schemp, 374 U.S. 203 (1963).

[14] Wallace v. Jaffree, 472 U.S. 38 (1985).

[15] at 505 U.S. 632.

[16] at 505 U.S. 635–636.

[17] Stone v. Graham, 449 U.S. 39 (1980).

[18] at 449 U.S. 42.

[19] at 449 U.S. 45–46.

[20] McCollum v. Board of Education, 333 U.S. 203 (1948).

[21] Lemon v. Kurtzman, 402 U.S. 603 (1971).

[22] County of Allegheny v. ACLU, Greater Pittsburgh Chapter, 492 U.S. 573 (1989).

[23] Lynch v. Donnelly, 465 U.S. 668 (1984).

[24] In R.A.V., Petitioner v. City of St. Paul, Minnesota, 505 U.S. 377 (1992), the Supreme Court held that a ''hate crimes'' law banning cross-burnings and Nazi swastikas was unconstitutional on its face. In National Socialist Party v. Skokie, 432 U.S. 43 (1977), the Court upheld the right of neo-Nazis to parade with swastikas and anti-Semitic literature through the midst of a predominantly Jewish community.

[25] Justice Potter Stewart's dissenting comments in Abington v. Schemp provide an apt description of true neutrality, in contrast with the antagonism that can masquerade as neutrality. As he wrote, ''It might also be argued that parents who want their children exposed to religious influences can adequately fulfill that wish off school property and outside school time. With all its surface persuasiveness, however, this argument seriously misconceives the basic constitutional justification for permitting the exercises at issue in these cases. For a compulsory state educational system so structures a child's life that if religious exercises are held to be an impermissible activity in schools, religion is placed at an artificial and state-created disadvantage. Viewed in this light, permission of such exercises for those who want them is necessary if the schools are truly to be neutral in the matter of religion.''

[26] Story, Joseph, Commentaries on the Constitution of the United States (1833), Sec. 462.

[27] In testimony given in 1997 by Rep. Istook regarding the RFA, it was indicated that five states lacked a reference to God in their state constitutions. This was inaccurate. Corrective research indicates that the five 'missing' states—New Hampshire, Oregon, Tennessee, Vermont and Virginia, in fact do refer expressly to God in their state constitutions.

[28] Just as litigation is pending on many other fronts, challenging prayers at schools, graduations, football games, etc., it is also happening over the Ohio motto. Ohio is being sued to block any further use of this motto.

[29] Sherbert v. Verner, 374 U.S. 398 (1963)

[30] Brandenburg v. Ohio, 395 U.S. 444, 447 (1969) holding it is not protected to advocate ''imminent lawless action if likely to incite or produce such action''. See also 18 United States Code, Sec. 2385, being the criminal code's prohibition of advocating violent overthrow of the government and related offenses.

[31] Reynolds v. United States, 98 U.S. 154 (1878)

[32] Olsen v. Drug Enforcement Administration, 878 F.2d 1458 (D.C. Cir. 1989), cert. den., 494 U.S. 906 (1990); United States v. Rush, 738 F.2d 457 (1st Cir. 1984), cert. den., 470 U.S. 1004 (1985); and United States v. Middleton, 690 F.2d 820 (11th Cir. 1982), cert. den., 460 U.S. 1051 (1983).

[33] Tracy v. Hahn, 940 F.2d 1536 (9th Cir. 1991).

[34] Pack v. Tennessee, 527 S.W. 2d 99 (Tenn. 1975), cert. den., 424 U.S. 954 (1976).

[35] Schenck v. United States, 249 U.S. 47, 52 (1919), wherein Justice Holmes wrote, ''The most stringent protection of free speech would not protect a man in falsely shouting fire in a theater and causing a panic.''

[36] New York Times v. Sullivan, 376 U.S. 254, 279–280 (1964); Curtis Publishing Co. v. Butts, 388 U.S. 130 (1967).

[37] City of Boerne v. Flores, Archbishop, 521 U.S. ———, 1997 WL 345322, June 25, 1997.

[38] Wallace v. Jaffree, 472 U.S. 38 (1985).

[39] A similar standard was enunciated in dissent by Justice Potter Stewart in Engel v. Vitale, who wrote that school prayer was not an ''official religion,'' but simply an effort ''. . . to recognize and to follow the deeply entrenched and highly cherished spiritual traditions of our Nation—traditions which come down to us from those who almost two hundred years ago.'' Justice Stewart then elaborated with numerous references to the statements and conduct of the Founding Fathers.

[40] The First Amendment prohibits Congress from making any law ''respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech,'' etc. The Second Amendment says the affirmative right ''of the people to keep and bear arms shall not be infringed.'' The Fourth Amendment sets forth ''the right of the people'' against unreasonable searches and seizures, and then limits the government's ability to issue warrants, except for probable cause. The Fourteenth Amendment gives citizenship to all persons born or naturalized in the U.S., then restricts the states with equal protection and due process requirements. These and other examples illustrate the duality of protections, both by establishing affirmative rights of the people, and by restrictions upon the conduct of government.

[41] West Virginia State Board of Education v. Barnette, 319 U.S. 624 (1943)

[42] There is also lack of balance regarding which symbols are treated as suspect. Typically, only symbols of a majority faith, such as a Christian cross, are ordered to be removed. Yet many other emblems are used as symbols of different faiths. The thirteen stars on the Great Seal of the United States remain arranged as a Star of David, a symbol of the Jewish faith. Banning all symbols of a religion also becomes problematic because they are so numerous, and often are also used for other purposes. The swastika is a condemned symbol of Nazism to most, but also is a sacred symbol for many Hindus. A hammer is a symbol of Norse mythology, and small hammers were often worn on necklaces, akin to the practice of Christians wearing a cross pendant. Kites have religious symbology in Japan. Beetles (scarabs) are religious symbols for Egyptian sun worship. A spokesman for Americans United for Separation of Church and State has even mentioned (although perhaps not seriously) banning witches from school Halloween displays, because of possible religious significance.

[43] March 18, 1996, report from American Law Division, Congressional Research Service.

[44] Zobrest v. Catalina Foothills School District, 509 U.S. 1 (1993), holding that providing a sign-language interpreter for parochial school students was not a First Amendment violation. As noted in Agostini v. Felton, the Supreme Court in Zobrest ''abandoned Ball's presumption that public employees placed on parochial school grounds will inevitably inculcate religion or that their presence constitutes a symbolic union between government and religion.''

[45] School District of the City of Grand Rapids v. Ball, 473 U.S. 373 (1985) had held it unconstitutional for a public school district to provide special supplemental classes at public expense to students located at places leased from private religious schools. It was not a ''pure'' 5–4 decision, in the sense that some justices concurred in part while dissenting in part. One key part of Bell was later reversed in the Zobrest case, once again by a 5–4 ruling. Another part of the 5–4 ruling of Bell was later reversed by the Court in Witters v. Washington Dept. of Services for the Blind, 474 U.S. 481.

[46] Despite discussing other grounds as dispositive, the Agostini decision was clearly motivated by a desire to permit the government to escape the $100–million expense of providing state facilities adjacent to the religious schools, so the teaching would not be on the grounds of a church school. It can be questioned whether the 5–4 majority was acting to protect religious freedom, or to protect government purse strings.

[47] Fordham University vs. Brown, 856 F. Supp. 684 (D.C.Cir., 1994), appeal dismissed per stipulation 94–5229 (D.C.Cir., Jan 5, 1996).

[48] In Witters v. Washington Department of Services for the Blind, 474 U.S. 481 (1986), although the federal constitution (by a 5–4 Supreme Court ruling) was not used to deny vocational rehabilitation funds to an individual who desired to become a pastor, the state constitution was ultimately used to block this.

[49] Scalia, Rehnquist, White and Thomas, in their dissent in Lee v. Weisman, at 505 U.S. 646.

[50] Wallace v. Jaffree, 472 U.S. 38 (1985)

GOVERNING GOD

A JUDGE'S REFLECTIONS ON RELIGIOUS FREEDOM

(By Richard John Neuhaus)

Since his appointment to the Ninth Circuit Court of Appeals in 1986, John Noonan has provided ample evidence that he is one of the most distinguished minds in our federal judiciary. Earlier, as a law professor at Berkeley and the author of major studies on the connections between religion and law, he demonstrated that he is, above all, a historian of ideas. That demonstration continues with his most recent work, The Lustre of Our Country, which is a personal summing up of Noonan's reflections on what he believes to be America's most innovative and audacious contribution to world history—the free exercise of religion.

The book's title comes from Noonan's hero, James Madison, for whom ''the whole burden of freedom was carried by the formula of free exercise.'' The First Amendment's commitment to the free exercise of religion, Madison wrote, ''promised a lustre to our country.'' That commitment is expressed in merely sixteen words: ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.''

But the interpretation of those words, more than any other aspect of contemporary jurisprudence, has cut to the heart of our understanding of the American experiment. Although his tone is generally irenic, Noonan leaves no doubt that the courts—and the Supreme Court in particular—have made a hash of the Religion Clause under the rubric of ''church-state law.''

An egregious error entrenched itself in the 1950s when the courts began speaking not of the Religion Clause but of two Religion Clauses—the no-establishment clause and the free-exercise clause. Predictably, the error has been compounded again and again as the ''two clauses'' have been pitted against each other, almost always to the detriment of free exercise. But as Noonan notes,

we are dealing with two prepositional phrases of one clause. ''The first phrase assumed that establishments of religion existed as they did in fact exist in several of the states; the amendment restrained the power of Congress to affect them. The second phrase was absolute in its denial of federal legislative power to inhibit religious exercise.'' Over time, state establishments disappeared and the First Amendment was ''incorporated'' to apply also to the states, but always it should have been evident that there is one Religion Clause, devoted to the end of the free exercise of religion. No establishment is a stipulated means to serve that end. The jurisprudence of the last half century, however, has tended to turn the means into the end, repeatedly declaring that any connection, no matter how benign, between government and religion is a forbidden ''establishment.'' The result is a court-imposed governmental indifference to religion that results in de facto governmental hostility to religion.

In regulating the activities of government, Noonan notes, the courts frequently pretend that they are not themselves part of government. But in fact, they are that part of the government that assumes that ''the courts themselves are sacred.'' ''Performing these tasks that they have determined to be allotted them by the First Amendment, the courts unself-consciously place themselves above any church or creed.'' And this is precisely what Madison was determined to avoid by declaring that citizens had a ''prior obligation'' and ''natural right'' to acknowledge a sovereignty higher than the sovereignty of the state. The genius of his innovation was to insist that, with respect to the exercise of that obligation and right, the government has no legitimate ''cognizance.''

The Founders were keenly aware that the free exercise of religion was qualitatively different from religious tolerance. ''Tolerance,'' writes Noonan, ''is a policy, an acceptance of religious difference because it's more trouble than it's worth to eliminate it, a prudential stance of wise statesmen. It is something else to inscribe in fundamental law an ideal of freedom for the human activity most potentially subversive of the existing order.''

The free exercise of religion is most potentially subversive because it proclaims a sovereignty that ''stands against the sovereignty of the state.'' Writes Noonan, ''Each individual's religion 'wholly exempt' from social control? No qualifications whatever on the right and duty to pay homage to God as one sees fit? Surely, in the heat of battle, Madison exaggerates! No, his theological premises compel these radical conclusions.''

The last point touches on a matter central to Noonan's argument, namely, that the free exercise of religion is, in the main, a religious achievement. This is explicitly proposed against the received wisdom that religious freedom—usually construed as tolerance—is the achievement of the secular Enlightenment against religion. In carrying this point, Noonan the historian is on impressive display.

The Lustre of Our Country is oddly contrived. It begins with an engaging autobiographical sketch of the Catholic author coming of age under the shadow of Puritan Boston. Noonan then examines the limits and contradictions embodied in the Puritan idea of religious freedom, to which he contrasts Madison's ''original insight.'' A chapter is devoted to a fictional letter ''discovered'' by Noonan, written by Tocqueville's younger sister, who argues that her brother was right to view religion as ''the foremost institution'' of American democracy, but wrong in claiming that the ''separation of church and state'' is, in fact, the American reality. Employing various literary techniques, sometimes eccentric but always fascinating, Noonan retells key cases in which the Supreme Court has tied itself into knots by regulating religion, with the result that it ends up in ludicrous efforts to adjudicate the sincerity and truth of religious claims—exactly the claims that Madison declared to be none of the government's business.

On the ''subversive'' dimension of free exercise, Noonan recalls four ''crusades''—the abolition of slavery, the war against Mormon polygamy, the prohibition of alcohol, and the civil-rights movement under the leadership of Martin Luther King Jr. Curiously, he does not include a fifth crusade, that against the abortion license of *Roe* v. *Wade*, on which he has written elsewhere with great persuasive effect. In all this, Noonan leaves no doubt that the free exercise of religion is an idea potentially dangerous to the state. Yet Madison and most of the other Founders believed that the entire constitutional order, this novus ordo seclorum, was contingent upon taking that risk. Noonan worries that we Americans, with the courts in the lead, may now have lost our nerve for it. Implicit in that loss of nerve, he suggests, is an acceptance of Durkheim's view that religion is essentially a function of society, something to be used and tolerated to the extent that it serves ''the sacred society.''

Nonetheless, Noonan is by no means ready to give up. For all the missteps along the way, the American commitment to the free exercise of religion is still, he insists, a ''success.'' Against what he views as the false humility of many Americans, he urges a forthright acknowledgment that religious freedom is this country's foremost contribution to the world's understanding of just government. In advancing that claim, he devotes chapters to four contrasting case studies: the French Revolution's affirmation and betrayal of the American idea of religious freedom; the American imposition of the idea on a defeated Japan; Russia's current and deeply flawed efforts to incorporate the idea; and the American influence in the Second Vatican Council's teaching on religious liberty.

The Lustre of Our Country is erudite and instructive, frequently whimsical and typically wise. Yet I expect that other readers will share my frustration with aspects of its argument. At times, Noonan seems to conflate freedom of religion with freedom of conscience. There are similarities, to be sure, there are also big differences. Freedom of conscience is easily reduced to radical individualism, ending up with what Noonan rightly deplores as the courts' common depiction of religion as a private aberration, to be tolerated insofar as it does not interfere with government purposes. This conflation also invites the subsuming of religious freedom into constitutional guarantees of freedom of speech and other provisions that ignore religion's necessarily subversive witness to a higher sovereignty. Noonan is apparently unhappy with the Supreme Court's recent striking down of the Religious Freedom Restoration Act—a decision that many viewed as tantamount to a repeal of the Religion Clause—but he offers no suggestion of other legislative remedies for judicial hostility to religion, a matter of some importance, as Congress is now working on another effort to produce such legislation.

Throughout the book, the reader is provoked to speculate about the assumptions underlying Noonan's judicial philosophy. He is clearly a ''textualist,'' and also an ''originalist,'' in his devotion to the radical intention of those responsible for the First Amendment. Yet at other time she seems to want judges to act as philosopher kings. His epilogue proposes ''Ten Commandments'' for people who deal with religious freedom, including the admonition that ''you shall know that no person, man or woman, historian or law professor or constitutional commentator or judge, is neutral in this matter.'' Fair enough. Noonan is right to insist that, where religion is concerned, imagination and empathy are required. ''Can a judge be a pilgrim?'' he asks. He answers in the affirmative. But as a judge, he should strive to read the law, to be objective, and, yes, to be neutral. Safety from judicial usurpation rests not so much in having judges who are better philosophers as in having judges who recognize that, as Madison would say, there are questions beyond their ''cognizance.''

Both suggestive and problematic is Noonan's persistent drawing of parallels between judicial interpretation and John Henry Newman's theory of ''the development of doctrine.'' In this connection, he offers an extended treatment of the development of Catholic teaching on religious freedom at Vatican Council II. Clearly, Noonan has no use for the exponents of a ''living Constitution,'' who declare, in effect, that the Constitution is dead because it means whatever the courts say it means. Just as clearly, there are parallels between what judges do and what church councils do. Both are involved in trying to comprehend a ''sacred text'' as it relates to current problems and understandings.

A crucial difference, however, and a difference on wishes Judge Noonan addressed more directly, is that church councils—at least in the Catholic understanding of things—are promised the guidance of the Holy Spirit.

But let me not leave the wrong impression. The questions and arguments provoked by The Lustre of Our Country testify to its great achievement. Judge Noonan understands, as very few judges and constitutional scholars do, the founding genius of the American experiment. He understands those sixteen words in the First Amendment—and persuasively explains why they continue to be this country's most innovative, audacious, and promising contribution to the world's understanding of the right ordering of political society.

[From U.S. News & World Report, May 4, 1998]

A RIGHTEOUS INDIGNATION

JAMES DOBSON—PSYCHOLOGIST, RADIO HOST, FAMILY-VALUES CRUSADER—IS SET TO TOPPLE THE POLITICAL ESTABLISHMENT

(By Michael J. Gerson)

On March 18, in the basement of the Capitol, 25 House Republicans met with psychologist James Dobson for some emotional venting. But this was not personal therapy; it concerned the fate of their party. Dobson, long on loyal radio listeners and short on patience, was threatening, in effect, to bring down the GOP unless it made conservative social issues, including abortion, a higher legislative priority. ''If I go,'' he has said, ''I will do everything I can to take as many people with me as possible.''

In the audience sat some of Dobson's closest ideological allies. Rep. Steve Largent of Oklahoma, a former star football player, was a volunteer speaker for Dobson's organization, Focus on the Family, from 1990 to 1993. He credits this with ''sparking my interest in public policy.'' Rep. James Talent of Missouri, years before, had pulled off the highway and prayed along with Dobson on the radio to become a Christian. ''He is the instrument through which I committed my life to Christ. It is the single most important thing that has ever or will ever happen to me.''

But for over two hours, until nearly midnight, House conservatives confronted Dobson about his indiscriminate attacks on the

Republican Party, asking credit for achievements he had ignored. At one point the wife of a congressman, in tears, explained how Dobson's broadside had hurt their family, inviting harsh questions from friends. An emotional Dobson, according to one witness, responded, ''I'm so sorry I hurt you.''

Sobered, Dobson canceled planned meetings with the *New York Times* and the *Washington Post*, where he would have laid out his threat to leave. But in the next two weeks, he sent lengthy, public letters renewing the threat, which hangs in the air like distant thunder at the Republican picnic.

This conflict dramatizes a growing gap between grass-roots conservatism and governing conservatism, between the raised expectations of activists and the weary realism of legislators. It reveals a party that may be crumbling, not at its periphery but at its center, among its most loyal supporters. And it may be signaling a major shift in the attitudes of Christian conservatives toward politics.

Many Republicans are taking Dobson's divorce threats very seriously. House Speaker Newt Gingrich has hosted several meetings with other House leaders to discuss Dobson's specific demands, which include defunding Planned Parenthood, requiring parental consent for abortions, and eliminating the National Endowment for the Arts. House Majority Leader Dick Armey has asked subcommittee chairmen to explore how Dobson's agenda could be advanced. But Dobson will not be easily appeased. Of the assurances he has been offered that his issues will be taken seriously, he says: ''We've got to see the proof. . . . If they will not change, I will try to beat them this fall.''

HIS FOCUS

Dobson is a central figure in Republican politics because he is the central figure in conservative Christianity. His radio and TV broadcasts are heard or seen by 28 million people a week. A core audience of 4 million listens to his *Focus on the Family* radio show every day. That gives him a greater reach than either Jerry Falwell or Pat Robertson at the height of their appeal. Dobson's most popular books have sold more than 16 million copies, and his other tracts and pamphlets have sold millions more. His organization, Focus on the Family, has a budget five times the size of the Christian Coalition's and gets so much mail it has its own zip code. His mailing list of over 2 million is one of the most potent organizing tools in the religious world.

But the 62-year-old Dobson is not a preacher or political activist. He is a psychologist, and his authority comes from an ability to connect with people right at the level of their problems. ''His family advice is simply helpful, and he has a reputation for absolute integrity—standing for something and sticking to it,'' says Prof. John Green of the University of Akron, an expert on the religious right.

The effect is completed by the slight drawl of a country doctor, a radio voice that is at once effortless and authoritative. Its influence seems to surprise even him. ''My voice is a friendly voice that comes into the home each day, somebody they know, somebody many of them trust. And it does become a king of friendship. It's a strange thing. I have a lot of women especially who write me and say, 'My father was not a father to me. . . . You've become a father to me,' which is interesting when you consider I've never met them.''

Dobson is very much the son, grandson, and great-grandson of Nazarene evangelists, a denomination known both for moral sterness—no movies or makeup—and for the emotional openness of the camp meeting. This is the evangelicalism of the quivering lip, the arm around the shoulder, the lump in the throat, the easy tear. Though he might resent the comparison, Dobson displays a Clinton-like emotional connection, particularly with women, who make up the vast majority of his audience. He accepted the Nazarene faith at the age of 3 and never rebelled against it, though, like many of his generation of Nazarenes, he abandoned its more rigid prohibitions against pop culture.

As an only child, Dobson was ''spoiled rotten,'' recalls old friend Mike Williamson. ''His family doted over him.'' And Dobson developed a particularly close relationship with his father, who combined the moral rigor of a preacher with the softer traits of an artist. (He was a serious painter.) ''He was a gentle man, a kind man, an easy touch, but outraged toward sin,'' Dobson says. ''He had an abhorrence of that which offended God, and a lot of what I feel today reflects that.''

Dobson might have been expected to go into the ministry himself. But Nazarene ministry must be inspired by a very special calling from God, and Dobson never felt it. He went instead to a Nazarene school in California, Pasadena College, and then to the graduate program in psychology at the University of Southern California. There he found himself interested in the science of child development, and he spent 14 years as a professor of pediatrics at the USC School of Medicine and 17 years on the attending staff at Children's Hospital at Los Angeles.

In the middle of his career, Dobson was hungry for broader influence on the issue he cared about most: child rearing. He hired an agent and began lecturing. And he also published a book in 1970 titled Dare to Discipline. It sold 3 million copies and established his national reputation. Dobson, who has written 15 other books, is a critic of permissive parenting. He stresses the idea that kids need boundaries to develop self-esteem and self-confidence. Children's behavior can be conditioned by the judicious use of rewards and punishments. He believes spanking is permissible, but only between 18 months and 8 years, and never by anyone with a history of abuse or a violent temper. But he also argues that rules without relationship lead to rebellion. So parents, while firm, should be emotionally accessible to their children.

Dobson stresses the need for fathers to be fully engaged in the life of their family, in contrast to the distant breadwinners of the past. His film on the subject, Where's Dad?, had a profound effect, for example, on Rep. Frank Wolf of Virginia. ''That film, that day, changed my life. After that, I never went to a political event on Sunday, not when asked by George Bush or Ronald Reagan. I dedicated myself to spending more time with [the children]. My kids joke about B.D. and A.D.—before Dobson and after Dobson.''

The psychologist's method is a mix of traditional parenting, biblical insights, and basic psychology—a traditionalism humanized by common sense and flexibility. His advice to a mother and 12-year-old daughter fighting bitterly over whether the young girl should be allowed to shave her legs: ''Lady, buy your daughter a razor!'' His counsel on masturbation: ''Attempting to suppress this act is one campaign that is destined to fail—so why wage it?'' He urges discipline for big issues and tolerance on the smaller stuff.

When demand for Dobson as a speaker began to steal time from his own two children, he quit his job at Children's Hospital of Los Angeles in 1977 and started his radio program. Two years later, he summarized his parenting views in a seven-part Focus on the Family video series, which has now been seen by 70 million people. Rapid growth carried the ministry through five headquarters buildings and from California to Colorado Springs, where 1,300 people work in the $113 million enterprise.

Focus provides answers to those seeking advice. It is also the center of a pro-family culture that is a kind of parallel universe to mainstream popular culture. There are monthly magazines for pre-schoolers, grade schoolers, teen boys, and teen girls. Glossy, frank, and helpful, they have articles like ''Battle of an Anorexic,'' ''Back-to-School Fashion,'' and ''Spiritual Growth Boosters.'' Other magazines go to single parents, teachers, physicians, and pastors. Focus's second-most-popular production—after Dobson's daily radio program—is Adventures in Odyssey, a children's radio drama with moral story lines that is carried on over 1,500 radio stations. There are women's seminars and ''Life on the Edge'' seminars, designed to help parents and teens communicate about the challenges of adolescence. A new abstinence video, titled No Apologies, combines MTV production techniques, biblical values, and the explicitness of an Army VD training film. Teens who have already had sex are urged to be ''recycled virgins.'' It is countercultural, urging children to rebel against the slipshod moral world around them by displaying virtue.

Most of the Focus operation, which receives up to 12,000 letters, calls, and E-mails every day, is occupied with ''constituent service.'' In one pile of counseling requests at a random Focus cubicle, a long-distance trucker asks how to keep his family together when he is always gone; a woman deals with a miscarriage; a divorced man asks if it is OK to remarry. Prototype responses, drawn from Dobson's vast output of advice, guide counselors. All incoming letters are stored by computer, so the next time these people write, the dialogue will pick up where it left off. Focus does not just answer mail; it maintains relationships. Some hard cases are referred to licensed counselors. Some people are offered temporary financial help. They deal with one or two suicide threats a week.

Dobson's reach grows each day. At a recent weekly meeting of the Focus ''cabinet''—Dobson plus his senior executives—there were reports on the translation of Focus broadcasts into Zulu. On how three Central and South American countries were putting Focus abstinence material into their public schools. On how Adventures in Odyssey is now one of the top five radio programs in Zimbabwe. On how 500 state-owned radio stations in China are about to begin the Focus broadcast.

When it comes to the business of helping people, Dobson the empathetic extrovert has a reputation as an intimidating micromanager. No one, no matter how long or loyal their service, is exempt from confrontational scrutiny. ''I saw people who had given blood [serving] him come out of his office weeping,'' says a former employee. ''He believes so strongly in his rightness.'' Another former employee says ''the pace [at Focus] is unbelievable. But everyone has to appear perfectly happy.''

At the center of it all is a man who does not lack confidence. He tells a story about his ill father, who prayed for three days and nights without sleep that his time on Earth would be extended so he could finish his work as a minister. At dawn, Gold told him he was going to reach millions around the world—not through himself but through his son. The next day Dobson's father suffered a major heart attack; he died in a few weeks. ''I saw for the first time,'' says Dobson, ''why [Focus on the Family] seemed charmed—beyond my ability and beyond my intelligence,

my academic knowledge, my ability to communicate.'' This is the person who has chosen to test his influence against the Republican Party. He does not describe his actions as those of a man moved by grubby ambition; he sees it as a calling.

POLITICS AND PROPHECY

Dobson was once positioned to be a more conservative version of Joyce Brothers. ''If I had simply stayed on those [family] themes, I could have moved with ease through all denominations in both political parties. But I care about the moral tone of the nation, I care about right and wrong. I have very deep convictions about absolute truth.''

His sense of political urgency has come in stages. Convinced that his and his followers' views were not being given voice in Washington, he created in 1982 an advocacy group, the Family Research Council. But it was purposely designed to keep him one step removed from direct political involvement. Gary Bauer, a key aide in Ronald Reagan's White House, now runs the group, and he is supposed to be the partisan lightning rod, allowing Dobson to focus, as it were, on the family.

But Dobson, in the past several months, has become so dissatisfied with conservatives' performance in Congress that he wants to become more directly and personally involved in politics. ''He has watched the manipulation of the religious right for the last decade,'' argues his close friend Charles Colson. ''He feels a sense of betrayal and responsibility for stewardship of the great silent majority.''

He is particularly intolerant of those who share his views but not his driving sense of urgency. So he has developed a habit of targeting allies with footnoted letters showing that Dobson can at times slip over the line between righteousness and self-righteousness. When Ralph Reed, then the head of the Christian Coalition, was insufficiently critical during the last election of Colin Powell for his support of abortion rights, Dobson wrote to Reed: ''Gary Bauer and I have discussed your recent statements and considered the need to distances ourselves from you. . . . Some of the politicians with whom you have made common cause . . . would seal the fate of [unborn children] and sacrifice millions more in years to come. I will fight that evil as long as there is breath within my body.'' Commenting on Dobson's tendency to attack allies, conservative columnist Cal Thomas argues, ''You begin to marginalize yourself, saying, I am the only true believer. Soon you are left only with your wife, then you begin to look at her funny. All of a sudden, you're Ross Perot.'' When confronted with the charge, Dobson responds: ''I guess it irritates me when people who know what is right put self-preservation and power ahead of moral principle. That is more offensive to me, in some ways, than what Bill Clinton does with interns at the White House.''

Dobson is not the kind of traditional conservative who has a keen appreciation of the limits and complexities of politics. He is a moralist and a populist, demanding rapid, immediate progress to fit a flaming moral vision: ''If you look at the cultural war that's going on, most of what those who disagree with us represent leads to death—abortion, euthanasia, promiscuity in heterosexuality, promiscuity in homosexuality, legalization of drugs. There are only two choices. It really is that clear. It's either God's way, or it is the way of social disintegration.''

Some conservatives dismiss this as an impractical philosophy for a governing party since progress emerges by small steps. Other conservative critics fear that Dobson's increased partisanship might undermine the generally nonpartisan good works of Focus on the Family. Still others warn that his walkout strategy will only result in the election of Democrat Dick Gephardt as House speaker. Dobson's response: ''It is never wrong to do what's right. And you stand for what's right whether it is strategic or not.''

The fact that Dobson has struck a chord among conservative activists may be signaling an important shift of political styles in evangelicalism. There are at least three of those tendencies to be considered: priest, kingmaker, prophet. From the 1950s to the 1970s, Billy Graham performed a priestly function as minister to the ministers of state. His role was to legitimize power and to use his access to present the Christian Gospel, which was his primary goal. Personal contact and influence were paramount. In the 1980s, culminating in the rise of Pat Robertson and the Christian Coalition, the goal shifted from legitimizing power to exercising power—the role of kingmaker. Robertson, the son of a senator, understood the give and take of coalition building and the need for a place at the table.

But the pragmatism of the religious right is under serious question, particularly in the wake of the coalition's embrace of Republican Bob Dole in the last presidential election, which many in the movement argue was a compromise too far. University of Akron's Green compares Dobson to an Old Testament prophet ''speaking truth to power.'' It is a designation Dobson accepts: ''I really do feel that the prophetic role is part of what God gave me to do.''

And that frames the questions for his supporters: Do Christian activists want to be players or prophets? Insiders who accept inevitable compromises, or outsiders who hold on to higher standards?

THE NEXT MOVE

Dobson has rejected the idea of becoming a political candidate himself or trying to create a third party. This leaves him with two options. The conventional choice is for Dobson to intervene directly in Republican primaries on the side of social conservatives. This would require, in Dobson's words, ''periodic leaves of absence'' to protect the nonprofit status of Focus on the Family. Bauer's political action committee has already scouted 40 races where Dobson might throw his weight on the side of a candidate. After the congressional elections, Dobson would determine how to have the maximum impact in the 2000 presidential campaign. Bauer himself is considering a presidential run and covets Dobson's endorsement.

But Dobson is also actively considering ''going nuclear'' against the GOP leadership. Instead of working through primaries in the summer, Dobson would urge social conservatives to abandon Republicans in November—to stay at home or vote for third parties—with the goal of ending the GOP majority in Congress. ''It doesn't take that many votes to do it. You just look how many people are there by just a hair, [who won their last election by] 51 percent to 49 percent, and they have a 10- or 11-vote majority, I told [House Majority Whip] Tom DeLay, 'I really hope you guys don't make me try to prove it, because I will.'" One senior Republican official says he has identified six districts in which Dobson could ''turn the tide'' against the GOP candidate, Dobson muses about delivering this message by ''getting a stadium with 50,000 seats and having Chuck Colson and Phyllis Schlafly and Alan Keyes and Gary Bauer and myself fill it at a strategic times. That get the attention of Republican leaders.''

Some Republican insiders believe the effect of either approach—working within the party or working against it—would be much the same. Bauer's political action committee's fervent support for a conservative candidate in a recent California congressional special election helped elevate the abortion issue. Party leaders believe this allowed Democrat Lois Capps to win in the moderate district. They fear that if Dobson intervenes on behalf of social conservatives in other contests, similar results will follow. As for the nuclear option, the mood of many Republicans is frustrated resignation that Dobson will always be on the attack against the GOP. ''It wouldn't matter how many hoops of fire we jump through, it is never enough for him,'' complains one party official. That strategist and others say majority parties have a responsibility to govern, and that means muting ideological fervor at times. It is hard to imagine this official and Jim Dobson in the same party—and it may be increasingly hard for Dobson to imagine that as well.

SCOURGE OF ILLEGAL DRUGS AGAIN UNDER ATTACK

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Indiana (Mr. SOUDER) is recognized for 60 minutes.

Mr. SOUDER. Mr. Speaker, the gentleman from Oklahoma is once again to be commended for his leadership on this issue. There is no doubt that the number one fundamental problem in this country is the breakdown of character, the breakdown of the value system, the principled foundations of this country and the resultant breakdown partly, directly, the two things go in tandem, of families as well.

The number one outgrowth that we are seeing in this country is the problem of drug abuse: drugs of all types, marijuana, cocaine, heroin, alcohol, tobacco, but in particular what we have been focusing on is this explosion among our youth of the narcotics, of marijuana, heroin, cocaine, crack, methamphetamines and other artificial stimulants. Tonight we are going to spend some time discussing this issue.

It is a relatively historic night. Tomorrow we are going to have our first pieces of legislation, what will be a comprehensive multi-week, hopefully multi-month, year and up to three years extended start of a battle on drugs. We have done piecemeal legislation over the last few years but we have not had the concentrated effort that we will see starting as of tomorrow.

We have a needles bill in front of us tomorrow to ban the use of giving free needles to heroin addicts with taxpayer dollars. We have in the higher education bill an amendment relating to taking back student loans if students abuse drugs while they are on a government subsidized loan requiring them to go into treatment programs, and I have a second amendment on drug testing. It is the start.

We are also having announcement of a major initiative and Republican effort later this week. The number one person behind this is our Speaker.

Speaker NEWT GINGRICH is committed to having an all-fronts war.

I am going to yield now to my friend the gentleman from Florida who has been a leader in this. Many of us have been involved in this, not just now but for many years. Congressman MICA and myself both were staffers before we became Members of Congress. He was elected in the class before I was, but he was also on the hill before I was working over as Senate chief of staff. I also worked in the House and Senate before I got elected to Congress. Both of us have had experience in working with drug legislation before we were elected to Congress.

This is not a new issue. These things go in tides. Right now we are at a high tide level again and we need to up our efforts. He is to be commended for his leadership. I now yield to the gentleman from Florida to fill us in on some of the battles that he has been watching, some of the background, and particularly a lot of what has happened in Orlando and Florida which has been at the epicenter of it, kind of backed off, and now you have another wave, which is exactly what is happening in this country.

Mr. MICA. I thank the gentleman for yielding. I certainly thank him for his leadership on the drug issue and also on so many other issues before the Congress.

We do have the privilege of serving together on the Government Reform and Oversight Committee and on the subcommittee that deals with our national drug policy, and that is the Subcommittee on National Security, International Affairs, and Criminal Justice. The gentleman from Indiana has brought tremendous leadership and, again from his tremendous experience both as a staffer and a Member of Congress and someone who cares about this issue, cares about his constituents and also is very compassionate towards what illegal narcotics are doing, and drug abuse, to the children of our Nation.

Tonight I want to take a few minutes, if I may, and review a little bit of the history of how we got ourselves into this situation. As the gentleman from Indiana said, I was a staffer back in the early 1980s on the U.S. Senate side working with Senator Hawkins from Florida. You have also heard and understand, I think, that no State probably has been more severely impacted historically by illegal narcotics trafficking than the State of Florida.

When Senator Hawkins was elected, the streets of Miami were overrun with illegal narcotics trafficking, we had unprecedented amounts of illegal drugs coming in and transiting through Florida and into our Nation, and for the first time we saw record drug abuse in our State and Nation. The question was what should we do and what could we do at that time.

We were fortunate to have the tremendous leadership of a new President who brought a vision, who brought integrity, who brought honesty, who brought vision to the White House. His job, and Senator Hawkins and others who served in the new Senate majority at that time, was to get a handle on this situation. In fact they did, even joined by the First Lady who initiated a program of saying ''Just Say No.''

I do remember and recall how the new Republican majority in the Senate began an Andean strategy. As a staffer I helped develop the certification law that requires that countries that get United States foreign assistance or trade assistance or financial assistance are certified each year for their eligibility for United States largesse by a review of their efforts to eradicate drug trafficking and illegal narcotics. That was another product of that era. There was tough enforcement.

What we saw in the 1980s under the Reagan Administration and the Bush Administration, I am not sure if this will show up to my colleagues watching C-SPAN, but in fact teenage drug use declined dramatically in the early 1980s, and not until 1992–1993 did we see that trend reverse. In 1992 I was elected to the Congress. History now records George Bush being defeated and the Democrats controlling the White House, the United States Senate and the House of Representatives.

One of the first acts that President Clinton took, and I would like to review this historically because I think it is important for the record of what took place and what the results of those actions are today, one of President Clinton's first actions on taking office was in fact to gut the Office of National Drug Control Policy. In fact, President Clinton gutted the staff of the Drug Czar's office by 80 percent. The facts are, it was slashed from 146 staff members to 25 staff members. Also in his first year, President Clinton cut $200 million in drug interdiction efforts in the Caribbean and another $200 million from alternate crop production and drug eradication in Mexico and the Andean drug-producing countries.

Back in the 1980s we thought that the most cost-effective means of stopping drugs was at its source, where it is grown, where just a few pesos or a few dollars is given for the product at its source. It seemed to make a tremendous amount of sense. Rather than try to catch drugs when they entered our borders or when they entered our streets or were disbursed through our communities and our schools and trying to cut off drugs at that point, we felt then, we believe now, that interdiction, eradication, crop substitution programs at the source countries are the most effective means of stopping drug trafficking. You stop it right at its source, in its heels.

These programs were gutted by this administration. These are the facts. The facts speak for themselves. We have seen, again, the results. In 1993, President Clinton dropped the war on drugs from 3rd to 29th in the national security list. The President produces a national security priority list. It was his action that dropped the war on drugs to 29th as a national priority.

To date, he has continued to allow the State Department to let counter-narcotics issues lag far behind other priorities in our relations with other countries. Only recently have we heard the Secretary of State begin to speak out because the problem has reached such tremendous proportion and the cost and effect in our communities is so dramatic.

The number of individuals, and this again is fact, I cite only fact here tonight, the number of individuals prosecuted for Federal drug violations fell from 25,033 in 1992 to 21,900 in 1994, a 12 percent drop in just 2 years. So there was a deemphasis of prosecution at the Federal level. Again, the results are very clear of what we see.

It is interesting to note this, because with the election of Rudy Giuliani as Mayor of the City of New York, he introduced a zero crime tolerance policy, he introduced a tough prosecution policy, and there has been as high a drop recorded as 30 percent in crime, a dramatic drop in drug trafficking in that community of New York City. We have seen that tough enforcement, tough prosecution works.

And we see the results at the Federal level of what has happened with a decrease in Federal prosecutions, again citing only the facts in this case. From 1992 to 1995, again when the other party controlled the House, the Senate and the White House, 227 agent positions were eliminated from the Drug Enforcement Agency, and Clinton's fiscal year 1995 budget proposed cutting 621 drug enforcement positions from the DEA, the FBI, the INS, the United States Customs Service and the Coast Guard.

□ 2200

In fact, my community, and I represent central Florida, probably one of the more affluent, more prosperous areas, one of the vibrant areas of our State and Nation, a great community of people who are law abiding but who nonetheless have been inundated by a flow of illegal narcotics. An investigation of this issue found that, in fact, a tremendous quantity of drugs is coming in through Puerto Rico; and some people blame the Puerto Rican State Governor and others, the Commonwealth, for not really taking a lead on the issue.

What we found, and our subcommittee went down and held a hearing on a Coast Guard cutter on San Juan Bay, was that, in fact, this administration had cut the Coast Guard resources by nearly 50 percent. The Coast Guard, United States Coast Guard, in fact, since Puerto Rico is a Commonwealth and does not have its own armed forces, relies on the United States Coast Guard for coastal protection. That, again, that protection was cut by this administration by 50 percent, and

those drugs came in in incredible quantities into Puerto Rico in transit for Florida and the United States.

Those are the results. They are documented. We have seen this, and we have seen what this type of policy has provided as a legacy for our Nation and our children.

The President, in fact, has not substantially increased funding for accountable youth prevention programs but instead has nearly doubled the amount of funding. His policy was to promote a doubling of funding for drug treatment programs, and this has been described sort of as treating the wounded in a battle and not addressing the fight itself or just approaching it from sort of the most demoralized end of the game with the least potential for success.

Then, of course, President Clinton recently certified Mexico, and again no nation has been more responsible for the influx and transit of hard drugs into our Nation than Mexico, again another slap in the face of the American citizenry.

I have not brought up other instances of incredible misjudgment on the part of this administration and this President, but I must when you appoint a surgeon general such as Jocelyn Elders, who adopted a program that said to our children, just say maybe, maybe it is okay. Then you had echoed by the President of the United States, a figure that every child looks to in this Nation, and his comments which I have heard over and over on various television programs and news broadcasts: If I had it to do over again, I would inhale.

Now what kind of a message does that send to our young people? In fact, we know what the message has done. The message has, and this is entitled Trends In Youthful Drug Use, Ages 12 to 17. We have seen from that reduction I showed you under Reagan and Bush, the just say no to just say maybe, a skyrocketing of youthful drug use in this country.

We are talking about not only marijuana in incredible amounts and a more dangerous marijuana than we saw in the streets in the 1960s, we are talking about cocaine, we are talking about methamphetamines, we are talking about heroin.

Again, I come from a community, and my community is one of the most rock solid in Florida, fairly prosperous, as I said, and economically doing well, and I have this headline from our local newspaper, the Orlando Sentinel. It says: Long out of sight, heroin is back killing teens.

My community in central Florida, again a peaceful community, was a victim of this policy, letting down the guard and gut slashing the budget, which they did when they controlled this body, the Senate and the White House. The guard around Puerto Rico in heroin came down not only through that country and hurting that territory of the United States but into our country and into our State and into our neighborhood so that our particular situation has been that in the last few years central Florida has seen heroin deaths on a par with other major metropolitan areas like Detroit, like New York, like Los Angeles.

So this is the legacy that we have inherited through this policy. It is clear. It is documented.

One of the other things that I wanted to mention tonight was that my colleague has mentioned that we took over the Congress in, what was it, 36, 40 short months ago. We have been able to bring some of our Nation's finances into balance, but we are trying to focus as leaders in this new majority with the leadership of Speaker GINGRICH in addressing some of the social problems. And if drug abuse and misuse is not a problem, I do not know what is a problem. Two million Americans are behind bars.

We held a hearing, and the gentleman from Indiana (Mr. SOUDER) and others came into our State. They heard our local officials. One of my local sheriffs said 80 percent of those behind bars in his county jail, that went through his jail, were there because of drug abuse or drug related crime. This has an unbelievable effect on our communities and on our children. And, again, this drug problem is not relegated to the poor, to the ghettos, to the across-the-railroad-track neighborhoods. This is hitting every neighborhood, every level of society, and we must do something about it.

So our committee, under the leadership of the Speaker, under the leadership of Chairman HASTERT, have begun a program of restoring the funds in these programs that were cut. We have got the military back into the war on drugs, and the Speaker and others are committed to make certain that they have the resources to conduct a real war on drugs. We have restored the cuts in the Coast Guard and other protective agencies, Customs and DEA, to make certain that they have the tools and the resources and the financial capability to conduct a real war on drugs.

And what we are doing this week is launching, in fact, a concerted effort to see that we have the laws in place, that we have the tough enforcement in place and that these individuals who are charged in our Federal Government with this new policy have every resource to see that it, in fact, is accomplished.

So that is the purpose of our coming together tonight, is to announce this policy. We have seen some terrible mistakes in the past when we did not have control of the Congress, when we had leadership in the White House that, in fact, strayed. And maybe they were well-intended, but the results, in fact, are just devastating to our young people and our communities and the social cost involved.

But we are determined again to turn this around, and whatever resources it takes we are going to devote full measure effort, whatever, again, finances the Congress can muster to make certain that we bring this under control so that the people who we represent, those who are trying to raise their children in communities, get them through schools, those who are retired trying to live in peace in their communities, young people.

I met a young lady the other day in one of the local department stores working, going to college, and she told me she could not go to school at night, and it was difficult for her to work and earn enough money because she was afraid to be out at the bus stop at night because of a potential for crime. And, again, 80 percent of the crime in my community is drug abuse related, and that is a pretty pitiful statement.

So for those people who we represent, their children and those trying to make a living or gain an education or live in peace and retirement, we owe them this effort, and we are going to see it through. And indeed it will succeed because we have the commitment, this new majority, and we hope we have the support of every one of my colleagues who are listening.

I thank the gentleman from Indiana (Mr. SOUDER) for yielding to me, and I am pleased also to join him tomorrow as we pass a resolution making certain that a needle exchange program which almost came into effect was stopped at the last minute through the efforts of the new drug czar, General McCaffrey, and others who know this is the wrong policy. It sends the wrong message. It is not the way to go. And if we are concerned about the minority communities, young black men and women who have been killed, we should be applauding that decision not to fund this.

I am speaking tonight at the United States Capitol in Washington, D.C., the District of Columbia. No jurisdiction in our Nation has been more oppressed by drugs. No segment of our communities in this Nation have been more devastated. Since I have been coming to Washington over the last 18 years, almost every year between 300 and 400 young black males between the age of 14 and 40 have been slaughtered on the streets within view of this Capitol building, a travesty which surpasses the casualty in many of our international conflicts just here in Washington, D.C.

So, if the Black Caucus, if other Members are concerned about policy that will turn this situation around and save some of these young people's lives and not destroy the great young men, the young black citizens of our nation's capital who have just had their lives snuffed out, then they should be here joining with us to see if we can turn this situation around.

We know what has been done, and what was done by this administration did not work. We see the results. These are not abstract or manufactured statistics. This is what has taken place from a failed policy, and we need to turn that around and give these people a chance.

So I am pleased again to join with the gentleman from Indiana (Mr. SOUDER) tonight and others as we launch a program to bring a meaningful war on drugs, a war against drug abuse and a public awareness to our young people and to our citizens that we must realize the consequences of illegal narcotics and drugs.

Mr. SOUDER. Mr. Speaker, I want to thank the gentleman from Florida once again for his leadership and for his compassion and heart for those who have been abused, shot, lives wrecked and ruined by the terrible scourge of drugs in this country, and it has been a consistent, complete support.

One of the things I want to do, too, is a supplement to what the gentleman from Florida has done, is to lay out a little bit what is happening here in the past and where we are headed and what we have been doing as we head into this major effort for the Members who are sitting in their office doing mail, for the dedicated C-Span junkies, to those who just will look through the RECORD later. Because some may say, where did the issue come from? Why all of a sudden is Speaker NEWT GINGRICH talking about drugs? Where did this pop in? Did they do some kind of poll? People are going to say, well, we have not seen what is all this action.

I want to establish that there are a number of logical things that have led to the development of this big push you are going to see. Too often, we have approached the drug issue as we approached the Vietnam war, and that is we devote just enough resources to not quite win, and so we keep falling further and further behind in a war we can ill afford to lose.

What has happened here is that the grassroots, every one of us, know, and the gentleman from Florida (Mr. MICA) detailed what we heard in central Florida. We are hearing from prosecutors, we are hearing from sheriffs, we are hearing from all sorts of law enforcement officials that 70 to 85 percent of all crime in every jurisdiction has some relationship to drug and alcohol.

□ 2215

They are either stealing to fund a habit, they are high on the drugs or alcohol, and that leads to 70 to 85 percent of all crime. Child abuse, spouse abuse, not just robbery, rape, pillaging, automobile wrecks when it is reckless driving; all of these types of things have as its source one common problem. The average person knows this, the communities know this, but it has been very difficult to tackle this on a national level.

General McCaffrey argues that it is a cancer; many of us argue that it is a war. It is both a cancer and a war. That means that we will work to eliminate it as much as possible, but quite frankly, as long as there is sin, we are likely to have some drug abuse there. It is a question of how we are going to control it. It is also a war. People are dying on the streets of America, people are dying around this world fighting this drug war.

This is a dinner table issue. One of the criteria that the Speaker looks for when we are going to have a major focus is, is this what people talk about at their dinner table? Is this what parents are concerned about at night when their kids are not there? Is this what parents are concerned about in the schools? Is this something that actually resonates with the people as opposed to being kind of an inside-the-Beltway Washington concern or a concern of a special interest that is lobbying because they have lots of funds, or of some other reason in the ways we deal with legislation? This is what strikes at the hearts and homes of American people, and that is why he is leading.

Mr. Speaker, it did not just come out of the blue. If we have been following this carefully, it has been kind of strange. Why did former Senator Bob Dole, our Presidential contender, talk about drugs during the campaign? It did not light a fire, it was not a hot media issue, but he was out there talking about it. So was the Speaker. People thought, this is kind of unusual. Why are they talking about drugs? Everybody in Washington is talking about the budget, and they are talking about taxes and so on. These people were talking about this early.

One of the things is when we took over Congress, the figures that the gentleman from Florida (Mr. MICA) was looking at were highlighted by then Congressman Bill Zeliff, who headed our subcommittee, and he got the ear of our Presidential candidate, Bob Dole, and our Speaker and said, look, there is a huge problem here. We need to start concentrating on this.

This is not something that we came up with last week; this is something that our committee, I am not sure whether we have had 30 or 40 hearings in the Committee on National Security and Justice Oversight Committee, which, in addition to having jurisdiction over the State and defense and the Justice Department, also has the drug czar legislation that moves through it and some very broad jurisdiction, and we have been concentrating on this. In addition, the gentleman from New York (Mr. GILMAN), who is the senior Republican on the former Select Committee on Narcotics, has been focusing on the international issue. The gentleman from Florida (Mr. MCCOLLUM) has been focusing on judiciary-related issues in his Subcommittee on Crime. The gentleman from Ohio (Mr. PORTMAN) has been a leader in community efforts.

It is not as though we have been silent. It is that we have not gotten a lot of news media coverage. There is a difference. For example, the gentleman from Florida (Mr. MICA) and I are on the Committee on Government Reform and Oversight where we have been doing the investigations into the kind of ''gate'' of the week of the administration, whether it is Filegate or Whitewatergate or whatever, Greg Livingstonegate I guess, whatever the variation is, and people say, is that all you guys do? We have done less on that than we have done on drugs. But drugs is not quite as sexy to put on the evening news as talking about some kind of finance scandal.

It is not that I am concerned and humiliated about the influence of the Federal Government on possible illegal influence of foreign contributions and campaign finance, but the fact is we work on a lot of other issues, too, but they do not necessarily hit on the front page.

We have had many oversight hearings; we have been in Indiana, Illinois and Michigan; we have been down in Florida multiple times and California multiple times and Arizona, up in New England; we have been around the country in Plano, Texas, where we had kids die of heroin overdoses in the district of the gentleman from Texas (Mr. SESSIONS), just like they have done in Orlando.

I have been to South America three times now in the last 3 years, where there is an actual war going on. We have been over in Asia and the Middle East trying to meet with foreign countries where the heroin, cocaine, marijuana and other drugs are coming in. We have had hearings on Hollywood and the movies and their impact on the culture. We have had hearings on the music industry and the impact on the culture and what we can do related to that.

This is not something we invented yesterday. This is something we have been working on almost from the month we took over Congress. Everybody was focused on the Contract With America, but, in fact, Congressman Zeliff and this subcommittee were starting on the drug issue not very many days after we got here, and the gentleman from Florida (Mr. MICA) and I know that because both of us are on the subcommittee, and we were up and running. Furthermore, the gentleman from Florida (Mr. MICA) had been objecting for years that the Democratic leadership of that subcommittee had not been focusing on it, so when we got in control, we started to move on this issue.

Now, what we heard in these hearings were from young people who talked, and I remember one at the Orlando hearing where a young man was there with his dad. It was a tough day for them because they were there together and going public, and his dad was fairly well-known. But he said how he started with marijuana and how he saw that his parents did not realize it, and then he started moving to harder drugs, and he started stealing, and his dad, as he said, really did not want to confront his son, did not really understand all of that, wishes now that he had been more involved. His son did not understand why his father did not get involved. They saw his grades dropping. It was very touching.

Every young person we have heard from, whether it is in Texas, whether it is in California, whether it is in Florida, say, I started with marijuana, and then I moved to cocaine. I robbed to support my habit. My grades went down, my life was wrecked, and then I was spared. And we looked at this type of thing.

We heard from one lady in Texas who talked about how her husband would get high on cocaine; how she and her daughter were hiding out because they knew he was going to kill them if the drug habit did not kill him first. She was living in terror, and what are we going to do about this? That is what we have heard about it.

We have heard how the administration's budget cuts have had an inverse effect. When they cut the interdiction efforts, when they cut the source country efforts, what we saw was supply go up, driving price down, and for competitive purposes, the purity and the potency of the marijuana and cocaine and heroin we have on our street is far greater. It is not like the 1960s and 1970s. The marijuana is more like the hard drugs of those eras, and the hard drugs are fatal today.

We had signals out of the administration, which the gentleman from Florida (Mr. MICA) has delineated very well, that we have kids' use going up. Even though we see in some adult sectors cocaine usage and others going down, the terrible news is it is soaring among kids.

I want to talk briefly about the international problem. The cocaine comes from basically three places in the world. We can chase it all over America and all over the world, but there is three countries, Bolivia, Peru and Colombia, where the stuff comes from. And thanks to the policies in Bolivia and Peru, it has mostly now shifted to Colombia. Initially the coca leaves were grown in Peru and Bolivia, and then Peru and Colombia were doing the transfer in the making cocaine, and the Colombia was the cartels. And now most has gone to Colombia, and it is a narcoterrorism threatening the very democracy and the stability of the nation of Colombia.

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

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

Mr. MICA. Mr. Speaker, this is an interesting point the gentleman raises about what had developed as an Andean strategy to stop in a very cost-effective manner; we only spent about $200 million out of $16 billion on this whole drug effort, but we spent about $200 million down there. It has been pretty much tightened up because of the efforts of President Fujimori, who we met with when we went down there, and also because of Bolivia's effort, but we learned some interesting things in this experience.

We learned first that, and we had a knock-down, drag-out fight with this administration when they destroyed the shoot-down policy. We had a policy established under the Reagan administration that, given fair warning over these air spaces, in fact, in Peru and Bolivia and Colombia, the drug dealers would be shot down, and they, in fact, were until a liberal in the Clinton administration moved from the Department of Justice, I think, to DOD, and then turned this policy upside down, and we saw a lot of these drugs coming back. I will say the other side worked with us on this to get the attention of the President, but we had to reverse that. That did a great deal of damage.

Then when we visited the jungles down there, we learned from some of our agents that overflights that had been conducted in that region had, in fact, been diverted, I believe, to Alaska by the administration to look for other problems, I think environmental problems as opposed to the drug problem flights. Then we, in fact, learned that our DEA agents in the jungles were dipping into their own pockets in some cases to keep programs alive, because money had been shifted from drug enforcement and from those programs and strategies, and I think I heard the figure of $40 million was put into Haiti for that incredibly failed program where we wasted almost $3 billion to date. So each of these attempts by the administration to destroy the program did not succeed.

The gentleman from Indiana (Mr. SOUDER) has also outlined how since we took over the Congress, and in fact, I served on the subcommittee and the committee before, the Democrats held one hearing of any substance relating to national drug policy while all of this was being done, in spite of my circulating a bipartisan letter of 132 Members requesting hearings on our policy. And the gentleman from Indiana (Mr. SOUDER) has said we are not Johnny-come-latelies in that, and in fact, we have held over 40 hearings.

They may not be interesting to the media; they may not want to cover them. They may want to spend more time on tobacco and some of the outlandish figures that have been brought out as a diversionary tactic by this administration while the country is going down the path of ruin with illegal narcotics and drug abuse, and 100,000 dying in our streets. And the social costs being absolutely astronomical, in addition to, of course, medical costs and the families that are destroyed.

But this is what we have learned, this is what we have done, and in fact, we have taken these actions, as Mr. Souder has outlined, and now we are faced with a dilemma in Colombia. The administration again, with another failed policy, the Colombian failed policy. We begged, we pleaded, we have sent letters. We passed, I believe, a resolution on the floor of this Congress.

Mr. SOUDER. A law, Mr. Speaker.

Mr. MICA. To get aid to Colombia, which is now where there is an incredible production of heroin. The heroin, when we went down there, they told us they are producing 10,000 hectares which will make heroin as cheap on the streets of the United States, and it is getting there very quickly, and a much stronger, much more potent heroin, because of our policy. We failed to provide the equipment.

The Congress directed the equipment, the funds, that spare parts be given down there to fight this war on drugs, and in the meantime this administration has denied those requests. Even of late when they have decertified Colombia with a waiver, the goods and the materiel and the resources to fight that war on drugs still have not reached Colombia, and Colombian military are being slaughtered. The national police chief Seranno has been here and begged us for assistance, and we still ignore it, and we have an incredible amount of drugs, as the gentleman from Indiana (Mr. SOUDER) just described, coming in now, not only transiting, but they are now mass producers of heroin. They are even into the cocaine business, because this administration has made it profitable for them to succeed.

I can tell my colleagues, there is nothing more effective as far as use of taxpayer dollars. Out of $16 billion we are spending this money on treatment and programs that do not work. We talk about losing a Vietnam War. This would be just like putting all of our resources in a war and just treating the wounded, and that is what this administration's policy has been, and that is why it has failed.

We have to have tough enforcement. We have to have tough and effective education. We have to have treatment. We have to have interdiction, and all of these elements coming together in a concentrated effort to make this thing work.

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And that is what we are hopefully going to do. But the gentleman from Indiana has, in fact, outlined the failed South American strategy, and we could go on more about Mexico.

Mr. SOUDER. I would like to make some additional comments on Colombia. We were just down there again this past week as we went down to the Summit for Americas. I had an amendment that passed and was held in conference committee that three Blackhawk helicopters were supposed to be sent to Colombia. If this administration had followed the law, those Blackhawk helicopters would be down there and they would be able to get in the areas and eradicate the heroin. They cannot get up there with the Hueys. They do not get up to that altitude.

Furthermore, there is a shooting war where people are dying in Colombia, while we stand here fiddling in Washington trying to decide what to do, while we have grounded because of mechanical failure every Huey helicopter that they have. They have nothing with which to fight. They have lost 40

percent of Colombia, the effective control of the rural countryside.

For those who do not understand the significance of this, understand that we have troops in Haiti. We have troops in Bosnia. The national interest is a little unclear, even in the Middle East, where we are spending $1.5 billion about every nine months right now, where the gentleman from Florida and I just visited last fall and heard skepticism from our own armed forces leaders that we need to be at that level given the direct threat there.

And even arguing that the Middle East has multiple reasons of our national interest, including our friendship with Israel, our friendships with the potentially threatened Arab States and the oil supply, let us look at Colombia. If it is supplying the cocaine and heroin to this country where people are dying in my hometown of Fort Wayne and throughout northeastern Indiana and all over America, the drugs alone is enough to have national interest be a priority there. But it is more than just that.

Along the Panamanian border they have lost effective control of that. The drug dealers and control has spread into that section of Panama, the Darien area. We are about to abandon Panama. I am very concerned that not only are we going to pull out militarily, but that our efforts to get an antinarcotics center there could be kiboshed.

That is extremely critical, as we just heard earlier from Congressman MICA about the shootdown policy. They need the AWACS. If we send those AWACS up to the United States and they have an hour-and-a-half transit time to get down there, we are going to dramatically reduce our airtime for surveillance, and we are going to have even more drugs at cheaper prices on our streets, threatening our kids and families. We need to make sure we have at least an antinarcotics center in Panama as we leave.

Because Colombian narcotics drug lords are prepared to move in through Panama. On the other side they control about half the Venezuelan border where the jungle is. And control, in a guerrilla war they do not have to have forts and troops and lines. Particularly in the jungle they can move around. We have to have at least four times the effective troops and an operative military defending ground or we in effect lose control because they get to pick and choose where they want to fight.

We have lost half the Venezuelan border. It is not the Middle East that is our number one supplier of oil, it is Venezuela. Seventeen percent of our oil comes from Venezuela. In oil by-products, Colombia is our number one supplier. Talk about energy threat, the energy threat is in Colombia. It is not in the Middle East. The Canal and the trade threat is in Panama, and we have all the drugs.

And what is our response? We will not send them the three helicopters that we were requiring them to send by law, and they are saying, well, they need 20 helicopters. You know what, three is better than zero. If we need to send them three more, we would not be arguing, maybe six, if we had sent them the three last year, then we could get them the three more this year. Frankly, they need the Blackhawks and more Huey IIs.

The alternative is American troops. Here we have a country, Colombia, where they are willing to fight and die partly because of our consumption here in America. Thousands and thousands of police officers, and we were just down there in Colombia and we visited a hospital, and we visited a number of Colombian national police who have been shot down trying to eradicate the cocaine so that it does not hit our streets. And what is our reaction? We will not give them the weapons with which to do it. Apparently we are not going to do it until we have to send troops down there.

This hat belonged to Colonel Gallego, the head of the DANTE, the antinarcotics subforce of the Colombian National Police. General Serrano and Colonel Gallego signed this for me. If anybody saw ''Clear and Present Danger,'' it was a fictionalized account. The former ambassador who went with us on one of the trips, I asked him if it was an accurate movie and he said, ''Not completely. I died in the movie.'' It is a pretty accurate picture of the fight they are facing in Colombia.

Colonel Gallego is the man who took down Pablo Escobar of the famous Medellin Cartel. He is known as the lab buster. He has a $3.5 million price on his head. General Serrano has an $8 million price on his head. They want him dead.

These people, there is no blood on this hat, but there are thousands of police officers and military forces who have died in Colombia fighting our battle. I do not want to have American men and women. I want to help the people who are fighting the war so that they at least have a fighting chance to win and drive back the narcotics, the FARC and others. I do not know that they will, but we ought to at least give them the chance. We are the ones with our national security interest directly threatened here.

I want to move on to a couple of other issues here in the last remaining minutes. I touched some on foreign policy, but I want to say that we are also approaching this comprehensively and domestically in treatment. It is clear that unless we can get the hard core addicts, and every hard core addict we get off, we have a dramatic reduction in the abuse of heroin and cocaine in particular.

Now we also know that, let us just say, that treatment programs are very erratic in their effectiveness. There are different measures to use. Obviously there is going to be a high recidivism rate, and obviously if people at least abuse it less than before, that is some kind of progress. But there are a couple of basic principles here and we will be putting these in as we move through the treatment question.

If we do not do drug testing, how do we know in fact if the treatment program worked? One of the basic principles is that we ought to have measurements in treatment programs and we ought to have monitoring. It is only the most kindhearted and compassionate thing we can do for an abuser, and that is hold them accountable for their behavior. Do not let them fall back in, particularly after we use taxpayers' dollars to try to get them out. Let us monitor and follow through.

It is absurd to give out free needles to heroin addicts. They argue that, well, they will be clean. They will not get AIDS. They will just die of drug overdose. They will not die of AIDS and they will not spread it. This would be the equivalent of going into the American schools and saying these kids are going to smoke anyway, why not give them low-tar cigarettes paid for by taxpayer dollars?

Why would we use taxpayers' dollars to sustain somebody in a habit that is going to kill them, destroy them, wreck their families? If they are a dad or a mom, it is abandonment of their children, and we are going to give them clean needles? It is absurd. We should have gone further than banning direct government money. We should have gotten the fungible money where it is transferred from one place to another.

Furthermore, we should be looking into people like George Soras who is funding a lot of these programs and also funding the medicinal marijuana, the back-door legalization of marijuana. There are legitimate cases, but they are few and far between.

Anybody who watched the special that focused on a lot of these kind of drug clubs for the medicinal uses of marijuana in California, it is appalling. Sit around and pass the pot. It is just like in the 1960s on the college campuses, only this time it is under legitimate government approval funded by George Soras and two friends in State after State. There are basically three people with one person at their head funding this, and we need to look into that question.

We need to also look at prevention programs. A lot of the drug-free school money, while well-intentioned, has been frittered away. We need to find particularly effective programs for those most at risk. A lot of times it seems that these programs are mostly aimed at kids who are not really high risk. We have to figure out those kids who are most at risk and we need to try to get them off.

I remember at one school where I went around the district and talked through these issues with high school kids at about 17 high schools in my congressional district in northeast Indiana, and one student came up and said that he had just gone clean the

day before because his friend had gotten high and committed suicide. And he said, ''I don't want to do that.'' He said, ''I'm scared. I hope I can get off.'' And he said, ''I wish my friend was still here.''

When are we going to try to identify these high-risk kids and try to help them, as opposed to sometimes it seems we are more concerned about giving out little rulers or having a skit than actually tackling the very hard cases of the prevention.

The gentleman from Ohio (Mr. PORTMAN) was a leader in passing legislation which we now have, in northeast Indiana almost every county now has a community-based group that is trying to pull the different organizations together. Sometimes schools feel like there are 23 different groups hitting them up to try to do anti-drug programs. We need community-wide organized efforts and we are trying to stimulate some of that through the Portman bill.

The gentleman from New York (Mr. SOLOMON) has an amendment that we have in the Higher Education Act that says that if students want a subsidized student loan, then they have an obligation to stay clean. If they do not stay clean for one year, the first time they are suspended from their student loan and they have to go into treatment.

And I want to offer tomorrow an amendment that also says that drug testing be included to make sure they are clean for two years, then they can get reinstated. The second offense, they are off for two years. Definitely, three strikes and they are out. We do not want to have high-risk people not have the opportunity to get an education. Self-esteem and education are critical to keeping them off of drugs. But at the same time, taxpayers should not have to fund behavior that is contrary to the law.

There needs to be a give-and-take with this, and we want to encourage people to get clean. The best thing we can do for them, the college education is a waste of money if they are on drugs. We have to get them clean. If they sold, it is a suspension of two years for first offense and indefinitely for second offense. So this will be up tomorrow.

The gentleman from Mississippi (Mr. WICKER) who has been a leader in the needles issue, along with the gentleman from Oklahoma (Mr. COBURN) will be working with that. We will work aggressively on prevention and treatment.

Let me reiterate, the difference that is seen here is a concentrated effort, not a dribbling of a bill here and a bill there. I am willing to criticize the Speaker when I have disagreements, and I want to make sure I praise him when I think he has taken the commendable leadership in this, as has the gentleman from Illinois (Mr. HASTERT) along with his cochairs, the gentleman from Florida (Mr. MCCOLLUM) and the gentleman from Ohio (Mr. PORTMAN) with the anti-drug task force. I think we are going to see a difference.

Mr. Speaker, we need this administration to join with us. This needs to be a bipartisan effort. This cannot be divided and have a bunch of people on the other side posturing with this. This needs to be a joint effort, a drumbeat from every source saying this is unacceptable.

As a goal we ought to say by the Year 2000 we are going to have a 50 percent reduction, and the President of the United States and others should join with us and say we are going to have a 50 percent reduction. A 50 percent reduction in two years sounds like a lot, but that would only take us to the place where we were when this President took office.

Mr. Speaker, the least he could do is, when he leaves, get it back to the level of when he came. Then we can start to get rid of the drug abuse that we had which was already there when he got here. We need his help so that when he exits, we are at least back to the level that it was when he came. He owes that to the American people, and hopefully we can work together with that.

Mr. MICA. Mr. Speaker, I thank the gentleman for yielding and for his comments, and again for his dedication to this subject. I honestly cannot think of any other issue before the Congress as far as the social impact on our Nation. We have been successful in the last 36 or 40 months getting our finances in order, but now the number one priority must be to tackle the illegal narcotics problem, the crime that it does rain upon this country.

This week we have launched another stage in the battle, a new offensive. It is going to take both Democrats and Republicans working together to get that passed.

But we I think also tonight have documented that the policy from this point, 1993, when he took office, to 1995, did not work. It was a failed policy. The results are dramatic. Since 1992 drug use among teens has skyrocketed, the latest statistics indicate by 70 percent. Half of the high school seniors in a recent survey think it is easy to obtain cocaine and LSD; and now eighth graders, where drug use has increased by 150 percent since 1992. These are the latest statistics. One in four high school seniors is a current user of illegal drugs.

This has had a dramatic impact on our young people. If we took out the areas of tough enforcement such as Mr. Giuliani in New York, and some of the other areas where some tough enforcement and prosecution and zero tolerance has taken place, we can see that we still have a very dramatic problem with tremendous cost to the taxpayers of this Nation, not to mention the insecurity of individuals who fear going from their car to the supermarket, from their community, from street to street at night, or even in the daylight being accosted by someone who is on drugs.

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Or the loss in our community just within the last 24 hours, as I left one of the communities, Oviedo, where a young woman was found dead, 21 years old, who worked in a local bank, either of an overdose of cocaine or heroin, just again within the last 24 hours in my community.

The incident we had in my community and the college reunion festivities over the weekend in Daytona Beach, the young man from Orlando who attacked the police with a gun was a habitual drug user and had a record of cocaine use.

Almost every incident of crime, of social problem that we see today is drug related, so we are committed to launch this campaign this week. We have not just spoken in the past 36 months but also acted in putting back together the pieces of an effective multifaceted war on drugs. You can call it whatever you want, but it is going to be indeed a national effort.

We beg the administration to get the resources to Colombia, to other programs that are effective, to treatment programs that work. We are not against treatment, but when you have them come before our committee and testify, folks testify that these are failed programs, and then you learn that sometimes the religious or faith-based programs are the most effective, or the private sector, non-Federally or publicly funded programs are most effective, you begin to wonder. We have been spending more and more in treating these wounded.

So today we take up arms, and this week I know I will be joined by everyone on this side of the aisle, and I know we will have many from the other side of the aisle, to make a meaningful effort to turn around this situation in our country, and again the dramatic cost to young people and citizens of every age, race, and color across our Nation.

Mr. Speaker, I thank the gentleman from Indiana (Mr. SOUDER) again for his leadership in taking time tonight. I know he and I would rather be with our families at home, but this is such an important issue. It is not to be made light of.

It will not be on the front page of tomorrow's paper, except it will be there in the obituary page and the page of abuse, the page of murders and crimes in our community, and the social costs and disruption to each of our communities throughout this land. So that is part of our agenda. It is part of our program. I thank the gentleman for his leadership.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BATEMAN (at the request of Mr. ARMEY) for today and the balance of the week on account of medical reasons.

Mr. DIXON (at the request of Mr. GEPHARDT) for today and the balance of the week on account of medical reasons.

Mr. SANDLIN (at the request of Mr. GEPHARDT) for today and the balance of the week on account of family medical reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Mr. FALEOMAVAEGA) to revise and extend their remarks and include extraneous material:

Mr. DOGGETT, today, for 5 minutes.

Mr. UNDERWOOD, today, for 5 minutes.

Ms. MILLENDER-MCDONALD, today, for 5 minutes.

Mr. STRICKLAND, today, for 5 minutes.

Ms. CARSON, today, for 5 minutes.

Ms. DELAURO, today, for 5 minutes.

Ms. JACKSON LEE of Texas, today, for 5 minutes.

The following Members (at the request of Mr. JONES) to revise and extend their remarks and include extraneous material:

Mr. PAUL, on April 28 and 29, for 5 minutes each.

Mr. SMITH of Michigan, today, for 5 minutes.

Mr. MILLER of Florida, today, for 5 minutes.

Mr. LATHAM, today, for 5 minutes.

Mr. RIGGS, on April 29, for 5 minutes.

Mr. LATOURETTE, today, for 5 minutes.

Mr. JONES, on April 29, for 5 minutes.

Mr. WELDON of Pennsylvania, today, for 5 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. FALEOMAVAEGA) and to include extraneous matter:)

Ms. DELAURO.
Mr. ROEMER.
Mr. BERRY.
Mr. KUCINICH.
Mr. LIPINSKI.
Mr. TRAFICANT.
Mr. WAXMAN.
Mr. MCDERMOTT.
Mr. MENENDEZ.
Mr. KIND.
Mr. VENTO.
Mr. CLAY.
Ms. NORTON.
Mr. GEPHARDT.
Mr. FROST.
Mr. PAYNE.
Mr. FRANK of Massachusetts.
Mr. BORSKI.
Ms. JACKSON-LEE of Texas.
Mr. COYNE.
Mr. BROWN of California.
Mr. OBERSTAR.

(The following Members (at the request of Mr. JONES) and to include extraneous matter:)

Ms. ROS-LEHTINEN.
Mr. FORBES.
Mr. LEWIS of California.
Mr. WELDON of Florida.
Mr. SENSENBRENNER.
Mr. GILMAN.
Mr. HASTERT.
Mr. PACKARD.
Mr. GOODLING.
Mr. RILEY.

(The following Members (at the request of Mr. SOUDER) and to include extraneous matter:)

Mr. BOB SCHAFFER of Colorado.
Mr. MORAN of Virginia.
Mr. SCHUMER.
Ms. STABENOW.
Mr. BENTSEN.
Mr. BRYANT.
Mr. CONDIT.
Mr. ACKERMAN.
Mr. STARK.
Mr. FAZIO of California.
Mr. ETHERIDGE.

ADJOURNMENT

Mr. SOUDER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 49 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 29, 1998, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

8767. A letter from the the Comptroller General, the General Accounting Office, transmitting a review of the President's first special impoundment message for fiscal year 1998, pursuant to 2 U.S.C. 685; (H. Doc. No. 105—242); to the Committee on Appropriations and ordered to be printed.

8768. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to the Republic of Korea (Transmittal No. DTC–61–98), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8769. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of VOR Federal Airway; CA [Airspace Docket No. 97–AWP–17] (RIN: 2120–AA66) received April 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8770. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of the Atlantic High Offshore Airspace Area [Airspace Docket No. 97–ASO–16] (RIN: 2120–AA66) received April 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8771. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Topeka, Forbes Field, KS; Correction [Airspace Docket No. 98–ACE–1] received April 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8772. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Valentine, NE [Airspace Docket No. 97–ACE–39] received April 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8773. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Chadron, NE [Airspace Docket No. 97–ACE–38] received April 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8774. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Gulfstream Model GV Series Airplanes [Docket No. 98–NM–114–AD; Amendment 39–10480; AD 98–09–01] (RIN: 2120–AA64) received April 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8775. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; SOCATA— Groupe AEROSPATIALE Model TBM 700 Airplanes [Docket NO. 97–CE–42–AD; Amendment 39–10476; AD 98–08–27] (RIN: 2120–AA64) received April 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8776. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Avions Pierre Robin Model R3000/160 Airplanes [Docket No. 97–CE–88–AD; Amendment 39–10477; AD 98–08–28] (RIN: 2120–AA64) received April 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8777. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Twin Commander Aircraft Corporation 500, 680, 690, and 695 Series Airplanes [Docket No. 96–CE–54–AD; Amendment 39–10474; AD 98–08–25] (RIN: 2120–AA64) received April 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Resources. H.R. 2807. A bill to amend the Rhinoceros and Tiger Conservation Act of 1994 to prohibit the sale, importation, and exportation of products labeled as containing substances derived from rhinoceros or tiger; with an amendment (Rept. 105–495). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. S. 231. An act to establish the National Cave and Karst Research Institute in the State of New Mexico, and for other purposes (Rept. 105–496). Referred to the Committee of the Whole House on the State of the Union.

Mr. SOLOMON: Committee on Rules. House Resolution 409. Resolution providing for consideration of the bill (H.R. 3717) to prohibit the expenditure of Federal funds for the distribution of needles or syringes for the hypodermic injection of illegal drugs (Rept. 105–497). Referred to the House Calendar.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 410. Resolution providing

for consideration of the bill (H.R. 3546) to provide for a national dialogue on Social Security and to establish the Bipartisan Panel to Design Long-Range Social Security Reform (Rept. 105–498). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 411. Resolution providing for consideration of the bill (H.R. 6) to extend the authorization of programs under the Higher Education Act of 1965, and for other purposes (Rept. 105–499). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. WELLER (for himself, Mr. MCINTOSH, Mr. RILEY, and Mr. HERGER):

H.R. 3734. A bill to amend the Internal Revenue Code of 1986 to eliminate the marriage penalty by providing that the income tax rate bracket amounts, and the amount of the standard deduction, for joint returns shall be twice the amounts applicable to unmarried individuals; to the Committee on Ways and Means.

By Mr. PAUL (for himself, Mr. LIVINGSTON, Mr. TAUZIN, Mr. BRADY, Mr. COOKSEY, Mr. ORTIZ, Mr. TAYLOR of Mississippi, Mr. CALLAHAN, Mr. SCARBOROUGH, Mr. JOHN, and Mr. BONILLA):

H.R. 3735. A bill to disapprove a rule requiring the use of bycatch reduction devices in the shrimp fishery of the Gulf of Mexico; to the Committee on Resources.

By Mr. SMITH of Texas:

H.R. 3736. A bill to amend the Immigration and Nationality Act to make changes relating to H–1B nonimmigrants; to the Committee on the Judiciary.

By Mr. ALLEN:

H.R. 3737. A bill to amend the Water Resources Development Act of 1996 to deauthorize the remainder of the project at East Boothbay Harbor, Maine; to the Committee on Transportation and Infrastructure.

By Mr. DOGGETT (for himself, Mr. KENNEDY of Massachusetts, Mrs. LOWEY, Ms. PELOSI, Mr. HANSEN, Mr. MCDERMOTT, Mr. OLVER, Ms. DEGETTE, Ms. ROYBAL-ALLARD, Mr. STARK, Ms. MILLENDER-MCDONALD, Mr. VENTO, Mr. UNDERWOOD, Mrs. TAUSCHER, and Mr. PALLONE):

H.R. 3738. A bill to establish a responsible United States international tobacco policy, to prevent tobacco companies from targeting tobacco products to children, to ensure no government promotion of tobacco overseas, to curb smuggling of tobacco products, to establish the American Center on Global Health and Tobacco, and for other purposes; to the Committee on Commerce, and in addition to the Committees on Ways and Means, International Relations, National Security, Resources, and the Judiciary, 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. FRANK of Massachusetts:

H.R. 3739. A bill to amend title II of the Social Security Act to allow for distribution of the lump sum death payment, in the absence of a widow or widower or surviving children, to any other person as certified by the deceased worker to the Commissioner of Social Security; to the Committee on Ways and Means.

By Mr. GOSS:

H.R. 3740. A bill to amend the Act of October 11, 1974 (Public Law 93–440; 88 Stat. 1257), to provide for the continued operation of certain tour businesses in recently acquired areas of Big Cypress National Preserve; to the Committee on Resources.

By Mr. LIPINSKI (for himself and Mr. DEFAZIO):

H.R. 3741. A bill to amend title 49, United States Code, to require congressional approval of civil aviation agreements; to the Committee on Transportation and Infrastructure, 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. RIGGS (for himself, Mr. WATTS of Oklahoma, Mr. TALENT, Mr. MCINTOSH, Mr. PITTS, Mr. PACKARD, Mr. SOUDER, and Mr. WAMP):

H.R. 3742. A bill to provide flexibility to certain local educational agencies that develop voluntary public and private parental choice programs under title VI of the Elementary and Secondary Education Act of 1965; to the Committee on Education and the Workforce.

By Mr. PAUL:

H.J. Res. 116. A joint resolution proposing an amendment to the Constitution of the UnitedStates relative to abolishing personal income, estate, and gift taxes and prohibiting the United States Government from engaging in business in competition with its citizens; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island:

H. Con. Res. 261. Concurrent resolution recognizing the importance of rivers to the United States and supporting efforts to inform and educate the people of the United States regarding rivers and the importance of their preservation; to the Committee on Resources.

By Mr. KIM:

H. Con. Res. 262. Concurrent resolution authorizing the 1998 District of Columbia Special Olympics Law Enforcement Torch Run to be run through the Capitol Grounds; to the Committee on Transportation and Infrastructure.

By Mr. KIM:

H. Con. Res. 263. Concurrent resolution authorizing the use of the Capitol Grounds for the seventeenth annual National Peace Officers' Memorial Service; to the Committee on Transportation and Infrastructure.

By Mr. PALLONE (for himself, Mr. PASCRELL, Mr. SANDLIN, Mrs. CUBIN, Mr. KLECZKA, Mr. WELDON of Pennsylvania, and Mr. ROTHman):

H. Con. Res. 264. Concurrent resolution expressing the sense of the Congress with respect to documentation requirements for physicians who submit claims to Medicare for office visits and for other evaluation and management services; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 45: Mr. BLAGOJEVICH and Mr. KIND of Wisconsin.

H.R. 59: Mr. SOUDER.

H.R. 218: Ms. GRANGER and Mr. SHERMAN.

H.R. 306: Mr. MEEKS of New York.

H.R. 371: Ms. BROWN of Florida.

H.R. 372: Ms. KAPTUR, Mr. BLUMENAUER, Mr. COYNE, and Mr. MANTON.

H.R. 519: Mr. SMITH of Michigan.

H.R. 539: Mr. ENGEL and Ms. PELOSI.

H.R. 612: Mr. TANNER, Mr. FOLEY, Mr. SALMON, Mr. PACKARD, and Mr. BERMAN.

H.R. 633: Mr. NETHERCUTT and Mr. WISE.

H.R. 676: Mr. GOODE and Mr. COYNE.

H.R. 715: Mr. BLILEY.

H.R. 872: Mrs. NORTHUP, Ms. PELOSI, Mr. QUINN, Mr. SMITH of New Jersey, and Mr. WELDON of Florida.

H.R. 902: Mr. BOEHNER, Mr. FOSSELLA, Mr. GILLMOR, Mr. GILMAN, Mr. GOSS, Mr. DAN SCHAEFER of Colorado, and Mr. WOLF.

H.R. 979: Mr. BILBRAY, Mr. MCHUGH, and Mr. MILLER of California.

H.R. 1054: Mr. PAPPAS and Mr. BARRETT of Nebraska.

H.R. 1061: Mr. ROTHMAN, Mr. COBURN, and Mr. GUTIERREZ.

H.R. 1126: Ms. SLAUGHTER and Mr. PICKETT.

H.R. 1173: Mr. SNYDER.

H.R. 1200: Mr. TIERNEY.

H.R. 1375: Mrs. EMERSON and Mr. BUNNING of Kentucky.

H.R. 1524: Mr. SCHUMER, Mr. WELDON of Pennsylvania, Mr. PICKERING, Mr. YOUNG of Alaska, and Mr. SUNUNU.

H.R. 1531: Mr. LAMPSON.

H.R. 1689: Mr. NEY, Mr. CHABOT, Mr. DELAY, and Mr. COOK.

H.R. 1788: Mr. DIXON.

H.R. 1802: Mr. CALVERT.

H.R. 1911: Mr. TURNER.

H.R. 1995: Mr. ACKERMAN, Mrs. KELLY, and Mr. SHAYS.

H.R. 2021: Mr. SESSIONS.

H.R. 2023: Mr. MCGOVERN, Mr. FRANK of Massachusetts, Mr. VENTO, and Mr. WAXMAN.

H.R. 2081: Mr. HILLIARD.

H.R. 2088: Mr. SHERMAN.

H.R. 2094: Mrs. CAPPS.

H.R. 2124: Mr. ENSIGN.

H.R. 2183: Mr. FOX of Pennsylvania.

H.R. 2523: Mrs. JOHNSON of Connecticut.

H.R. 2560: Mr. SANDERS, Mr. ROMERO-BARCELO, Mr. LANTOS, Mr. BENTSEN, Mrs. MYRICK, Mr. BOSWELL, Mr. BALDACCI, Mr. LUTHER, Mr. CONDIT, Mr. SHERMAN, Mr. SHIMKUS, Mr. COYNE, Mr. PARKER, Mr. KASICH, and Mrs. KENNELLY of Connecticut.

H.R. 2568: Mr. PRICE of North Carolina.

H.R. 2579: Mr. PICKERING and Mr. HILLEARY.

H.R. 2598: Mr. BOB SCHAFFER.

H.R. 2604: Mr. CAMPBELL, Mr. BENTSEN, and Mr. SNOWBARGER.

H.R. 2612: Mr. DINGELL.

H.R. 2635: Mr. JACKSON, Mr. TOWNS, Mr. CLYBURN, Mr. OWENS, Mr. MARKEY, Mr. BARRETT of Wisconsin, Mr. ABERCROMBIE, Mr. STARK, Mr. MOAKLEY, Mr. FRANK of Massachusetts, Mr. COYNE, Mr. VENTO, Mr. POSHARD, Ms. WATERS, and Mr. EVANS.

H.R. 2678: Mr. UNDERWOOD.

H.R. 2708: Mr. CAMP, Mr. TOWNS, Mr. SUNUNU, Mr. MARTINEZ, and Mr. MCHUGH.

H.R. 2800: Mr. STUMP.

H.R. 2829: Mr. JEFFERSON and Mr. CAMP.

H.R. 2895: Mr. DELAHUNT, Mr. FROST, Mr. KENNEDY of Rhode Island, and Mr. OBERSTAR.

H.R. 2912: Mr. PAYNE and Mr. HASTINGS of Florida.

H.R. 2922: Mr. CALVERT.

H.R. 2936: Mr. BEREUTER.

H.R. 2955: Mr. SANDERS, Mr. ENGLISH of Pennsylvania, Mr. KANJORSKI, and Mr. KOLBE.

H.R. 2990: Mr. KLINK, Mr. LEVIN, Mr. BECERRA, Mr. SCOTT, and Mr. GUTIERREZ.

H.R. 3010: Mr. TORRES.

H.R. 3016: Mr. PORTER.

H.R. 3111: Mr. RUSH.

H.R. 3150: Mr. HEFLEY, Ms. PRYCE of Ohio, Mr. KLECZKA, Mr. ANDREWS, Mr. BRADY, Mrs. NORTHUP, Mr. SPENCE, Mr. TALENT, Mr. BOYD, Mr. PICKETT, and Mr. DOOLEY of California.

H.R. 3152: Mr. DREIER and Mr. WALSH.

H.R. 3181: Mr. FALEOMAVAEGA.

H.R. 3187: Mr. DEFAZIO.

H.R. 3205: Ms. DEGETTE and Mr. LAMPSON.

H.R. 3217: Mr. MCDERMOTT.

H.R. 3243: Ms. ROS-LEHTINEN and Mr. SCARBOROUGH.

H.R. 3251: Mr. GEJDENSON, Mr. MANTON, Mr. BATEMAN, Mr. CLAY, Mr. FATTAH, Mr. WATT of North Carolina, Mr. BARTLETT of Maryland, Ms. RIVERS, and Mr. KENNEDY of Rhode Island.

H.R. 3255: Mr. MANTON.

H.R. 3262: Mr. ABERCROMBIE.

H.R. 3314: Mr. GRAHAM.

H.R. 3331: Mr. TALENT.

H.R. 3338: Ms. KILPATRICK.

H.R. 3379: Mr. FALEOMAVAEGA and Mr. POSHARD.

H.R. 3396: Mr. BILIRAKIS, Mr. TORRES, Mr. COLLINS, and Mrs. KELLY.

H.R. 3400: Mr. HINOJOSA and Mr. OLVER.

H.R. 3438: Mr. ENGLISH of Pennsylvania and Mr. CALVERT.

H.R. 3459: Mr. PAYNE.

H.R. 3470: Mr. BONIOR.

H.R. 3506: Mr. BLUMENAUER, Mr. KASICH, Mr. MICA, Mr. HYDE, Mr. SISISKY, Mr. SHUSTER, Mr. GREEN, Mr. SKELTON, Mr. DAVIS of Illinois, Mr. SCARBOROUGH, Mr. MALONEY of Connecticut, Mr. MCCRERY, Mr. SCOTT, Ms. DELAURO, Mr. BARCIA of Michigan, Mr. NETHERCUTT, Mr. BURTON of Indiana, Mr. STOKES, Mr. NEY, Mr. RAHALL, Mr. MINGE, Ms. FURSE, Mr. FARR of California, Mr. MCINNIS, Mr. BEREUTER, and Mr. ROGERS.

H.R. 3514: Mr. CLAY, Mr. SABO, Mr. KIND of Wisconsin, Mr. DAVIS of Virginia, Mr. ALLEN, and Mrs. CLAYTON.

H.R. 3523: Mr. KING of New York, Mr. BERRY, Mr. BURTON of Indiana, Mr. CANNON, Mrs. LOWEY, and Mr. MATSUI.

H.R. 3524: Mr. MILLER of California, Mr. FROST, and Mr. TORRES.

H.R. 3526: Mr. GORDON.

H.R. 3534: Mr. DELAY, Mr. WAMP, Ms. SANCHEZ, Mr. CALVERT, Mr. TAYLOR of Mississippi, Mr. HERGER, Mr. BERRY, Mr. LIVINGSTON, Mr. SISISKY, Mr. STUMP, Mr. POMBO, Mr. CUNNINGHAM, Mr. CAMPBELL, Mr. STEARNS, Mr. COLLINS, Mr. RYUN, Mrs. NORTHUP, Mr. TALENT, Mrs. EMERSON, Mr. WICKER, Mr. PICKERING, MR. BALLENGER, Mr. SMITH of New Jersey, Mr. SKEEN, Mr. GIBBONS, Mrs. KELLY, Mr. FOX of Pennsylvania, Mr. NETHERCUTT, Mr. PORTER, Ms. GRANGER, Mr. ENSIGN, Mr. MORAN of Kansas, Mr. BOB SCHAFFER, Mr. GALLEGLY, Mr. LATOURETTE, Mr. DEAL of Georgia, Mr. PAPPAS, and Mr. PAUL.

H.R. 3541: Mr. KOLBE, Mr. BOUCHER, Mr. FOLEY, Mr. GOODE, Mr. GIBBONS, Mr. HUTCHINSON, Mr. HOSTETTLER, Mr. BLUNT, Mr. HALL of Ohio, Mr. CANADY of Florida, Ms. PRYCE of Ohio, Mr. JOHNSON of Wisconsin, Mr. CALVERT, Mr. FRANK of Massachusetts, and Mr. SOUDER.

H.R. 3567: Mr. FRANKS of New Jersey.

H.R. 3570: Mr. STRICKLAND, Mr. LAMPSON, Mr. VENTO, and Mr. THOMPSON.

H.R. 3599: Mr. TALENT.

H.R. 3605: Mr. BISHOP, Mr. NEAL of Massachusetts, Mr. DAVIS of Illinois, Mr. MOLLOHAN, Mr. MOAKLEY, and Mr. SCOTT.

H.R. 3608: Mr. TAYLOR of Mississippi.

H.R. 3613: Ms. WOOLSEY and Mr. MALONEY of Connecticut.

H.R. 3615: Mr. PAYNE, Mr. EVANS, Ms. SLAUGHTER, and Mrs. MALONEY of New York.

H.R. 3636: Mr. MARKEY, Mr. FRANK of Massachusetts, Mr. HOUGHTON, Ms. KILPATRICK, Ms. WATERS, and Ms. CARSON.

H.R. 3641: Mr. ENSIGN.

H.R. 3648: Mr. SESSIONS, Mr. ROYCE, Mr. BRADY, Mr. ENGLISH of Pennsylvania, Mr. FORBES, Mr. WALSH, and Mr. CHABOT.

H.R. 3651: Mr. TOWNS and Mr. NADLER.

H.R. 3661: Mr. KILDEE, Mr. LATOURETTE, and Mr. MEEKS of New York.

H.R. 3674: Mr. JOHNSON of Wisconsin.

H.R. 3684: Ms. PRYCE of Ohio.

H.R. 3690: Mr. BACHUS and Mr. EVANS.

H.R. 3713: Ms. WOOLSEY.

H.R. 3719: Mr. GOODLING.

H.J. Res. 102: Mr. LIVINGSTON and Mr. KANJORSKI.

H. Con. Res. 55: Mrs. CAPPS, Mr. ENGLISH of Pennsylvania, Mr. BILBRAY, Ms. STABENOW, and Mr. SCHUMER.

H. Con. Res. 127: Mr. BUYER.

H. Con. Res. 181: Mr. MASCARA, Mr. KIM, Mr. LEWIS of Georgia, Mr. PASTOR, Mr. SABO, Mr. NORWOOD, Mr. NEAL of Massachusetts, Mr. TORRES, Mr. NEY, Mr. GEPHARDT, Mr. VENTO, Mr. JACKSON, and Mr. ALLEN.

H. Con. Res. 210: Mr. BOYD.

H. Con. Res. 233: Mr. BECERRA, Mr. LUTHER, and Mr. JENKINS.

H. Res. 151: Mr. PICKETT.

H. Res. 363: Mr. BALDACCI.

H. Res. 374: Mr. ROYCE, Mr. LANTOS, Mr. ENGEL, Mr. WEXLER, Mr. BROWN of Ohio, Mr. GUTIERREZ, and Ms. FURSE.

H. Res. 392: Mr. WATTS of Oklahoma, Mr. PETERSON of Pennsylvania, Mr. NETHERCUTT, Mr. SOUDER, Mr. BARRETT of Nebraska, and Mr. MATSUI.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 6

OFFERED BY: MR. ALLEN

AMENDMENT NO. 10: Page 68, after line 11, insert the following new section (and redesignate the succeeding section and conform the table of contents accordingly):

SEC. 206. TEACHER RECRUITMENT.

(a) FUTURE MATH AND SCIENCE TEACHER RECRUITMENT.—Title II is further amended by adding at the end the following new part:

"PART F—FUTURE MATH AND SCIENCE TEACHER RECRUITMENT

"SEC. 281A. SHORT TITLE; FINDINGS.

''(a) SHORT TITLE.—This part may be cited as the 'Recruit and Reward Future Math and Science Teachers of America Act of 1998'.

''(b) FINDINGS.—Congress finds the following:

''(1) United States high school students rank 12th and 19th, respectively, in science and math out of 25 countries.

''(2) Of United States high school students who take physical science and math courses, 48 percent and 49 percent, respectively, are taught by teachers who did not prepare in that field.

''(3) Teachers' knowledge and skills powerfully influence student learning.

''(4) More than 2,000,000 teachers will need to be hired over the next decade.

''(5) The ability of the United States to place highly qualified math and science teachers specializing in their field of instruction will depend on proactive policies that increase funding for teacher training, recruitment, and induction.

"SEC. 281B. PURPOSE; APPROPRIATIONS AUTHORIZED.

''(a) PURPOSE.—It is the purpose of this part to make available, through a pilot program, 500 scholarship grants and stipends to outstanding students enrolled in a nationally accredited teacher training graduate program who are committed to pursuing careers teaching math and science at an urban or rural secondary level classroom.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this part $5,000,000 in each of the fiscal years 1999, 2000, and 2001.

"SEC. 281C. SCHOLARSHIP DESIGNATION AND SELECTION CRITERIA.

''(a) SCHOLARSHIP DESIGNATION.—Funds made available under this part shall be designated as the 'National Math and Science Teacher Scholarships'.

''(b) SELECTION CRITERIA.—The Secretary of Education may award funds for National Math and Science Teacher Scholarships on a competitive basis to qualifying higher education institutions with graduate programs in teacher training. The Secretary may not provide any individual higher education institution more than $100,000 per academic year for the purpose of the National Math and Science Teacher Scholarships. An institution applying for such Scholarships may only be eligible to receive funds if such institution—

''(1) meets nationally accredited teacher training graduate program standards; or

''(2) demonstrates to the Secretary that at least 90 percent of the graduates of such a graduate teacher training program take, and on their first attempt pass, the State teacher qualification assessments for new teachers.

"SEC. 281D. INDIVIDUAL SCHOLARSHIP ELIGIBILITY.

''An individual may be eligible for a National Math and Science Teacher Scholarship only if such individual—

''(1) is a citizen or national of the United States or an alien lawfully admitted to the United States for permanent residence;

''(2) is majoring in a physical or life science or mathematics graduate teacher training program;

''(3) is enrolled in a higher education institution that—

''(A) meets nationally accredited teacher training graduate program standards; or

''(B) demonstrates to the Secretary that at least 90 percent of the graduates of such a graduate teacher training program who enter the field of teaching take, and on their first attempt pass, the State teacher qualification assessments for new teachers; and

''(4) is willing to be teacher certified or licensed and commit themselves to teaching math or science in a rural or urban public secondary school for no less than 3 full academic years.

"SEC. 281E. SCHOLARSHIP AMOUNT.

''(a) AMOUNT OF AWARD.—The amount of scholarship awarded by participating teacher training graduate programs under this part for any academic year shall be $10,000 per student.

''(b) ASSISTANCE NOT TO EXCEED COST OF ATTENDANCE.—No individual shall receive an award under this part in any academic year which exceeds the cost of attendance. A scholarship awarded under this part shall not be reduced on the basis of the student's receipt of other forms of Federal student financial assistance, but shall be taken into account in determining the eligibility of the student for those forms of Federal student financial assistance.

"SEC. 281F. AGREEMENT; GRANT AND STIPEND REPAYMENT PROVISIONS.

''(a) AGREEMENT.—Recipients of the National Math and Science Teachers Scholarships shall agree to teach in an urban or rural public secondary school for no less than 3 full academic years.

''(b) REPAYMENT FOR FAILURE TO FULFILL AGREEMENT.—Any recipients of a Scholarship found by the Secretary to be in noncompliance with the agreement entered into under subsection (a) of this section shall be required to repay a pro rata amount of the scholarship awards received, plus interest and, where applicable, reasonable collection fees, on a schedule and at a rate of interest prescribed by the Secretary by regulations.

"SEC. 281G. EXCEPTIONS TO REPAYMENT PROVISIONS.

''An individual recipient of a Scholarship under this part shall not be considered in violation of the agreement entered into pursuant to section 281F during any period in which the recipient—

''(1) is pursuing a full-time course of study in math and science at an accredited institution;

''(2) is serving, not in excess of 3 years, as a member of the armed services of the United States;

''(3) is totally disabled for a period of time not to exceed 3 years as established by sworn affidavit of a qualified physician;

''(4) is seeking and unable to find full-time employment for a single period not to exceed 12 months;

''(5) is seeking and unable to find full-time employment as a math and science teacher in a public or private nonprofit elementary or secondary school or education program for a single period not to exceed 27 months; or

''(6) satisfies the provision of additional repayment exceptions that may be prescribed by the Secretary in regulations issued pursuant to this section.

''SEC. 281H. REPORT TO CONGRESS.

''On or before January 29, 2002, the Secretary of Education shall submit a report to Congress evaluating the success of the National Math and Science Teacher Scholarships pilot program in recruiting math and science teachers to teach in America's public secondary schools.''.

H.R. 6

OFFERED BY: MR. ALLEN

AMENDMENT NO. 11: Page 267, after line 11, insert the following new subsection (and redesignate the succeeding subsections accordingly):

(d) FINANCIAL RESPONSIBILITY FOR REFUNDS AND DURING PROVISIONAL CERTIFICATION.—

(1) AMENDMENT.—Section 498(e) is amended by adding at the end the following new paragraphs:

''(6) Notwithstanding any other provision of law, any person required to pay, on behalf of a student or borrower, a refund of unearned institutional charges to a lender, or the Secretary, who willfully fails to pay such refund or willfully attempts in any manner to evade payment of such refund, shall, in addition to other penalties provided by law, be liable to the Secretary for the amount of the refund not paid, to the same extent with respect to such refund that such an individual would be liable as a responsible person for a penalty under section 6672(a) of title 26, United States Code, with respect to the nonpayment of taxes.

''(7) Notwithstanding any other provision of law, a proprietary institution of higher education, as defined in section 481(b), may be provisionally certified under subsection (h) only if it provides the Secretary with financial guarantees from one or more individuals whom the Secretary determines, in accordance with subsection (e)(2), exercise substantial control over such institution. Such financial guarantees shall be in addition to any financial guarantees otherwise required from the institution and shall be in an amount determined by the Secretary to be sufficient to satisfy the institution's potential liability to the Federal Government, student assistance recipients, and other program participants for funds under this title during the period of provisional certification.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1)—

(A) relating to responsibility for unpaid refunds, shall be effective with respect to any unpaid refunds that were first required to be paid to a lender or to the Secretary on or after 90 days after the date of enactment of this Act;

(B) relating to financial guarantees required for provisional certification, shall be effective with respect to any proprietary institution of higher education provisionally certified by the Secretary on or after the date of enactment of this Act.

Page 269, after line 4, insert the following new subsection:

(i) CHANGE IN STATUS.—

(1) AMENDMENT.—Section 498(i)(2) is amended by striking subparagraph (E) and inserting the following new subparagraph:

''(E) the change in tax filing status of an institution from for-profit to non-profit; or''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall be effective on the date of the enactment of this Act.

H.R. 6

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 12: Page 153, before line 13, insert the following new subsection (and redesignate the succeeding subsections accordingly):

''(b) CONSOLIDATION LOANS.—Notwithstanding any provision of subsection (a), with respect to any consolidation loan made under section 428C for which the first disbursement is made on or after July 1, 1998, the applicable rate of interest shall, during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to—

''(1) the bond equivalent rate of 91-day Treasury bills auctioned at the final auction held prior to such June 1; plus

''(2) 2.3 percent,

except that such rate shall not exceed 8.25 percent.

H.R. 6

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 13: Page 154, line 18, strike ''2.8 percent'' and insert ''2.3 percent''.

Page 155, strike lines 2 and 3 and insert the following:

paragraph shall be applied by substituting '1.7 percent' for '2.3 percent.

In clause (iv) as amended by the Manager's amendment to page 155, lines 12 through 23, relating to consolidation loans, strike ''for '2.8 percent', subject'' and insert ''for '2.3 percent', subject''.

H.R. 6

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 14: Page 156, after line 3, insert the following new section (and redesignate the succeeding sections and conform the table of contents accordingly):

SEC. 417. INCOME CONTINGENT REPAYMENT UNDER THE FFEL PROGRAM.

Part B of title IV is amended by inserting after section 427A (20 U.S.C. 1077a) the following new section:

''SEC. 427B. INCOME CONTINGENT REPAYMENT OPTION

''(a) AVAILABILITY OF OPTION.—

''(1) INDIVIDUAL LOANS.—An individual who has only one loan outstanding under this part shall, not more than 6 months prior to the date on which the borrower's first payment is due, be offered by the lender the option of repaying the loan in accordance with this section.

''(2) MULTIPLE LOANS.—An individual who has two or more loans outstanding under this part may obtain a consolidation loan under section 428C for the purposes of obtaining the option of repaying the loan in accordance with this section.

''(3) DIRECT LOANS.—An individual who has one or more loans under part D of this title may obtain income contingent repayment pursuant to section 455(e).

''(4) RESTRICTION OF OPTION TO NEW BORROWERS.—Notwithstanding paragraphs (1) through (3), the option of repaying a loan in accordance with this section shall be available only to borrowers who, on the date of enactment of this section, do not have any outstanding balance of principal or interest on any loan made under this part or part D.

''(b) TERMS OF REPAYMENT UNDER OPTION.—

''(1) LOAN OBLIGATIONS UNDER OPTION.—A loan that is subject to repayment under this section shall be repaid in installments that—

''(A) are determined in accordance with paragraph (2) for each one year period beginning on July 1; and

''(B) notwithstanding the note or other written evidence of the loan and subparagraphs (D) and (E) of section 428(b)(1), shall continue to be paid until—

''(i) the borrower has repaid the principal and any accrued or capitalized interest on the loan; or

''(ii) the remaining obligations of the borrower are discharged under subsection (c).

''(2) CALCULATION OF INSTALLMENTS.—

''(A) INSTALLMENT AMOUNTS.—The total amount that a borrower shall be required to pay as installments on a loan of such borrower that is subject to repayment under this section is equal to—

''(i) one-fourth of the annual amount determined under subparagraph (B), in the case of a loan that is repaid in quarterly installments; or

''(ii) one-twelfth of such annual amount, in the case of a loan that is repaid in monthly installments.

''(B) ANNUAL AMOUNT.—The annual amount for a loan that is subject to repayment under this section is determined for each one year period beginning on July 1 of each calendar year. The annual amount is determined by reference to the taxable income of the borrower for the taxable year ending in the calendar year preceding the calendar year in which the determination is made. The annual amount is determined in accordance with the following table:

Annual limit

If the taxable income of the borrower is—	Then the annual amount is—
Less than $20,000	3% of taxable income
$20,001–$40,000	5% of taxable income
$40,001–$60,000	7% of taxable income
$60,001–$90,000	10% of taxable income
$90,001–$120,000	15% of taxable income
$120,001 or more	20% of taxable income

''(C) SPECIAL RULE FOR JOINT RETURNS.—If an individual who is a borrower of a loan that is subject to repayment under this section files a joint return for the taxable year on which the annual amount is based, then the annual amount for such individual is determined under subparagraph (B) by treating the taxable income of such individual as equal to one-half the taxable income indicated on such joint return.

''(3) CAPITALIZATION OF UNPAID INTEREST.—If the amount that any borrower pays as an installment under paragraph (2) on a loan that is subject to repayment under this section is less than the interest that has accrued since the preceding installment, then the remaining unpaid interest shall be added, not more frequently than quarterly, to the principal amount of the loan. Such capitalization of interest shall not be deemed to exceed the annual insurable limit on the account of the borrower.

''(c) DISCHARGE OF OBLIGATION.—

''(1) UNPAID BALANCE REMAINING AFTER 25 YEARS.—If the unpaid balance on a loan that is subject to repayment under this section has not been repaid in full at the end of 25 years of repayment, then—

''(A) the Secretary shall repay the holder of such loan such unpaid balance and the holder of the loans shall be deemed to have a contractual right, as against the United States, to receive from the Secretary such unpaid balance without administrative delay after the receipt by the Secretary of an accurate and complete request for payment; and

''(B) such payment by the Secretary shall be applied to discharge the borrower from any remaining obligation with respect to the loan.

''(2) UNPAID BALANCE.—For the purposes of paragraph (1), the unpaid balance of a loan is the sum of unpaid principal and unpaid accrued and capitalized interest, and any fees, such as late charges, assessed on such loan in accordance with the requirements of this part and the regulations thereunder.

''(e) INFORMATION NEEDED FOR COLLECTION.—

''(1) ACCESS TO TAXPAYER INFORMATION.—The Secretary may obtain such information as is reasonably necessary regarding the taxable income of a borrower (and the borrower's spouse, if applicable) of a loan that is subject to repayment under this section for the purpose of determining the installment caps under subsection (b)(2). Returns and return information (as defined in section 6103 of the Internal Revenue Code of 1986) may be obtained under the preceding sentence only to the extent authorized by section 6103(l)(13) of such Code.

''(2) ADDITIONAL DOCUMENTS.—A borrower of a loan that is subject to repayment under this section and for whom taxable income is unavailable or does not reasonably reflect the borrower's current income, shall provide to the Secretary other documentation of income satisfactory to the Secretary.

''(3) TRANSMISSION OF DATA TO LENDERS.—The Secretary shall, by regulation, establish procedures for the transmission of data gathered under (1) and (2) to the lender or holder of a loan that is subject to repayment under this section.

''(4) NOTIFICATION TO BORROWERS.—The Secretary shall establish procedures under which a borrower of a loan that is subject to repayment under this section is notified of the terms and conditions of such loan, including notification of such borrower—

''(A) that the Internal Revenue Service will disclose to the Secretary tax return information as authorized under section 6103(l)(13) of the Internal Revenue Code of 1986; and

''(B) that if a borrower considers that special circumstances, such as a loss of employment by the borrower or the borrower's spouse, warrant an adjustment in the borrower's loan repayment as determined using the information described in subparagraph (A), or the alternative documentation described in paragraph (2), the borrower may contact the Secretary, who shall determine whether such adjustment is appropriate, in accordance with criteria established by the Secretary.

''(f) DEFINITIONS.—For purposes of this section:

''(1) TAXABLE INCOME.—The taxable income of a borrower is determined in the manner provided in section 63 of the Internal Revenue Code of 1986.

''(2) TAXABLE YEAR.—The term 'taxable year' means the taxable year of a taxpayer for purposes of subtitle A of such Code.''.

Page 204, after line 5, insert the following new section (and redesignate the succeeding sections and conform the table of contents accordingly):

SEC. 438. INCOME CONTINGENT REPAYMENT UNDER THE FEDERAL DIRECT LOAN PROGRAM.

Section 455(e) of the Higher Education Act of 1965 (20 U.S.C. 1087e(e)) is amended to read as follows:

''(e) PARALLEL INCOME CONTINGENT REPAYMENT.—

''(1) IN GENERAL.—The Secretary shall offer borrowers under this part the option of repaying their loans in the same manner as loans that are subject to repayment in accordance with section 427B.

''(2) EXCEPTIONS.—The Secretary shall prescribe any regulations necessary to implement the requirements of paragraph (1).''.

H.R. 6

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 15: Page 163, strike out lines 16 and 17 and insert in lieu thereof the following:

(p) LENDERS-OF-LAST-RESORT.—Section 428(j)(3) is amended—

(1) in subparagraph (A)—

(A) in the heading thereof, by striking ''DURING TRANSITION TO DIRECT LENDING'';

(B) by striking out ''during the transition from the Federal Family Education Loan Program under this part to the Federal Direct Student Loan Program under part D of the title,'' and inserting a comma;

(C) by inserting ''designated for a State'' immediately after ''a guaranty agency''; and

(D) by inserting ''subparagraph (C) and'' immediately before ''section 422(c)(7),''; and

(2) by adding at the end thereof the following new subparagraph:

''(C) The Secretary shall exercise the authority described in subparagraph (A) only if the Secretary determines that eligible borrowers are seeking and are unable to obtain loans under this part, and that the guaranty agency designated for that State has the capability to provide lender-of-last-resort loans in a timely manner, in accordance with its obligations under paragraph (1), but cannot do so without advances provided by the Secretary under this paragraph. If the Secretary makes the determinations described in the preceding sentence and determines that it would be cost-effective to do so, the Secretary may provide advances under this paragraph to that guaranty agency. If the Secretary determines that guaranty agency does not have such capability, or will not provide such loans in a timely fashion, the Secretary may provide such advances to enable another guaranty agency, that the Secretary determines to have such capability, to make lender-of-last-resort loans to eligible borrowers in that State who are experiencing loan access problems.''.

H.R. 6

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 16: Page 164, after line 25, insert the following new subsection:

(t) NOTICE OF AVAILABILITY OF INCOME-SENSITIVE REPAYMENT OPTION.—

(1) AMENDMENT.—Section 428 is further amended by adding at the end the following new subsection:

''(o) NOTICE OF AVAILABILITY OF INCOME-SENSITIVE REPAYMENT OPTION.—At the time of offering a borrower a loan under this part, and at the time of offering the borrower the option of repaying a loan in accordance with this subsection, the lender shall provide the borrower with a notice that informs the borrower, in a form prescribed by the Secretary by regulation—

''(1) that all borrowers are eligible for income-sensitive repayment through loan consolidation under section 428C;

''(2) the procedures by which the borrower may elect income-sensitive repayment; and

''(3) where and how the borrower may obtain additional information concerning income-sensitive repayment.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 428(b)(1)(E)(i) is amended by inserting before the semicolon the following: ''or of repaying the loan in accordance with an income-sensitive repayment schedule offered pursuant to section 428C''.

(B) Section 485(b)(1)(A) is amended—

(i) by striking ''and'' at the end of clause (i);

(ii) by striking the period at the end of clause (ii) and inserting ''; and''; and

(iii) by adding at the end the following new clause:

''(iii) the information required to be disclosed by lenders pursuant to section 428(o).''.

H.R. 6

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 17: Page 164, after line 25, insert the following new section (and conform the table of contents accordingly):

SEC. 417A. ADDITIONAL REDUCTIONS AND BENEFITS.

(a) LENDER AND HOLDER RISK SHARING.—Section 428(b)(1)(G) (20 U.S.C. 1078(b)(1)(G)) is amended by striking ''98 percent'' and inserting ''95 percent''.

(b) INSURANCE PREMIUMS.—Section 428(b)(1)(H) of such Act is amended—

(1) by inserting the clause designation ''(i)'' following the subparagraph designation;

(2) by striking ''the loan,'' and inserting ''any loan made under section 428 or 428B before July 1, 1998,''; and

(3) after clause (i) (as redesignated by paragraph (1)), by adding ''and'' and the following new clause:

''(ii) provides that no insurance premiums shall be charged to the borrower of any loan made under section 428 or 428B on or after July 1, 1998;''.

(c) DIRECT LOAN ORIGINATION FEES.—Section 455(c) (20 U.S.C. 1087e(c)) is amended—

(1) by striking ''The Secretary'' and inserting ''(1) For loans made under this part before July 1, 1998, the Secretary'';

(2) by striking ''of a loan made under this part''; and

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

''(2) For Federal Direct Stafford/Ford Loans made under this part on or after July 1, 1998, the Secretary shall charge the borrower an origination fee of 3.0 percent of the principal amount of the loan.''.

(d) SECRETARY'S EQUITABLE SHARE OF COLLECTIONS.—

(1) AMENDMENT.—Section 428(c)(6)(A)(ii) (20 U.S.C. 1078(c)(6)(A)(ii)), as amended by section 412(d)(2)(A), is further amended by striking ''24 percent'' and inserting ''18.5 percent''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) of this subsection shall be effective with respect to any payments made by borrowers on or after October 1, 1997.

H.R. 6

OFFERED BY: MRS. CLAYTON

AMENDMENT NO. 18: Page 248, line 4, strike ''and''; on line 10, strike the second period and insert ''; and'', and after line 10 insert the following:

(7) by adding at the end the following new paragraph:

''(23) The institution will distribute to each student, during registration for enrollment in its instructional program, the mail voter registration application form described in section 9(a)(2) of the National Voter Registration Act of 1993, unless the student, in writing, declines to receive such form.''.

H.R. 6

OFFERED BY: MR. EDWARDS

AMENDMENT NO. 19: In section 271 of the Higher Education Act of 1965, as amended by the manager's amendment offered by the Gentleman from Pennsylvania, strike ''and'' at the end of paragraph (2), strike the period at the end of paragraph 93) and insert ''; and'', and after such paragraph 93) insert the following new paragraph:

''(4) to provide competitive grants to States for assistance in improving the managerial skills of school principals and superintendents.

In section 273(a) of the Higher Education Act of 1965, as amended by the manager's amendment offered by the Gentleman from Pennsylvania, add at the end the following new paragraphs:

''(7) Developing and implementing effective mechanisms to provide principals and superintendents with advanced managerial skills.

''(8) Creating opportunities for school principals and superintendents to further their professional development by providing advanced managerial skills training.

H.R. 6

OFFERED BY: MR. FARR OF CALIFORNIA

AMENDMENT NO. 20: Insert at the end of section 271(1) of the Higher Education Act of 1965 as amended by the manager's amendment offered by the Gentleman from Pennsylvania the following: '', such as math, science, English, foreign languages, history, economics, art, and civics''.

H.R. 6

OFFERED BY: MR. FARR OF CALIFORNIA

AMENDMENT NO. 21: Page 310, strike line 3 and insert the following (and redesignate the succeeding paragraph accordingly):

(3) in subsection (c)(2)—

(A) by striking ''and'' at the end of subparagraph (E);

(B) by redesignating subparagraph (F) as subparagraph (G); and

(C) by inserting after subparagraph (E) the following new subparagraph:

''(F) professional graduate degrees in translation and interpretation; and''; and

H.R. 6

OFFERED BY: MR. FOLEY

AMENDMENT NO. 22: Page 346, after line 24, insert the following new part (and conform the table of contents accordingly):

Part C—General Education Provisions Act

SEC. 961. ACCESS TO RECORDS CONCERNING CRIMES OF VIOLENCE.

Section 444(h) of the General Education Provisions Act (20 U.S.C. 1232g(h)) is amended to read as follows:

''(h) DISCIPLINARY RECORDS.—(1) Nothing in this section shall prohibit an educational agency or institution from—

''(A) including appropriate information in the education record of any student concerning disciplinary action taken against such student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community; or

''(B) disclosing such information to teachers and school officials, including teachers and school officials in other schools, who have legitimate educational interests in the behavior of the student.

''(2) Nothing in this section shall prohibit any post-secondary educational agency or institution from disclosing disciplinary records of any kind which contain information that personally identifies a student or students who have either admitted to or been found to have committed any act, which is a crime of violence (as that term is defined in section 16 of title 18, United States Code), in violation of institutional policy, either as a violation of the law or a specific institutional policy, where such records are directly related to such misconduct.''.

H.R. 6

OFFERED BY: MR. GORDON

AMENDMENT NO. 23: Page 53, after line 3, insert the following new part (and conform the table of contents accordingly);

Part C—Year 2000 Computer Compliance

SEC. 121. YEAR 2000 AUTHORIZATION.

To ensure that all computer operations and processing including title IV aid processing delivery, and administration is provided without interruption by the Department of Education beyond December 31, 1999, the Secretary of Education shall take each of the following actions:

(1) Publish a risk assessment of the systems and hardware under the Department's management that has been reviewed by an independent audit firm no later than 60 days after the date of enactment of this Act and to submit such a report to the House and Senate authorizing committees.

(2) Take actions necessary to ensure that all internal and external systems and hardware administered by the Department and required for aid processing and administration under title IV of the Higher Education Act of 1965 are Year 2000 compliant to the extent necessary to ensure that no business interruption occurs. Such actions shall include—

(A) establishing schedules for testing and implementing new exchange formats prior to 1 March 1999 for completing all data exchange corrections; which schedules may include national test days that could be used for end-to-end testing of critical business processes and associated data exchanges affecting Federal, State, and local governments;

(B) notifying exchange partners of the implications to the agency and the exchange partners if they do not make date conversion corrections in time to meet the federal schedule for implementing and testing Year 2000 compliant data exchange processes;

(C) giving priority to installing the filters necessary to prevent the corruption of mission-critical systems from data exchanges with noncompliant systems; and

(D) developing and implementing, as part of the Department's overall business continuity and contingency planning efforts, specific provision for the data exchanges that may fail, including the approaches to be used to mitigate operational problems if their partners do not make date conversion corrections when needed.

(3) Have a qualified independent audit firm review the Department's Year 2000 system and hardware compliance and submit a report on its review to the Secretary and to the chairs of the respective House and Senate authorizing committees no later than June 30, 1999.

(4) Convene at least quarterly meetings with individuals from the school, student, lender, and guarantor communities beginning 30 days after the date of enactment of this act to be responsible—

(A) for reviewing the risk assessment and audit report provided for in paragraphs (1) and (3);

(B) for monitoring the Department's implementation of the Year 2000 change;

(C) for assisting the Department with the development of contingency plans for any item reported to be noncompliant under paragraph (30;

(D) publishing quarterly reports on implementation progress which shall include the Department's status in completing key steps for data exchanges, such as the percent of exchanges inventoried, assess, for which agreements have been reached, testing and implementation schedules and testing and implementation completed; and

(E) providing such a report to the respective House and Senate authorizing committees.

H.R. 6

OFFERED BY: MR. GORDON

AMENDMENT NO. 24: Page 138, beginning on line 9, strike subsection (e) through page 139, line 9, and insert the following:

''(e) OWNERSHIP OF FEDERAL FUND.—The Federal fund of the guaranty agency, and nonliquid assets, such as buildings and equipment, purchased by the guaranty agency, in whole or in part with Federal reserve funds, regardless of who holds or controls the reserves or assets, shall be considered to be the property of the United States and the guaranty agency, prorated as to their respective ownership based on the percentage of such asset acquired with such Federal reserve funds and any other funds, to be used by such agency as authorized by this part. To the extent that a nonliquid asset was acquired only in part with Federal reserve funds, and the cost of such asset was allocated between such Federal reserve funds and other funds, the Secretary may restrict or regulate the use of such asset only to the extent necessary to reasonably protect the Secretary's prorated share of the value of such assets.

Page 142, after line 22, insert the following new paragraph (and redesignate the succeeding paragraph accordingly):

''(3) PURCHASE OF NONLIQUID ASSETS.—The guaranty agency may use the Operating Fund or other non-Federal funds to purchase nonliquid assets of the agency originally acquired, in whole or in part, with Federal reserve funds. Such nonliquid assets may be purchased at fair market value, prorated based on the percentage of such asset acquired with Federal reserve funds; except that a guaranty agency may not use the Operating Fund to purchase any such nonliquid assets during any period in which funds are owed to the Federal Student Loan Reserve Fund as a result of a transfer under 422A(f). The prorated purchase amount shall be deposited in the Federal Student Loan Reserve Fund of the guaranty agency.

Page 143, line 5, strike ''the due diligence'' and insert ''any due diligence''.

Page 143, line 7, insert before the period the following: ''which are no more burdensome than those regulations in effect upon the date of enactment of this section''.

Page 143, line 14, insert before the period the following: ''which are no more burdensome than those regulations in effect upon the date of enactment of this section''.

Page 144, line 3, strike ''The'' and insert ''Notwithstanding any other provision of law, the''.

Page 149, strike line 22 through page 150, line 2, and insert following:

aversion fee. Such fee shall be paid for any loan on which a claim for default has not been paid that the guaranty agency brings into current repayment status on or before the 210th day after the loan becomes 60 days delinquent.

Page 150, strike line 6 through line 10, and insert the following:

by the lender. Such fee shall not be paid more than once on any loan for which the guaranty agency averts the default unless the lender filed a default aversion assistance request at least 12 months after the borrower became current in payments. A guaranty agency may

H.R. 6

OFFERED BY: MR. GORDON

AMENDMENT NO. 25: Page 154, beginning on line 5, strike subparagraph (F) through page 155, line 19, and insert the following:

''(F) Subject to paragraph (4), the special allowances paid pursuant to this subsection on loans made on or after July 1, 1998 for which the applicable interest rate is determined under section 427A(a) shall be computed—

''(i) by determining the bond equivalent rate of the average of the quotes as reported by the Federal Reserve of the 3-month commercial paper (financial) rate in effect for each of the days in the quarter for which the rate is being determined;

''(ii) by subtracting the applicable interest rate on such loan from such applicable bond equivalent rate;

''(iii)(I) for Stafford loans during any period in which principal need not be paid (whether or not such principal is in fact

paid) by reason of provision described in section 428(b)(1)(M) or 427(a)(2)(C), by adding 1.8 percent to the resultant percent, (II) for Stafford loans during any other periods, by adding 2.39 percent to the resultant percent, or (III) or PLUS loans, by adding 3.1 percent to the resultant percent; and

''(iv) by dividing the resultant percent by 4.''.

H.R. 6

OFFERED BY: MR. HALL OF TEXAS

AMENDMENT NO. 26: At the appropriate place in the bill in Title VIII insert the following new section:

SEC. . TEXAS COLLEGE PROVISION.

The Secretary may not consider audit deficiencies relating to record keeping with respect to qualifying students for financial aid at Texas College, located in Tyler, Texas, for academic years prior to academic year 1994–1995 in determining whether Texas College complies with the financial responsibility and administrative capacity standards under Section 498 of the Higher Education Act of 1965, if Texas College has made a good faith effort to furnish records to the Department with respect to such audits.

H.R. 6

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 27: Page 136, line 19 add the following new section:

TITLE IV—GUARANTY AGENCY REFORMS

SEC. 413. GUARANTY AGENCY REFORMS.

Directs the Secretary to conduct a study to investigate to what extent the actions of the lenders and the guarantors impact upon the default rates of student borrowers as it relates to the servicing of the loans or the due diligence of the loan.

H.R. 6

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 28: Page 149, line 13, strike ''60th'' and insert ''120th''.

Page 150, line 2, strike ''60 days'' and insert ''120 days''.

H.R. 6

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 29: Page 182, line 14, strike the close quotation marks and following period and after such line insert the following new paragraph:

''(7) AUTHORITY OF THE SECRETARY TO ASSIST DISTRESSED INSTITUTION.—The Secretary is authorized to provide administrative, fiscal, management, strategic planning, and technical assistance through a qualified third-party consultant identified by the institution or an organization representing such institutions. Institutions eligible for such assistance include those institutions which qualify for the exemption in paragraph (2)(C)(i), (ii), and (iii) of this subsection, or which have submitted a default management plan under paragraph (5) which has been accepted by the Secretary.

H.R. 6

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 30: Page 270, after line 16, insert the following new section:

SEC. 480. RELIEF FROM OBLIGATION.

To the extent authorized in advance in an appropriation Act, the Secretary may, in settlement of claims found or arising under audits and program reviews under title IV of the Higher Education Act of 1965, forgive the obligations to pay such claims of Texas Southern University relating to the administration of programs under such title, subject to such terms and conditions as Secretary may require with respect to conduct of programs under such title on and after the date of enactment of this Act.

H.R. 6

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 31: at the end of the bill, add the following new title:

TITLE XIII–EARLY DYSLEXIA DETECTION

SEC. 1202. EARLY DYSLEXIA DETECTION.

Directs the Secretary to conduct a study and submit a report to the Congress on methods for identifying students with dyslexia early in their educational training, and conduct such study in conjunction with the National Academy of Sciences.

H.R. 6

OFFERED BY: MRS. KELLY

AMENDMENT NO. 32: Page 128, line 12, strike the close quotation marks and following period and after such line insert the following new chapter:

''CHAPTER 6—PUBLIC SAFETY OFFICER MEMORIAL SCHOLARSHIPS.

''SEC. 411A. SCHOLARSHIPS AUTHORIZED.

''(a) IN GENERAL.—

''(1) SCHOLARSHIP AWARDS.—The Secretary is authorized to award a scholarship to—

''(A) any eligible applicant who is attending, or who has been accepted for attendance at, any eligible institution providing instruction for one or more of grades kindergarten through 12; or

(B) any eligible applicant who is enrolled, or has been accepted for enrollment, in an eligible institution as a full-time or part-time post-secondary level student.

''(2) APPLICATION.—To receive a scholarship award under this chapter, each eligible applicant shall submit an application to the Secretary in such time and manner as may be determined appropriate by the Secretary, accompanied by a certification from the head of the agency that employed the public safety officer to whom the applicant was married (in the case of a surviving spouse), or with whom the applicant was living or from whom the applicant was receiving support contributions (in the case of a dependent child), stating that such officer died as a result of the performance of the officer's official duties.

''(b) MAXIMUM AWARD.—

''(1) ELEMENTARY AND SECONDARY AWARDS.—For any academic year, the maximum amount of a scholarship award under this section for a kindergarten or elementary or secondary school student may equal, but not exceed, the lesser of the following:

''(A) The average per pupil expenditure for elementary and secondary education of the local educational agency for the geographic area in which the eligible applicant resides.

''(B) The actual cost to the student for attendance at the school, including expenses such as tuition, fees, books, transportation costs, and other related expenses determined by the Secretary.

''(2) POSTSECONDARY AWARDS.—For any academic year, the maximum amount of a scholarship award under this section for a postsecondary student may equal, but not exceed, the lesser of the following:

''(A) The average cost of attendance (as defined in section 472), at a State university in the State in which the student resides, for a State resident carrying the same academic workload as the student, with the same number of dependents as the student, and residing in the same type of housing as the student.

''(B) The actual cost of attendance (as defined in section 472) of such student.

''(c) AWARD PERIOD.—The duration of each award under this chapter—

''(1) for a kindergarten or elementary or secondary school student, shall be the period of time normally required for the completion of a high school diploma by a student in the grade that the recipient is in at the time the award commences; and

''(2) for a postsecondary student, shall be the lesser of—

''(A) the time actually required by the student to complete a course of study and obtain a diploma; and

''(B) 6 years in the case of a student engaged in undergraduate studies and 3 years in the case of a student engaged in postgraduate studies.

''(d) NOTIFICATION.—The Secretary shall notify the recipient and the eligible institution of the applicant's selection for receipt of an award under this chapter, the conditions pertaining to award eligibility and continuance.

''(e) FISCAL AGENT.—The Secretary shall, if practicable, use the eligible institution as fiscal agent for payment of an award.

''SEC. 411B. ADDITIONAL AWARD REQUIREMENTS.

A student awarded a scholarship grant under this chapter, as a condition for initial receipt of such award and periodically thereafter as a condition for its continuation, shall demonstrate to the satisfaction of the Secretary that the student is—

''(1) maintaining satisfactory progress in the course of study the student is pursuing—

''(A) in the case of a kindergarten or elementary or secondary school student, as determined by the Secretary; and

''(B) in the case of a postsecondary student, consistent with section 484(c);

''(2) committed to remaining drug-free; and

''(3) attending class on a regular basis as to not interfere with normal course of studies except for excused absence for vacation, illness, military service and such other periods deemed good cause by the eligible institution or the Secretary.

''SEC. 411C. AGREEMENTS WITH ELIGIBLE INSTITUTIONS.

For the purposes of this chapter, the Secretary is authorized to enter into agreements with eligible institutions in which any student receiving a scholarship award under this chapter has enrolled or has been accepted for enrollment. Each such agreement shall—

''(1) provide that an eligible institution will cooperate with the Secretary in carrying out the provisions of this chapter, including the provision of information necessary for a student to satisfy the requirements in section 411B;

''(2) provide that the institution will conduct a periodic review to determine whether students enrolled and receiving scholarship awards continue to be entitled to payments under this chapter and will notify the Secretary of the results of such reviews; and

''(3) provide for control and accounting procedures as may be necessary to assure proper disbursements and accounting of funds paid under to the institution under section 411A(e).

''SEC. 411D. DEFINITIONS.

In this chapter:

''(1) DEPENDENT CHILD.—The term 'dependent child' means a child who is either living with or receiving regular support contributions from a public safety officer at the time of the officer's death, including a stepchild or an adopted child.

''(2) ELIGIBLE APPLICANT.—The term 'eligible applicant' means a person residing in a State who is—

''(A) a surviving spouse; or

''(B) a dependent child.

''(3) ELIGIBLE INSTITUTION.—The term 'eligible institution' means a public or private kindergarten or elementary or secondary school, or any institution defined in section 435(a), if the kindergarten, school, or institution—

''(A) is located in a State; and

''(B) complies with the antidiscrimination provisions of section 601 of the Civil Rights Act of 1964 and does not discriminate on the basis of race.

''(4) PUBLIC SAFETY OFFICERS.—The term 'public safety officer' means a person serving a public agency of a State or of a unit of general local government, with or without compensation, as—

''(A) a law enforcement officer, including a corrections or a court officer engaged in—

''(i) apprehending or attempting to apprehend any person—

''(I) for the commission of a criminal act; or

''(II) who at the time was sought as a material witness in a criminal proceeding; or

''(ii) protecting or guarding a person held for the commission of a criminal act, or held as a material witness in connection with a criminal act; or

''(iii) lawfully preventing of, or lawfully attempting to prevent the commission of, a criminal act or an apparent criminal act in the performance of his official duty; or

''(B) a firefighter.

''(5) SURVIVING SPOUSE.—The term 'surviving spouse' means the legally married husband or wife of a public safety officer at the time of the officer's death.

''(6) UNIT OF GENERAL LOCAL GOVERNMENT.—The term 'unit of general local government' means any city, country, township, town, borough, parish, village, or any other general purpose subdivision of a State, or any Indian tribe which the Secretary of the Interior determines performs law enforcement functions.''.

H.R. 6

OFFERED BY: MRS. KELLY

AMENDMENT 33: Page 128, line 12, strike the close quotation marks and following period and after such line insert the following new chapter:

''CHAPTER 6—PUBLIC SAFETY OFFICER MEMORIAL SCHOLARSHIPS.

''SEC. 411A. SCHOLARSHIPS AUTHORIZED.

''(a) IN GENERAL.—

''(1) SCHOLARSHIP AWARDS.—The Secretary is authorized to award a scholarship to any eligible applicant who is enrolled, or has been accepted for enrollment, in an eligible institution as a full-time or part-time postsecondary level student.

''(2) APPLICATION.—To receive a scholarship award under this chapter, each eligible applicant shall submit an application to the Secretary in such time and manner as may be determined appropriate by the Secretary, accompanied by a certification from the head of the agency that employed the public safety officer to whom the applicant was married (in the case of a surviving spouse), or with whom the applicant was living or from whom the applicant was receiving support contributions (in the case of a dependent child), stating that such officer died as a result of the performance of the officer's official duties.

''(b) MAXIMUM AWARD.—For any academic year, the maximum amount of a scholarship award under this section for a postsecondary student may equal, but not exceed, the lesser of the following:

''(1) The average cost of attendance (as defined in section 472), at a State university in the State in which the student resides, for a State resident carrying the same academic workload as the student, with the same number of dependents as the student, and residing in the same type of housing as the student.

''(2) The actual cost of attendance (as defined in section 472) of such student.

''(c) AWARD PERIOD.—The duration of each award under this chapter for a postsecondary student, shall be the lesser of—

''(1) the time actually required by the student to complete a course of study and obtain a diploma; and

''(2) 6 years in the case of a student engaged in undergraduate studies and 3 years in the case of a student engaged in postgraduate studies.

''(d) NOTIFICATION.—The Secretary shall notify the recipient and the eligible institution of the applicant's selection for receipt of an award under this chapter, the conditions pertaining to award eligibility and continuance.

''(e) FISCAL AGENT.—The Secretary shall, if practicable, use the eligible institution as fiscal agent for payment of an award.

''SEC. 411B. ADDITIONAL AWARD REQUIREMENTS.

A student awarded a scholarship grant under this chapter, as a condition for initial receipt of such award and periodically thereafter as a condition for its continuation, shall demonstrate to the satisfaction of the Secretary that the student is—

''(1) maintaining satisfactory progress in the course of study the student is pursuing consistent with section 484(c);

''(2) committed to remaining drug-free; and

''(3) attending class on a regular basis as to not interfere with normal course of studies except for excused absence for vacation, illness, military service and such other periods deemed good cause by the eligible institution or the Secretary.

''SEC. 411C. AGREEMENTS WITH ELIGIBLE INSTITUTIONS.

For the purposes of this chapter, the Secretary is authorized to enter into agreements with eligible institutions in which any student receiving a scholarship award under this chapter has enrolled or has been accepted for enrollment. Each such agreement shall—

''(1) provide that an eligible institution will cooperate with the Secretary in carrying out the provisions of this chapter, including the provision of information necessary for a student to satisfy the requirements in section 411B;

''(2) provide that the institution will conduct a periodic review to determine whether students enrolled and receiving scholarship awards continue to be entitled to payments under this chapter and will notify the Secretary of the results of such reviews; and

''(3) provide for control and accounting procedures as may be necessary to assure proper disbursements and accounting of funds paid under to the institution under section 411A(e).

''SEC. 411D. DEFINITIONS.

In this chapter:

''(1) DEPENDENT CHILD.—The term 'dependent child' means a child who is either living with or receiving regular support contributions from a public safety officer at the time of the officer's death, including a stepchild or an adopted child.

''(2) ELIGIBLE APPLICANT.—The term 'eligible applicant' means a person residing in a State who is—

''(A) a surviving spouse; or

''(B) a dependent child.

''(3) ELIGIBLE INSTITUTION.—The term 'eligible institution' means an eligible institution as defined in section 435(a) that—

''(A) is located in a State; and

''(B) complies with the antidiscrimination provisions of section 601 of the Civil Rights Act of 1964 and does not discriminate on the basis of race.

''(4) PUBLIC SAFETY OFFICER.—The term 'public safety officer' means a person serving a public agency of a State or of a unit of general local government, with or without compensation, as—

''(A) a law enforcement officer, including a corrections or a court officer engaged in—

''(i) apprehending or attempting to apprehend of any person—

''(I) for the commission of a criminal act; or

''(II) who at the time was sought as a material witness in a criminal proceeding; or

''(ii) protecting or guarding a person held for the commission of a criminal act, or held as a material witness in connection with a criminal act; or

''(iii) lawfully preventing of, or lawfully attempting to prevent the commission of, a criminal act or an apparent criminal act in the performance of his official duty; or

''(B) a firefighter.

''(5) SURVIVING SPOUSE.—The term 'surviving spouse' means the legally married husband or wife of a public safety officer at the time of the officer's death.

''(6) UNIT OF GENERAL LOCAL GOVERNMENT.—The term 'unit of general local government' means any city, county, township, town, borough, parish, village, or any other general purpose subdivision of a State, or any Indian tribe which the Secretary of the Interior determines performs law enforcement functions.''.

H.R. 6

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 34: Page 33, after line 10, insert the following new section (and redesignate the succeeding section and conform the table of contents accordingly):

SEC. 103. NATIONAL RECOGNITION AWARDS.

Section 111, as redesignated by section 101(a)(3)(E), is amended by adding at the end the following new subsection:

''(e) NATIONAL RECOGNITION AWARDS.—

''(1) AWARDS.—For the purpose of providing models of alcohol and drug abuse prevention and education (including treatment-referral) programs in higher education and to focus national attention on exemplary alcohol and drug abuse prevention efforts, the Secretary of Education shall, on an annual basis, make 10 National Recognition Awards to institutions of higher education that have developed and implemented effective alcohol and drug abuse prevention and education programs. Such awards shall be made at a ceremony in Washington, D.C. and a document describing the programs of those who receive the awards shall be distributed nationally.

''(2) APPLICATION.—

''(A) IN GENERAL.—A national recognition award shall be made under paragraph (1) to institutions of higher education which have applied for such award. Such an application shall contain—

''(i) a clear description of the goals and objectives of the alcohol and drug abuse programs of the institution applying,

''(ii) a description of program activities that focus on alcohol and other drug policy issues, policy development, modification, or refinement, policy dissemination and implementation, and policy enforcement;

''(iii) a description of activities that encourage student and employee participation and involvement in both activity development and implementation;

''(iv) the objective criteria used to determine the effectiveness of the methods used in such programs and the means used to evaluate and improve the program efforts;

''(v) a description of special initiatives used to reduce high-risk behavior or increase low risk behavior, or both; and

''(vi) a description of coordination and networking efforts that exist in the community in which the institution is located for purposes of such programs.

''(B) ELIGIBILITY CRITERIA.—All institutions of higher education which are two- and four-year colleges and universities that have established a drug and alcohol prevention

and education program are eligible to apply for a National Recognition Award. To receive such an Award an institution of higher education must be nominated to receive it. An institution of higher education may nominate itself or be nominated by others such as professional associations or student organizations.

''(C) APPLICATION REVIEW.—The Secretary of Education shall appoint a committee to review applications submitted under subparagraph (A). The committee may include representatives of Federal departments or agencies whose programs include alcohol and drug abuse prevention and education efforts, directors or heads (or their representatives) of professional associations that focus on prevention efforts, and non-Federal scientists who have backgrounds in social science evaluation and research methodology and in education. Decisions of the committee shall be made directly to the Secretary without review by any other entity in the Department of Education.

''(D) REVIEW CRITERIA.—Specific review criteria shall be developed by the Secretary in conjunction with the appropriate experts. In reviewing applications under subparagraph (C) the committee shall consider—

''(i) measures of effectiveness of the program of the applicant that should include changes in the campus alcohol and other drug environment or climate and changes in alcohol and other drug use before and after the initiation of the program; and

''(ii) measures of program institutionalization, including an assessment of needs of the institution, the institution's alcohol and drug policies, staff and faculty development activities, drug prevention criteria, student, faculty, and campus community involvement, and a continuation of the program after the cessation of external funding.

''(3) AUTHORIZATION.—For the implementation of the awards program under this subsection, there are authorized to be appropriated $25,000 for fiscal year 1998, $66,000 for each of the fiscal years 1999 and 2000, and $72,000 for each of the fiscal years 2001, 2002, 2003, and 2004.''.

H.R. 6

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 35: Page 33, after line 10, insert the following new section (and redesignate the succeeding section and conform the table of contents accordingly):

SEC. 103. GRANTS AND CONTRACTS FOR DRUG AND ALCOHOL ABUSE PREVENTION.

(a) GRANT AND CONTRACT AUTHORITY.—Section 111, as redesignated by section 101(a)(3)(E), is amended by adding at the end the following new subsection:

''(e)(1) The Secretary may make grants to institutions of higher education or consortia of such institutions and contracts with such institutions and other organizations to develop, implement, operate, improve, and disseminate programs of prevention, and education (including treatment-referral) to reduce and eliminate the illegal use of drugs and alcohol and their associated violence. Such contracts may also be used for the support of a higher education center for alcohol and drug abuse prevention which will provide training, technical assistance, evaluation, dissemination and associated services and assistance to the higher education community as defined by the Secretary and the institutions of higher education.

''(2) Grants and contracts shall be made available under paragraph (1) on a competitive basis. An institution of higher education, a consortium of such institutions, or other organizations which desire to receive a grant or contract under paragraph (1) shall submit an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require by regulation.

''(3) The Secretary shall make every effort to ensure—

''(A) the equitable participation of private and public institutions of higher education (including community and junior colleges), and

''(B) the equitable geographic participation of such institutions,

in grants and contracts under paragraph (1). In the award of such grants and contracts, the Secretary shall give appropriate consideration to institutions of higher education with limited enrollment.

''(4) There are authorized to be appropriated to carry out this subsection $5,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years.''.

(b) REPEAL.—Section 4122 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7132) is repealed.

H.R. 6

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 36: Page 123, after line 13, insert the following chapter (and redesignate the succeeding chapters accordingly):

''CHAPTER 5—PUBLIC INFORMATION

''SEC. 409A. DATABASE AND INFORMATION LINE.

''From the funds available under section 409C, the Secretary shall award a contract to maintain and improve—

''(1) a computerized database of all public and private student financial assistance programs, to be accessible to schools and libraries through either modems or toll-free telephone lines; and

''(2) a toll-free information line, including access by telecommunications devices for the deaf ('TDD's'), to provide individualized financial assistance information to parents, students, and other individuals, including individuals with disabilities, and to refer students with disabilities and their families to the postsecondary clearinghouse that is authorized under section 633(c) of the Individuals with Disabilities Education Act.

''SEC. 409B. COLLEGE AWARENESS INFORMATION PROGRAM.

''(a) PROGRAM AUTHORITY.—The Secretary is authorized to make grants to, and enter into contracts or cooperative agreements with, institutions of higher education and other public and private institution, agencies, and organizations—

''(1) to conduct an information program designed—

''(A) to broaden the early awareness of postsecondary educational opportunities by elementary secondary school students and their parents; and

''(B) to encourage economically disadvantaged, minority, or at-risk individuals to seek higher education, and to seek higher education and financial assistance counseling at public schools and libraries; and

''(2) to disseminate college awareness information and related data, including establishment and maintenance of an electronic site for such information and data.

''(b) CONTENTS OF MESSAGES.—Announcements and messages supported under this section—

''(1) may be specially designed for students of limited English proficiency,

''(2) shall publicize—

''(A) the availability of Federal student assistance under this Act;

''(B) the importance of postsecondary education in long-term career planning; and

''(C) the need and necessity to complete a secondary education program successfully in order to meet the requirements for college.

''(c) INFORMING CONGRESS.—The Secretary shall keep the appropriate committees of the Congress informed with respect to the efforts made pursuant to this section and shall recommend any additional legislative authority that will serve the purposes of this section.

''SEC. 409C. DATABASE AND INFORMATION LINE.

''There are authorized to be appropriated $15,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years to carry out this chapter.''

H.R. 6

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 37: Page 128, line 12, strike the close quotation marks and following period and after such line insert the following new chapter:

''Chapter 6—Paul E. Tsongas Fellowships

''SEC. 411A. SHORT TITLE.

''This chapter may be cited as the 'Paul E. Tsongas Fellowship Act'.

''SEC. 411B. STATEMENT OF PURPOSE.

''It is the purpose of this chapter to encourage individuals of exceptional achievement and promise, especially members of traditionally underrepresented groups, to pursue careers in fields that confront the global energy and environmental challenges of the 21st century.

''SEC. 411C. DOCTORAL FELLOWSHIPS AUTHORIZED.

''(a) PROGRAM AUTHORIZED.—The Secretary of Education, in consultation with the Secretary of Energy, is authorized to award doctoral fellowships, to be known as Paul E. Tsongas Doctoral Fellowships, in accordance with the provisions of this chapter for study and research in fields of science or engineering that relate to energy or the environment such as physics, mathematics, chemistry, biology, computer science, materials science, environmental science, behavioral science, and social sciences at institutions proposed by applicants for such fellowships.

''(b) PERIOD OF AWARD.—A fellowship under this section shall be awarded for a period of three succeeding academic years, beginning with the commencement of a program of doctoral study.

''(c) FELLOWSHIP PORTABILITY.—Each Fellow shall be entitled to use the fellowship in a graduate program at any accredited institution of higher education in which the recipient may decide to enroll.

''(d) NUMBER OF FELLOWSHIPS.—As many fellowships as may be fully funded according to this chapter shall be awarded each year.

''(e) DESIGNATION OF FELLOWS.—Each individual awarded a fellowship under this chapter shall be known as a 'Paul E. Tsongas Fellow' (hereinafter in this chapter referred to as a 'Fellow').

''SEC. 411D. ELIGIBILITY AND SELECTION OF FELLOWS.

''(a) ELIGIBILITY.—Only United States citizens are eligible to receive awards under this chapter.

''(b) FELLOWSHIP BOARD.—

''(1) APPOINTMENT.—The Secretary, in consultation with the Director of the National Science Foundation, shall appoint a Paul E. Tsongas Fellowship Board (hereinafter in this part referred to as the 'Board') consisting of 5 representatives of the academic science and engineering communities who are especially qualified to serve on the Board. The Secretary shall assure that individuals appointed to the Board are broadly knowledgeable about and have experience in graduate education in relevant fields.

''(2) DUTIES.—The Board shall—

''(A) establish general policies for the program established by this part and oversee its operation;

''(B) establish general criteria for awarding fellowships;

''(C) award fellowships; and

''(D) prepare and submit to the Congress at least once in every 3-year period a report on any modifications in the program that the Board determines are appropriate.

''(4) TERM.—The term of office of each member of the Board shall be 3 years, except that any member appointed to fill a vacancy shall serve for the remainder of the term for which the predecessor of the member was appointed. No member may serve for a period in excess of 6 years.

''(5) INITIAL MEETING; VACANCY.—The Secretary shall call the first meeting of the Board, at which the first order of business shall be the election of a Chairperson and a Vice Chairperson, who shall serve until 1 year after the date of their appointment. Thereafter each officer shall be elected for a term of 2 years. In case a vacancy occurs in either office, the Board shall elect an individual from among the members of the Board to fill such vacancy.

''(6) QUORUM; ADDITIONAL MEETINGS.—(A) A majority of the members of the Board shall constitute a quorum.

''(B) The Board shall meet at least once a year or more frequently, as may be necessary, to carry out its responsibilities.

''(7) COMPENSATION.—Members of the Board, while serving on the business of the Board, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding the rate of basic pay payable for level IV of the Executive Schedule, including traveltime, and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

''(c) UNDERREPRESENTED GROUPS.—In designing selection criteria and awarding fellowships, the Board shall—

''(1) consider the need to prepare a larger number of women and individuals from minority groups, especially from among such groups that have been traditionally underrepresented in the professional and academic fields referred to in section 411B, but nothing contained in this or any other provision of this chapter shall be interpreted to require the Secretary to grant any preference or disparate treatment to the members of any underrepresented group; and

''(2) take into account the need to expand access by women and minority groups to careers heretofore lacking adequate representation of women and minority groups.

''SEC. 411E. PAYMENTS, STIPENDS, TUITION, AND EDUCATION AWARDS.

''(a) AMOUNT OF AWARD.—

''(1) STIPENDS.—The Secretary shall pay to each individual awarded a fellowship under this chapter a stipend in the amount of $15,000, $16,500, and $18,000 during the first, second, and third years of study, respectively.

''(2) TUITION.—The Secretary shall pay to the appropriate institution an amount adequate to cover the tuition, fees, and health insurance of each individual awarded a fellowship under this chapter.

''(3) ADMINISTRATIVE AND TRAVEL ALLOWANCE.—The Secretary shall pay to each host institution an annual $5,000 allowance for the purpose of covering—

''(A) administrative expenses;

''(B) travel expenses associated with Fellow participation in academic seminars or conferences approved by the host institution; and

''(C) round-trip travel expenses associated with Fellow participation in the internship required by section 411F of this chapter.

''SEC. 411F. REQUIREMENT.

Each Fellow shall participate in a 3-month internship related to the dissertation topic of the Fellow at a national laboratory or equivalent industrial laboratory as approved by the host institution.

''SEC. 411G. FELLOWSHIP CONDITIONS.

''(a) ACADEMIC PROGRESS REQUIRED.—No student shall receive support pursuant to an award under this chapter—

''(1) except during periods in which such student is maintaining satisfactory progress in, and devoting essentially full time to, study or research in the field in which such fellowship was awarded, or

''(2) if the student is engaging in gainful employment other than part-time employment involved in teaching, research, or similar activities determined by the institution to be in support of the student's progress toward a degree.

''(b) REPORTS FROM RECIPIENTS.—The Secretary is authorized to require reports containing such information in such form and filed at such times as the Secretary determines necessary from any person awarded a fellowship under the provisions of this chapter. The reports shall be accompanied by a certificate from an appropriate official at the institution of higher education, or other research center, stating that such individual is fulfilling the requirements of this section.

''(c) FAILURE TO EARN DEGREE.—A recipient of a fellowship under this chapter found by the Secretary to have failed in or abandoned the course of study for which assistance was provided under this chapter may be required, at the discretion of the Secretary, to repay a pro rata amount of such fellowship assistance received, plus interest and, where applicable, reasonable collection fees, on a schedule and at a rate of interest to be prescribed by the Secretary by regulations issued pursuant to this chapter.

''SEC. 411H. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for this chapter $5,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years.

''SEC. 411I. APPLICATION OF GENERAL EDUCATIONAL PROVISIONS ACT.

Section 421 of the General Educational Provisions Act, pertaining to the availability of funds, shall apply to this chapter.

''SEC. 411J. DEFINITIONS.

For purposes of this chapter—

''(1) The term ''Secretary'' means the Secretary of Education.

''(2) The term ''host institution'' means an institution where a Paul E. Tsongas Fellow is enrolled for the purpose of pursuing doctoral studies for which support is provided under this chapter.''.

H.R. 6

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 38: Page 260, after line 17, insert the following new section (and conform the table of contents accordingly):

SEC. 475. SENSE OF THE HOUSE OF REPRESENTATIVES.

It is the sense of the House of Representatives that, in an effort to change the culture of alcohol consumption on college campuses, all college and university administrators should adopt the following code of principles:

(1) For an institution of higher education, the president of the institution shall appoint a task force consisting of school administrators, faculty, students, Greek system representatives, and others to conduct a full examination of student and academic life at the institution. The task force will make recommendations for a broad range of policy and program changes that would serve to reduce alcohol and other drug-related problems. The institution shall provide resources to assist the task force in promoting the campus policies and proposed environmental changes that have been identified.

(2) The institution shall provide maximum opportunities for students to live in an alcohol-free environment and to engage in stimulating, alcohol-free recreational and leisure activities.

(3) The institution shall enforce a ''zero tolerance'' policy on the illegal consumption and binge drinking of alcohol by its students and will take steps to reduce the opportunities for students, faculty, staff, and alumni to legally consume alcohol on campus.

(4) The institution shall vigorously enforce its code of disciplinary sanctions for those who violate campus alcohol policies. Students with alcohol or other drug-related problems shall be referred to an on-campus counseling program.

(5) The institution shall adopt a policy to discourage alcoholic beverage-related sponsorship of on-campus activities. It shall adopt policies limiting the advertisement and promotion of alcoholic beverages on campus.

(6) Recognizing that school-centered policies on alcohol will be unsuccessful if local businesses sell alcohol to underage or intoxicated students, the institution shall form a ''Town/Gown'' alliance with community leaders. That alliance shall encourage local commercial establishments that promote or sell alcoholic beverages to curtail illegal student access to alcohol and adopt responsible alcohol marketing and service practices.

H.R. 6

OFFERED BY: MR. KLINK

AMENDMENT NO. 39: Page 164, after line 25, insert the following new subsection:

(t) NOTICE TO INSTITUTIONS OF DEFAULTS.—

(1) ADMINISTRATIVE AND FISCAL PROCEDURES.—Section 428(c)(2)(A) is amended by striking ''proof that reasonable attempts were made'' and inserting ''proof that the institution and the State licensing board were contacted and other reasonable attempts were made''

(2) REIMBURSEMENT.—Section 428(c)(2)(G) (20 U.S.C. 1078(c)(2)(G)) is amended by striking ''certifies to the Secretary that diligent attempts have been made'' and inserting ''demonstrates to the Secretary that diligent attempts, including direct contact with the institution and the State licensing board, have been made.''.

(3) NOTICE TO SECRETARY AND PAYMENT OF LOSS.—The third sentence of section 430(a) (20 U.S.C. 1080(a)) is amended by inserting ''the institution and the State licensing board were contacted and other'' after ''submit proof that''.

H.R. 6

OFFERED BY: MR. KLINK

AMENDMENT NO. 40: Page 177, after line 1, insert the following new subparagraph (and redesignate the succeeding subparagraphs accordingly):

(A) by striking ''for the fiscal year for which the determination is made and for the two succeeding fiscal years'' and inserting ''for the period determined under subparagraph (D)'';

Page 177, after line 14, insert the following new paragraph (and redesignate the succeeding paragraphs accordingly):

(3) by adding at the end of paragraph (2) the following new subparagraph:

''(D) An institution that is ineligible to participate pursuant to a determination under subparagraph (A) shall be ineligible for a period beginning with the fiscal year for which the determination is made and ending on the earlier of—

''(i) the expiration of the two succeeding fiscal years; or

''(ii) the date on which the final cohort default rates published with respect to such institution are less than the threshold percentage specified in subparagraph (B) for any two of the three most recent fiscal years for which data are available.'';

H.R. 6

OFFERED BY: MR. KLUG

AMENDMENT NO. 41: Page 161, after line 9, insert the following new subsection (and redesignate the succeeding subsections accordingly):

(j) DELAY IN COMMENCEMENT OF REPAYMENT PERIOD.—Section 428(b)(7) is amended by inserting after subparagraph (C) the following new subparagraph:

''(D) There shall be excluded from the 6 months determined under subparagraph (A)(i) any period during which the student was called or ordered to active duty in a reserve component of the Armed Forces of the United States.''.

H.R. 6

OFFERED BY: MR. LIVINGSTON

AMENDMENT NO. 42: Page 34, after line 5, insert the following new section (and conform the table of contents accordingly):

SEC. 104. PROTECTION OF STUDENT SPEECH AND ASSOCIATION RIGHTS.

Title I is further amended by adding after section 112 (as added by section 103) the following new section:

''SEC. 113. PROTECTION OF STUDENT SPEECH AND ASSOCIATION RIGHTS.

''(a) PROTECTION OF RIGHTS.—No student attending an institution of higher education on a full- or part-time basis shall, on the basis of protected speech and association, be excluded from participation in, be denied the benefits of, or be subjected to discrimination or official sanction under any education program, activity, or division directly or indirectly receiving financial assistance under this Act, whether or not such program, activity, or division is sponsored or officially sanctioned by the institution.

''(b) SANCTION.—

''(1) IN GENERAL.—No funds shall be made available under this Act to any institution of higher education that the Secretary finds, after notice and opportunity for a hearing, has violated subsection (a) of this section.

''(2) INAPPLICABILITY TO STUDENT ASSISTANCE.—Paragraph (1) shall not apply to any funds that are provided under this Act for student financial assistance.

''(c) EXCEPTION.—This section shall not apply to an institution of higher education that is controlled by a religious or military organization, if the speech or association is not consistent with the religious tenets or military training of the institution.

''(d) SANCTIONS FOR DISRUPTION PERMITTED.—Nothing in this section shall be construed to prevent the imposition of an official sanction on a student that has willfully participated in the disruption or attempted disruption of a lecture, class, speech, presentation, or performance made or scheduled to be made under the auspices of the institution of higher education.

''(e) DEFINITIONS.—

''(1) PROTECTED SPEECH.—The term 'protected speech' means speech that is protected under the 1st and 14th amendments to the United States Constitution, or would be so protected if the institution of higher education were subjected to those amendments.

''(2) PROTECTED ASSOCIATION.—The term 'protected association' means the right to join, assemble, and reside with others that is protected under the 1st and 14th amendments to the United States Constitution, or would be protected if the institution of higher education were subject to those amendments.

''(3) OFFICIAL SANCTION.—The term 'official sanction'—

''(A) means expulsion, suspension, probation, censure, condemnation, reprimand, or any other disciplinary, coercive, or adverse action taken by an institution of higher education or administrative unit of the institution; and

''(B) includes an oral or written warning made by an official of an institution of higher education acting in the official capacity of the official.''.

H.R. 6

OFFERED BY: MR. LIVINGSTON

AMENDMENT NO. 43: Page 34, after line 5, insert the following new section (and conform the table of contents accordingly):

SEC. 104. PROTECTION OF STUDENT SPEECH AND ASSOCIATION RIGHTS.

Title I is further amended by adding after section 112 (as added by section 103) the following new section:

''SEC. 113. PROTECTION OF STUDENT SPEECH AND ASSOCIATION RIGHTS.

''(a) PROTECTION OF RIGHTS.—It is the sense of the House of Representatives that no student attending an institution of higher education on a full- or part-time basis should, on the basis of protected speech and association, be excluded from participation in, be denied the benefits of, or be subjected to discrimination or official sanction under any education program, activity, or division directly or indirectly receiving financial assistance under this Act, whether or not such program, activity, or division is sponsored or officially sanctioned by the institution.

''(b) SANCTIONS FOR DISRUPTION PERMITTED.—Nothing in this section shall be construed to discourage the imposition of an official sanction on a student that has willfully participated in the disruption or attempted disruption of a lecture, class, speech, presentation, or performance made or scheduled to be made under the auspices of the institution of higher education.

''(c) DEFINITIONS.—For the purposes of this section:

''(1) PROTECTED SPEECH.—The term 'protected speech' means speech that is protected under the 1st and 14th amendments to the United States Constitution, or would be so protected if the institution of higher education were subjected to those amendments.

''(2) PROTECTED ASSOCIATION.—The term 'protected association' means the right to join, assemble, and reside with others that is protected under the 1st and 14th amendments to the United States Constitution, or would be protected if the institution of higher education were subject to those amendments.

''(3) OFFICIAL SANCTION.—The term 'official sanction'—

''(A) means expulsion, suspension, probation, censure, condemnation, reprimand, or any other disciplinary, coercive, or adverse action taken by an institution of higher education or administrative unit of the institution; and

''(B) includes an oral or written warning made by an official of an institution of higher education acting in the official capacity of the official.''.

H.R. 6

OFFERED BY: MR. MCGOVERN

AMENDMENT NO. 44: Page 96, after line 7, insert the following new subsection (and redesignate the succeeding subsections accordingly):

(f) PELL GRANT INCENTIVES.—Subpart 1 of part A of title IV of the Higher Education Act of 1965 is amended by inserting after section 401 (20 U.S.C. 1070a) the following new section:

''SEC. 401A. PELL GRANT INCENTIVES.

''(a) PROGRAM AUTHORITY.—From the amounts appropriated pursuant to subsection (d), the Secretary shall establish a program to increase the Pell grant awards under section 401 during their first two academic years of undergraduate education to students who graduate after May 1, 1998, in the top 10 percent of their high school graduating class.

''(b) AMOUNT OF INCREASE.—The additional amount of Pell grant that shall be awarded under this section to any student who qualifies under this section shall be an amount equal to the amount for which the student is eligible under section 401 (determined without regard to the provisions of this section), except that if the amount appropriated pursuant to subsection (d) is less than the amount required to award such additional amounts to all such students, the additional amount awarded to each such student under this section shall be ratably reduced.

''(c) DETERMINATIONS OF ELIGIBILITY.—

''(1) PROCEDURES ESTABLISHED BY REGULATION.—The Secretary shall establish by regulation procedures for the determination of eligibility of students for increased Pell grant awards under this section. Such procedures shall include measures to prevent any secondary school from certifying more than 10 percent of it's students for eligibility under this section.

''(2) COORDINATION WITH NEED ANALYSIS.—In prescribing procedures under paragraph (1), the Secretary shall ensure that the determination of eligibility and the amount of the increase in the Pell grant award is determined in a timely manner consistent with the requirements of section 482 and the submission of the financial aid form required by section 483. For such purposes, the Secretary may provide that, for the first of a student's two academic years of eligibility under this section, class rank may be determined prior to graduation, at such time and in such manner as the Secretary may specify in the regulations prescribed under this subsection.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to award increased Pell grants under this section $240,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years.''.

H.R. 6

OFFERED BY: MRS. MEEK OF FLORIDA

AMENDMENT NO. 45: Page 128, line 12, strike the close quotation marks and following period and after such line insert the following:

''CHAPTER 6—DEMONSTRATION PROJECTS ENSURING EQUAL OPPORTUNITY FOR INDIVIDUALS WITH LEARNING DISABILITIES

''SEC. 412A. PROGRAM AUTHORITY.

''(a) IN GENERAL.—The Secretary may award grants to, and enter into contracts and cooperative agreements with, not more than 5 institutions of higher education that are described in section 412B for demonstration projects to develop, test, and disseminate, in accordance with section 412C, methods, techniques, and procedures for ensuring equal educational opportunity for individuals with learning disabilities in postsecondary education.

''(b) AWARD BASIS.—Grants, contracts, and cooperative agreements shall be awarded on a competitive basis.

''(c) AWARD PERIOD.—Grants, contracts, and cooperative agreements shall be awarded for a period of 3 years.

''SEC. 412B. ELIGIBLE ENTITIES.

''Entities eligible to apply for a grant, contract, or cooperative agreement under this

chapter are institutions of higher education with demonstrated prior experience in meeting the postsecondary educational needs of individuals with learning disabilities.

"SEC. 412C. REQUIRED ACTIVITIES.

''A recipient of a grant, contract, or cooperative agreement under this chapter shall use the funds received under this chapter to carry out each of the following activities:

''(1) Developing or identifying innovative, effective, and efficient approaches, strategies, supports, modifications, adaptations, and accommodations that enable individuals with learning disabilities to fully participate in postsecondary education.

''(2) Synthesizing research and other information related to the provision of services to individuals with learning disabilities in postsecondary education.

''(3) Conducting training sessions for personnel from other institutions of higher education to enable them to meet the special needs of postsecondary students with learning disabilities.

''(4) Preparing and disseminating products based upon the activities described in paragraphs (1) through (3).

''(5) Coordinating findings and products from the activities described in paragraphs (1) through (4) with other similar products and findings through participation in conferences, groups, and professional networks involved in the dissemination of technical assistance and information on postsecondary education.

"SEC. 412D. PRIORITY.

''The Secretary shall ensure that, to the extent feasible, there is a national geographic distribution of grants, contracts, and cooperative agreements awarded under this chapter throughout the States, except that the Secretary may give priority, with respect to one of the grants to be awarded, to a historically Black college or university that satisfies the requirements of section 412B.

"SEC. 412E. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this chapter $10,000,000 for each of the fiscal years 1999 through 2001.''.

H.R. 6

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT NO. 46: Page 68, line 12, redesignate section 206 as section 207, and before such line insert the following new section (and conform the table of contents accordingly):

SEC. 206. ACCOUNTABILITY FOR INSTITUTIONS OF HIGHER EDUCATION THAT PREPARE TEACHERS.

Title II is further amended by adding at the end the following new part:

"PART F—ACCOUNTABILITY FOR INSTITUTIONS OF HIGHER EDUCATION THAT PREPARE TEACHERS

"SEC. 281. DATA COLLECTION.

''(a) DATA REQUIRED.—Within one year after the date of enactment of the Higher Education Amendments of 1998, and annually thereafter, the Secretary shall collect from each State and publish the following information:

''(1) A description of the teacher licensing and credentialing assessments used by each State, including any and all assessments required in the subject matter area or areas in which a teacher provides instruction.

''(2) The standards and criteria established by each State that teachers or prospective teachers must meet in order to receive a passing score on such assessments, including information on the extent to which passing such examinations is required in order for an individual to be a classroom teacher.

''(3) Information on the extent to which teachers or prospective teachers in each State are required to take examinations or other assessments of their subject matter knowledge in the area or areas in which they provide instruction, the standards established for passing any such assessments, and the extent to which teachers or prospective teachers are required to receive a passing score on such assessments in order to teach in specific subject areas or grade levels.

''(4) Information on the extent to which each State waives teacher credentialing and licensing requirements, including the proportion of all teachers or prospective teachers in the State for whom such licensing and credentialing requirements have been waived and the distribution of such individuals across high- and low-poverty schools and across grade levels and subject areas.

''(5) The pass rate, for the preceding year, on all teacher licensing and credentialing assessments for all individuals in the State who took such assessments, disaggregated by the institution of higher education from which the teacher received his or her most recent degree, gender, race, and ethnicity.

''(b) COORDINATION.—The Secretary, to the extent practicable, shall coordinate the information collected and published under this part among States for individuals who took State teacher licensing or credentialing assessments in a State other than the State in which the individual received his or her most recent degree.

''(c) USE OF LOCAL AGENCIES.—For each State in which there are no State licensing or credentialing assessments, the Secretary shall, to the extent practicable, collect data comparable to the data described in paragraphs (1) through (5) of subsection (a) from local educational agencies, colleges and universities, or other entities that administer such assessments to teachers or prospective teachers.

"SEC. 282. DATA DISSEMINATION.

''(a) EFFECTIVE DATE OF REQUIREMENTS.—The data required to be distributed under this section shall be distributed beginning within 3 years after the date of enactment of the Higher Education Amendments of 1998 and annually thereafter.

''(b) PASSING RATES.—Each institution of higher education that has a course of study that prepares elementary and secondary school teachers and receives Federal funds will report and distribute widely, including through prominent publications such as catalogs and promotional materials sent to potential applicants, high school guidance counselors, and the employers of graduates of such institutions, their pass rate for graduates of the institution on each of the State's initial teacher certification and licensing assessments for the most recent year for which data are available at the time of publication of such materials.

''(c) IDENTIFICATION OF INSTITUTIONS WITH PASSING RATES BELOW 70 PERCENT.—Each State shall submit to the Secretary a list of institutions of higher education that prepare teachers and receive Federal funds under this Act for which, for the preceding year, less than 70 percent of graduates who took any of the State's initial teacher licensing and credentialing assessments failed to receive a passing score on any such assessment. For each assessment, data shall be disaggregated by the institution of higher education from which the test taker received his or her most recent degree, unless such degree was granted more than 3 years prior to the date such assessment was administered. Data shall also be disaggregated by subject, grade level, gender, race, and ethnicity where appropriate. The State shall distribute this list widely, including to high school guidance counselors.

''(d) REPORT ON IMPROVEMENT EFFORTS.—Each institution for which the pass rate, for the preceding year, of graduates on any teacher licensing and credentialing assessment falls below 70 percent shall report to the State on efforts underway to improve the performance of its graduates on such assessments. Each State shall gather and publicize all such reports and submit them to the Secretary. Such report shall include—

''(1) efforts underway by the institution to provide additional resources to the institution's teacher preparation program;

''(2) efforts underway by the institution or the teacher preparation program to implement more challenging admissions standards or more rigorous academic and curricular standards for teacher training programs;

''(3) efforts to improve the subject area knowledge of teachers, particularly in those subject areas in which less than 70 percent of graduates achieve passing scores on State assessments; and

''(4) participation in collaborative efforts with the State or Federal Government (including grants through this title) or with nongovernmental organizations to upgrade the quality of the institution's teacher preparation program.

''(e) FINES.—In addition to the actions authorized in section 487(c), the Secretary shall impose a fine of not less than $25,000 on an institution of higher education for failure to provide the information described in section 281 and this section in a timely and accurate manner, or for failing to cooperate with the State and the Secretary to obtain the information required by this section. The Secretary shall use any and all such funds collected through such fines for the purpose of supplementing grants made under this title.

"SEC. 283. TERMINATION OF ELIGIBILITY.

''(a) EFFECTIVE DATE.—The provisions of this section shall be effective on and after 5 years after the date of enactment of the Higher Education Amendments of 1998.

''(b) LOSS OF TITLE IV ELIGIBILITY.—

''(1) IN GENERAL.—A student who is enrolled in an institution of higher education as a major in a school or department of education, or who is otherwise enrolled in a program of professional training pursuant to becoming an elementary or secondary school teacher, shall be ineligible for aid under title IV of this Act to cover the cost of instruction associated with enrollment in such school, department, or program unless at least 70 percent of the graduates of such school, department, or program who took State teacher licensing and certification assessments, received a passing score on all such assessments for the preceding 2 consecutive years.

''(2) CLARIFICATION.—Notwithstanding paragraph (1)—

''(A) a student who is enrolled in an institution of higher education as a major in a school or department of education, or who is otherwise enrolled in a program of professional training pursuant to becoming an elementary or secondary school teacher, shall be eligible for aid under title IV of this Act for classes offered outside such school, department, or program; and

''(B) the Secretary may not impose as a remedy for failure to comply with the requirements of this section any sanction affecting the eligibility of any student for assistance under Title IV of this Act unless such student is a major in a school or department of education or is otherwise enrolled in a program of professional training pursuant to becoming an elementary or secondary school teacher.

''(c) SCORING CHANGES.—

''(1) LOWERING SCORES.—Any State which lowers its qualifying score, with the effect of decreasing the difficulty of achieving a passing score on any such assessment, shall report the change to the Secretary. For the

purposes of this section, the pass rate for such State shall be computed based on the qualifying scores in place on the date of enactment of the Higher Education Amendments of 1998.

''(2) RAISING SCORES.—For the purposes of this section, any State which raises its cut score in order to increase the difficulty of passing any such assessment shall have the option of calculating pass rates on such assessments based on the original, lower qualifying score for a period of not more than 5 years.

''SEC. 284. NATIONAL TEACHER CERTIFICATION PROHIBITED.

''Nothing in this part shall be construed to permit, allow, encourage, or authorize any national system of teacher certification.''.

H.R. 6

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT NO. 47: Page 68, line 12, redesignate section 206 as section 207, and before such line insert the following new section (and conform the table of contents accordingly):

SEC. 206. ACCOUNTABILITY FOR INSTITUTIONS OF HIGHER EDUCATION THAT PREPARE TEACHERS.

Title II is further amended by adding at the end the following new part:

''PART F—ACCOUNTABILITY FOR INSTITUTIONS OF HIGHER EDUCATION THAT PREPARE TEACHERS

''SEC. 281. DATA COLLECTION.

''(a) DATA REQUIRED.—Within one year after the date of enactment of the Higher Education Amendments of 1998, and annually thereafter, the Secretary shall collect from each State and publish the following information:

''(1) A description of the teacher licensing and credentialing assessments used by each State, including any and all assessments required in the subject matter area or areas in which a teacher provides instruction.

''(2) The standards and criteria established by each State that teachers or prospective teachers must meet in order to receive a passing score on such assessments, including information on the extent to which passing such examinations is required in order for an individual to be a classroom teacher.

''(3) Information on the extent to which teachers or prospective teachers in each State are required to take examinations or other assessments of their subject matter knowledge in the area or areas in which they provide instruction, the standards established for passing any such assessments, and the extent to which teachers or prospective teachers are required to receive a passing score on such assessments in order to teach in specific subject areas or grade levels.

''(4) Information on the extent to which each State waives teacher credentialing and licensing requirements, including the proportion of all teachers or prospective teachers in the State for whom such licensing and credentialing requirements have been waived and the distribution of such individuals across high- and low-poverty schools and across grade levels and subject areas.

''(5) The pass rate, for the preceding year, on all teacher licensing and credentialing assessments for all individuals in the State who took such assessments, disaggregated by the institution of higher education from which the teacher received his or her most recent degree, gender, race, and ethnicity.

''(b) COORDINATION.—The Secretary, to the extent practicable, shall coordinate the information collected and published under this part among States for individuals who took State teacher licensing or credentialing assessments in a State other than the State in which the individual received his or her most recent degree.

''(c) USE OF LOCAL AGENCIES.—For each State in which there are no State licensing or credentialing assessments, the Secretary shall, to the extent practicable, collect data comparable to the data described in paragraphs (1) through (5) of subsection (a) from local educational agencies, colleges and universities, or other entities that administer such assessments to teachers or prospective teachers.

''SEC. 282. DATA DISSEMINATION.

''(a) EFFECTIVE DATE OF REQUIREMENTS.—The data required to be distributed under this section shall be distributed beginning within 3 years after the date of enactment of the Higher Education Amendments of 1998 and annually thereafter.

''(b) PASSING RATES.—Each institution of higher education that has a course of study that prepares elementary and secondary school teachers and receives Federal funds will report and distribute widely, including through prominent publications such as catalogs and promotional materials sent to potential applicants, high school guidance counselors, and the employers of graduates of such institutions, their pass rate for graduates of the institution on each of the State's initial teacher certification and licensing assessments for the most recent year for which data are available at the time of publication of such materials.

''(c) IDENTIFICATION OF INSTITUTIONS WITH PASSING RATES BELOW 70 PERCENT.—Each State shall submit to the Secretary a list of institutions of higher education that prepare teachers and receive Federal funds under this Act for which, for the preceding year, less than 70 percent of graduates who took any of the State's initial teacher licensing and credentialing assessments failed to receive a passing score on any such assessment. For each assessment, data shall be disaggregated by the institution of higher education from which the test taker received his or her most recent degree, unless such degree was granted more than 3 years prior to the date such assessment was administered. Data shall also be disaggregated by subject, grade level, gender, race, and ethnicity where appropriate. The State shall distribute this list widely, including to high school guidance counselors.

''(d) REPORT ON IMPROVEMENT EFFORTS.—Each institution for which the pass rate, for the preceding year, of graduates on any teacher licensing and credentialing assessment falls below 70 percent shall report to the State on efforts underway to improve the performance of its graduates on such assessments. Each State shall gather and publicize all such reports and submit them to the Secretary. Such report shall include—

''(1) efforts underway by the institution to provide additional resources to the institution's teacher preparation program;

''(2) efforts underway by the institution or the teacher preparation program to implement more challenging admissions standards or more rigorous academic and curricular standards for teacher training programs;

''(3) efforts to improve the subject area knowledge of teachers, particularly in those subject areas in which less than 70 percent of graduates achieve passing scores on State assessments; and

''(4) participation in collaborative efforts with the State or Federal Government (including grants through this title) or with nongovernmental organizations to upgrade the quality of the institution's teacher preparation program.

''(e) FINES.—In addition to the actions authorized in section 487(c), the Secretary shall impose a fine of not less than $25,000 on an institution of higher education for failure to provide the information described in section 281 and this section in a timely and accurate manner, or for failing to cooperate with the State and the Secretary to obtain the information required by this section. The Secretary shall use any and all such funds collected through such fines for the purpose of supplementing grants made under this title.''.

H.R. 6

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT NO. 48: Page 68, line 12, redesignate section 206 as section 207, and before such line insert the following new section (and conform the table of contents accordingly):

SEC. 206. ACCOUNTABILITY FOR INSTITUTIONS OF HIGHER EDUCATION THAT PREPARE TEACHERS.

Title II is further amended by adding at the end the following new part:

''PART F—ACCOUNTABILITY FOR INSTITUTIONS OF HIGHER EDUCATION THAT PREPARE TEACHERS

''SEC. 281. TERMINATION OF ELIGIBILITY.

''(a) EFFECTIVE DATE.—The provisions of this section shall be effective on and after 5 years after the date of enactment of the Higher Education Amendments of 1998.

''(b) LOSS OF TITLE IV ELIGIBILITY.—

''(1) IN GENERAL.—A student who is enrolled in an institution of higher education as a major in a school or department of education, or who is otherwise enrolled in a program of professional training pursuant to becoming an elementary or secondary school teacher, shall be ineligible for aid under title IV of this Act to cover the cost of instruction associated with enrollment in such school, department, or program unless at least 70 percent of the graduates of such school, department, or program who took State teacher licensing and certification assessments, received a passing score on all such assessments for the preceding 2 consecutive years.

''(2) CLARIFICATION.—Notwithstanding paragraph (1)—

''(A) a student who is enrolled in an institution of higher education as a major in a school or department of education, or who is otherwise enrolled in a program of professional training pursuant to becoming an elementary or secondary school teacher, shall be eligible for aid under title IV of this Act for classes offered outside such school, department, or program; and

''(B) the Secretary may not impose as a remedy for failure to comply with the requirements of this section any sanction affecting the eligibility of any student for assistance under Title IV of this Act unless such student is a major in a school or department of education or is otherwise enrolled in a program of professional training pursuant to becoming an elementary or secondary school teacher.

''(c) SCORING CHANGES.—

''(1) LOWERING SCORES.—Any State which lowers its qualifying score, with the effect of decreasing the difficulty of achieving a passing score on any such assessment, shall report the change to the Secretary. For the purposes of this section, the pass rate for such State shall be computed based on the qualifying scores in place on the date of enactment of the Higher Education Amendments of 1998.

''(2) RAISING SCORES.—For the purposes of this section, any State which raises its cut score in order to increase the difficulty of passing any such assessment shall have the option of calculating pass rates on such assessments based on the original, lower qualifying score for a period of not more than 5 years.''.

H.R. 6

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT NO. 49: Page 68, line 12, redesignate section 206 as section 207, and before such line insert the following new section (and conform the table of contents accordingly):

SEC. 206. ACCOUNTABILITY FOR INSTITUTIONS OF HIGHER EDUCATION THAT PREPARE TEACHERS.

Title II is further amended by adding at the end the following new part:

"PART F—ACCOUNTABILITY FOR INSTITUTIONS OF HIGHER EDUCATION THAT PREPARE TEACHERS

"SEC. 281. DATA COLLECTION.

''(a) DATA REQUIRED.—Within one year after the date of enactment of the Higher Education Amendments of 1998, and annually thereafter, the Secretary shall collect from each State receiving funds under this Act and publish the following information:

''(1) A description of the teacher licensing and credentialing assessments used by each State, including any and all assessments required in the subject matter area or areas in which a teacher provides instruction.

''(2) The standards and criteria established by each State that teachers or prospective teachers must meet in order to receive a passing score on such assessments, including information on the extent to which passing such examinations is required in order for an individual to be a classroom teacher.

''(3) Information on the extent to which teachers or prospective teachers in each State are required to take examinations or other assessments of their subject matter knowledge in the area or areas in which they provide instruction, the standards established for passing any such assessments, and the extent to which teachers or prospective teachers are required to receive a passing score on such assessments in order to teach in specific subject areas or grade levels.

''(4) Information on the extent to which each State waives teacher credentialing and licensing requirements, including the proportion of all teachers or prospective teachers in the State for whom such licensing and credentialing requirements have been waived and the distribution of such individuals across high- and low-poverty schools and across grade levels and subject areas.

''(5) The pass rate, for the preceding year, on all teacher licensing and credentialing assessments for all individuals in the State who took such assessments, disaggregated by the institution of higher education from which the teacher received his or her most recent degree.

''(b) COORDINATION.—The Secretary, to the extent practicable, shall coordinate the information collected and published under this part among States for individuals who took State teacher licensing or credentialing assessments in a State other than the State in which the individual received his or her most recent degree.

''(c) USE OF LOCAL AGENCIES.—For each State in which there are no State licensing or credentialing assessments, the Secretary shall, to the extent practicable, collect data comparable to the data described in paragraphs (1) through (5) of subsection (a) from local educational agencies, colleges and universities, or other entities that administer such assessments to teachers or prospective teachers.

"SEC. 282. DATA DISSEMINATION.

''(a) EFFECTIVE DATE OF REQUIREMENTS.—The data required to be distributed under this section shall be distributed beginning within 3 years after the date of enactment of the Higher Education Amendments of 1998 and annually thereafter.

''(b) PASSING RATES.—Each institution of higher education that has a course of study that prepares elementary and secondary school teachers and receives Federal funds will report and distribute widely, including through prominent publications such as catalogs and promotional materials sent to potential applicants, high school guidance counselors, and the employers of graduates of such institutions, their pass rate for graduates of the institution on each of the State's initial teacher certification and licensing assessments for the most recent year for which data are available at the time of publication of such materials.

''(c) IDENTIFICATION OF INSTITUTIONS WITH PASSING RATES BELOW 70 PERCENT.—Each State shall submit to the Secretary a list of institutions of higher education that prepare teachers and receive Federal funds under this Act for which, for the preceding year, less than 70 percent of graduates who took any of the State's initial teacher licensing and credentialing assessments failed to receive a passing score on any such assessment. For each assessment, data shall be disaggregated by the institution of higher education from which the student received his or her most recent degree, unless such degree was granted more than 3 years prior to the date such assessment was administered.

"SEC. 283. STATE FUNCTIONS.

''(a) STATE ASSESSMENT.—In order to receive funds under this Act, a State shall, no later than one year after the date of enactment of the Higher Education Amendments of 1998, have in place a procedure to identify low performing programs of teacher preparation within institutions of higher education. Such levels of performance shall be determined solely by the State and may include criteria based upon information collected pursuant to this part. Such assessment shall be described in the report under section 281.

''(b) TERMINATION OF ELIGIBILITY.—Any institution of higher education that offers a program of teacher preparation in which the State has withdrawn its approval or terminated its financial support due to the low performance of its teacher preparation program based upon the State assessment described in section (a)—

''(1) shall be ineligible for any funding for professional development activities awarded by the Department of Education; and

''(2) shall not be permitted to accept or enroll any student that receives aid under title IV of this Act in its teacher preparation program.

"SEC. 284. NEGOTIATED RULEMAKING.

''If the Secretary develops any regulations implementing section 283(b)(2), the Secretary shall submit such proposed regulations to a negotiated rulemaking process which shall include representatives of States and institutions of higher education for their review and comment.

H.R. 6

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT NO. 50: Page 334, after line 19, insert the following new section (and redesignate the succeeding sections and conform the table of contents accordingly):

SEC. 806. LABOR CODES OF CONDUCT.

(a) FINDINGS.—The Congress finds the following:

(1) American workers have the right to a fair and safe workplace and to reasonable compensation under the law, such as under the Fair Labor Standards Act, the National Labor Relations Act, and the Occupational Safety and Health Act.

(2) Despite United States workplace laws, sweatshops and other forms of labor exploitation persist domestically. The Clinton Administration's Department of Labor has recovered $23,100,000 in illegally held back wages for over 45,000 garment workers, including $2,900,000 in back wages in 1997 alone. In 1997, 63 percent of the New York City garment shops investigated by the Department of Labor were found in violation of the minimum wage and overtime provisions of the Fair Labor Standards Act. And, a recent study commissioned by the Associated Press found that 13,000 children work in sweatshops in the United States.

(3) The use of sweatshop and child labor abroad for goods imported to the United States remains a problem, particularly in the apparel and sporting goods sectors, including the use of subminimum wages, bonded and indentured labor, and unhealthy working conditions. The International Labor Organization estimated there are 250,000,000 underage children working worldwide, in all sectors of the economy, such as agriculture, services and manufacturing for domestically consumed and exported items.

(4) Federal law, including the Trade Act of 1930, bans the importation of products made with indentured servitude, forced or slave labor into the United States.

(5) Codes of Conduct are voluntary steps taken by the private sector.

(6) Rigorous codes of conduct are an important component of a larger set of tools to reduce sweatshop and child labor.

(7) The Apparel Industry Partnership, comprised of major retail companies, human rights groups and labor unions, is seeking agreement on a code of conduct to reduce the use of sweatshops and child labor.

(8) American consumers have repeatedly expressed an interest in buying goods not made with exploited labor.

(9) American consumers frequently have no ability to know whether a product has been made with exploited labor.

(10) Informed consumer choices can be a powerful tool in the reduction of sweatshops and exploited labor.

(11) The market for college and university licensed merchandise such as caps, t-shirts, sweat pants, and other items is valued at over $2,000,000,000 a year, with 80 percent of the market coming from apparel products.

(12) Several universities, including most recently Duke University and Brown University, have adopted codes of conduct specifically requiring companies that manufacture products bearing those universities' names to adhere to minimum labor standards both domestically and abroad.

(13) Few universities and colleages, and none of those with the largest volume of merchandise sales, have labor codes of conduct regarding sweatshop and child labor covering companies that market their merchandise.

(15) The Association of Collegiate Licensing Administrators is expected to discuss labor codes of conduct at its annual meeting beginning on May 13.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that all American colleges and universities should adopt rigorous labor codes of conduct to assure that university and college licensed merchandise is not made by sweatshop and exploited adult or child labor either domestically or abroad and that such codes should include but not be limited to: public reporting of the code and the companies adhering to it; independent monitoring of the companies adhering to the code by entities not limited to major international accounting firms; an explicit prohibition on the use of child labor; an explicit requirement that companies pay workers at least the governing minimum wage and applicable overtime; explicit requirement that companies allow workers the right to organize without retribution; and, an explicit requirement that companies maintain a safe and healthy workplace.

H.R. 6

OFFERED BY: MR. OWENS

AMENDMENT NO. 51: Page 68, after line 11, insert the following new section (and redesignate the succeeding section accordingly):

SEC. 206. POSTSECONDARY INFORMATION TECHNOLOGY EDUCATION RECRUITMENT

(a) FINDINGS.—The Congress finds the following:

(1) There are more than 200,000 to 400,000 vacancies in various categories of information technology jobs.

(2) From 1996 to 2005, more than 1,300,000 new computer scientists, engineers, and systems analysts will be required in the United States to fill vacant jobs, which equals 136,800 new workers per year.

(3) Systems analysts will experience the largest job growth, accounting for a 103 percent increase in the number of new positions from 1996 (506,000) to 2005 (1,025,000).

(4) The shortage of information technology workers transcends industries, affecting the manufacturing, service, transportation, health care, education, and government sectors. Within each sector, vacancies exist at all levels from aides and mechanics to programmers and designers.

(5) The information technology worker shortage is having an adverse effect on the viability of businesses in the United States and on the Nation's competitiveness. Industry surveys report that half of industry executives cite the lack of workers skilled in technology as the number one obstacle to their company's growth. An additional 20 percent of industry executives identify the lack of information technology workers as a major obstacle to their company's growth.

(6) A major factor affecting the short supply of information technology workers is the mismatch between what universities teach and what industry needs.

(7) It is in the national interest to promote special initiatives which effectively educate and train our domestic workforce to keep pace with these expanding job opportunities.

(8) Institutions of higher education have the capacity and resources to provide a role of oversight and technical assistance to a wide range of local entities, including community-based organizations, participating in a comprehensive education and training program for potential technology workers.

(9) Higher education institutions must be responsive to the digital environment and expand both their outreach efforts and on-campus activities to train and certify individuals to close the information technology worker gap.

(b) AMENDMENT.—Title II is amended by adding at the end the following:

"PART G—INFORMATION TECHNOLOGY EDUCATION RECRUITMENT

"SEC. 281. PARTNERSHIPS FOR POSTSECONDARY INFORMATION TECHNOLOGY EDUCATION RECRUITMENT

"(a) GRANTS AUTHORIZED.—

"(1) IN GENERAL.—The Secretary may make grants under this section, in accordance with competitive criteria established by the Secretary, to institutions of higher education, in order to establish, oversee the operation of, and provide technical assistance to, projects described in paragraph (2).

"(2) PROJECTS.—Projects under this section shall be projects implemented by a community-based organization described in subsection (b), or by the institution of higher education receiving the grant, to provide postsecondary information technology education and employment procurement assistance to eligible individuals described in subsection (c).

"(3) RESTRICTIONS.—An institution of higher education shall be eligible to receive only one grant under this section, but may, subject to the requirements of this section, use the grant to enter into contracts with more than one community-based organization. A community-based organization shall not be eligible to enter into a contract under this section with more than one institution of higher education.

"(4) PERIOD OF GRANT.—The provision of payments under a grant under this section shall not exceed 5 fiscal years and shall be subject to the annual approval of the Secretary and subject to the availability of appropriations for each fiscal year involved.

"(b) COMMUNITY-BASED ORGANIZATIONS.—

"(1) IN GENERAL.—Subject to paragraph (2), a community-based organization described in this subsection is an entity that, at the time the entity enters into a contract with an institution of higher education for a project under this section, and throughout the duration of that contract—

"(A) is—

"(i) a governmental agency; or

"(ii) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; and

"(B) is one of the following:

"(i) A local partnership (as defined in section 4 of the School-to-Work Opportunities Act of 1994) receiving a grant under section 302 of such Act.

"(ii) An entity organized and operated for religious purposes.

"(iii) An entity furnishing school-age child care services after school.

"(iv) A community-based college computer recruitment center.

"(v) An entity furnishing adult education.

"(vi) A library.

"(vii) A museum.

"(viii) Any other entity organized and operated for cultural, literary, or educational purposes.

"(2) LIMITATION.—An entity shall not be considered a community-based organization described in this subsection unless, at the time the entity enters into a contract with an institution of higher education for a project under this section, it has demonstrated to the satisfaction of the Secretary that—

"(A) it has the capacity successfully to recruit eligible individuals described in subsection (c) for participation in a project described in subsection (a), consistent with the enrollment requirements in subsection (d)(2)(E);

"(B) it is providing an educational service, social service, or employment procurement service; and

"(C) in the case of an entity that independently manages its own finances, it has been in existence 2 years or more.

"(c) ELIGIBLE INDIVIDUALS.—An eligible individual described in this subsection is an individual who—

"(1) has submitted a satisfactory application to receive postsecondary information technology education recruitment assistance through a project under this section; and

"(2) has a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate.

"(d) DUTIES.—

"(1) INSTITUTIONS OF HIGHER EDUCATION.—An institution of higher education receiving a grant under this section shall use the funds provided under the grant to carry out the following duties:

"(A) Final selection of community-based organizations described in subsection (b) desiring to provide, at one or more sites, in accordance with a contract with the institution of higher education and this section, postsecondary information technology education and employment procurement assistance to eligible individuals described in subsection (c).

"(B) Entering into a contract with each community-based organization selected under subparagraph (A) under which the institution and the organization agree to carry out the duties respectively required of them under this section with respect to each site described in subparagraph (A).

"(C) With respect to each site described in subparagraph (A)—

"(i) design of a process for the recruitment of students from site to enroll in college courses or matriculate in college programs;

"(ii) provision of such funding for the establishment and initial operation of the site as was specified in the grant application submitted by the institution to the Secretary;

"(iii) approval of final site selection and preparation;

"(iv) initial orientation and training of personnel employed to manage and operate the site;

"(v) design and certification of the instructional and academic programs, and oversight of the implementation of the programs;

"(vi) oversight of equipment purchases and contracts for equipment maintenance; and

"(vii) selection of an outside contractor for periodic evaluation of the management and operation of the site.

"(2) COMMUNITY-BASED ORGANIZATIONS.—

"(A) IN GENERAL.—A community-based organization implementing a project under this section with an institution of higher education, at one or more sites, shall carry out the duties described in this paragraph, with respect to each such site, subject to the oversight and guidance of the institution.

"(B) GENERAL DUTIES.—The organization—

"(i) shall undertake final site selection and preparation;

"(ii) shall recruit and hire a site director;

"(iii) shall carry out any supplementary instructional, academic, or educational activities specified in the contract with the institution of higher education that are not described in subparagraph (D);

"(iv) shall assemble an advisory committee composed of individuals residing in the community in which the site is located, as well as industry representatives, who desire to assist the organization in ensuring that the goals of the organization are consistent with the goals and needs of the community population;

"(v) shall provide to the institution other evidence of volunteer support from among individuals residing in the community in which the site is located and industry representatives;

"(vi) shall recruit eligible individuals for enrollment, subject to subparagraph (E);

"(vii) shall maintain waiting lists of eligible individuals desiring to enroll in the project's programs;

"(C) SITE REQUIREMENTS.—The organization shall ensure that each site—

"(i) has a minimum of 20 fully functioning computers with sufficient capacity to perform all of the computer operations that are the subject of the curriculum specified in subparagraph (D);

"(ii) in addition to the space for the computers described in clause (i), has—

"(I) a classroom space with the capacity for seating a minimum of 30 students;

"(II) a separate office for the site director;

"(iii) is real property subject to the control of the organization or the institution, through a lease or other legal instrument, for a period of not less than 5 years;

"(iv) is open to enrolled individuals not less than 12 hours per day; and

"(v) is located within walking distance of public transportation.

"(D) INFORMATION TECHNOLOGY CURRICULUM.—

''(i) IN GENERAL.—The organization shall ensure that each site offers enrollees a curriculum that includes a broad range of course work in information technology.

''(ii) COURSES LEADING TO CERTIFICATION.—Such curriculum shall include course work leading to a certification of competence in areas of information technology recognized by the National Skill Standards Board established under the National Skill Standards Act of 1994.

''(iii) SPECIFIC COURSES.—The computer training offered shall include courses in basic computer competence, on-the-job upgrade assistance, and advanced computer competence.

''(E) ENROLLMENT REQUIREMENTS.—The organization shall ensure that its enrollment of eligible individuals at each site is consistent with the following:

''(i) Not less than 50 percent of the eligible individuals shall be, at the time of enrollment, individuals—

''(I) to whom a credit was allowed under section 32 of the Internal Revenue Code of 1986 for the preceding taxable year;

''(II) who are recipients of assistance under a State program funded under part A of title IV of the Social Security Act;

''(III) who are a member of a household participating in the food stamp program; or

''(IV) who are considered low-income pursuant to regulations promulgated by the Secretary under this section.

''(ii) Not less than 50 percent of the eligible individuals shall be, at the time of enrollment, under 25 years of age.

''(iii) No prerequisite relating to net worth, income, or assets may be applied to any eligible individual who, at the time of enrollment, is over 50 years of age, except that this requirement shall not be construed to supersede clause (i).

''(e) IMPLEMENTATION OF PROJECTS SOLELY BY INSTITUTIONS.—The Secretary may make a grant under this section to an institution of higher education that desires to implement a project under this section without the participation of a community-based organization described in subsection (b), if the institution agrees to carry out all of the duties required of such an organization under this section, in addition to the duties otherwise required of an institution of higher education. The Secretary shall, in awarding grants under this section, give priority to institutions of higher education whose grant application includes an assurance that the institution will contract with one or more community-based organizations in accordance with this section.

''(f) APPLICATIONS.—To apply for a grant under this section for any fiscal year, an institution of higher education shall submit an application to the Secretary in accordance with the procedures established by the Secretary. The application shall specify the institution's preliminary selections for the community-based organizations (if any) with which the institution proposes to contract, and shall include information with respect to preliminary site selections.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $100,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years.

''(h) DEFINITIONS.—For purposes of this section:

''(1) ADULT EDUCATION.—The term 'adult education' has the meaning given such term in section 312 of the Adult Education Act.

''(2) COMMUNITY-BASED COLLEGE COMPUTER RECRUITMENT CENTER.—The term 'community-based computer center' means a computer center—

''(A) funded by both the Federal Government and at least one private sector entity;

''(B) located in a low-income community (as determined by the Secretary); and

''(C) organized and operated for the purpose of providing families with access to computer resources that otherwise would not be available to them.

''(3) FOOD STAMP PROGRAM.—The term 'food stamp program' has the meaning given such term in section 3(h) of the Food Stamp Act of 1977.

''(4) LIBRARY.—The term 'library' has the meaning given such term in section 213 of the Library Services and Technology Act.

''(5) MUSEUM.—The term 'museum' has the meaning given such term in section 272 of the Museum and Library Services Act.''.

H.R. 6

OFFERED BY: MR. PETRI

AMENDMENT NO. 52: Page 156, after line 3, insert the following new section:

SEC. 416A. MARKET-BASED DETERMINATIONS OF LENDER RETURN.

Part B of title IV is further amended by inserting immediately after section 427A the following new section:

''SEC. 427B. MARKET-BASED DETERMINATIONS OF LENDER RETURN.

''(a) PILOT PROGRAM.—

''(1) APPLICABILITY OF PILOT PROGRAMS.—Notwithstanding any other provisions of this part, no special allowance or other payment shall be paid under this part with respect to any loan made for periods of instruction beginning on or after July 1, 1999, but before July 1, 2001 pursuant to lending authority auctioned by the Secretary under this subsection, except as provided under the terms of the auctioned lending authority as determined by the Secretary.

''(2) USE OF AUCTIONS TO APPORTION LENDING AUTHORITY DURING PILOT PROGRAMS.—

''(A) AUCTIONS REQUIRED.—The Secretary shall conduct one or more pilot programs using an auction or other market-based mechanism in accordance with paragraph (3) to allocate the authority to make loans under this part among eligible lenders, or such other rights pertaining to loans made under this part as the Secretary determines appropriate.

''(B) AMOUNT OF LENDING AUTHORITY AUCTIONED.—The Secretary shall determine the amount and nature of the lending authority auctioned during the pilot programs under this subsection, except that the lending authority auctioned under the pilot programs shall not exceed 15 percent of the anticipated annual loan volume during the period covered by the pilot programs.

''(C) TRANSFERABILITY OF LENDING AUTHORITY.—An eligible lender may transfer any lending authority acquired pursuant to this subsection to another eligible lender upon such terms as may be agreed upon between such lenders, except that the acquiring lender may not extend loans pursuant to such authority except after notice to the Secretary in such form and manner as the Secretary may require by regulation.

''(D) EXERCISE OF LENDING AUTHORITY.—The Secretary shall, in accordance with regulation, verify that a lender is not making loans under this paragraph in excess of the amounts of lending authority obtained in accordance with this paragraph. Such regulations shall provide that any lender who acquires, directly or pursuant to subparagraph (C), lending authority that was obtained at auction pursuant to two or more bids of different amounts shall be deemed to exercise such authority in descending order based on the amounts of such bids.

''(3) CONDUCT OF AUCTION.—

''(A) IN GENERAL.—

''(i) The Secretary shall allocate the amount of lending authority determined under paragraph (2) among eligible lenders submitting bids in descending order by the unit price bid, but permitting each bidding lender to acquire such authority at the unit price bid by the next lower ranking bid, except that the Secretary may establish by regulation a different procedure for the conduct of the auction if the Secretary determines that such procedure will secure more receipts for the United States. The Secretary shall not permit any lender to acquire more than one-third of the amount of the lending authority offered at any auction conducted under this subsection, but a lender shall not be prohibited from acquiring more than such amount pursuant to paragraph (2)(C).

''(ii) The Secretary is also authorized to conduct pilot programs under this subsection using such other market-based mechanism for determining the return to lenders under this part as the Secretary determines appropriate.

''(B) BIDS GREATER THAN ZERO.—Any lender whose bid is accepted pursuant to subparagraph (A)(i) shall, if such bid is made at a unit price exceeding zero, promptly pay to the Secretary an amount equal to (i) the unit price, multiplied by (ii) the amount of lending authority allocated to such lender. A lender making such a payment shall have no claim to a refund or remuneration based on the lender making loans in an amount that is less than the amount of lending authority obtained.

''(C) BIDS LESS THAN ZERO.—The Secretary shall pay to any lender whose bid is accepted pursuant to subparagraph (A)(i), if such bid is made at a unit price that is less than zero, an amount equal to—

''(i) the amount by which the unit price is less than zero, multiplied by

''(ii) the amount of lending authority that the lender demonstrates, in accordance with regulations prescribed by the Secretary, he has exercised by making and disbursing loans under this part.

''(D) CONTRACTUAL RIGHT TO PAYMENTS.—Any lender whose bid is accepted pursuant to subparagraph (A)(i), if such bid is made at a unit price that is less than zero, shall be deemed to have a contractual right against the United States, to receive the payment required by subparagraph (C) in exchange for the lender's satisfactory performance as determined by the Secretary. Such payment shall be made promptly and without administrative delay after receipt of an accurate and complete request for payment, pursuant to procedures established by regulations promulgated under this subsection.

''(E) PENALTY FOR LATE PAYMENT.—If a payment required by subparagraphs (C) and (D) has not been made within 30 days after the Secretary has received an accurate, timely, and complete request for payment thereof, the amount payable to such lender shall be increased by an amount equal to the daily interest accruing on the payments due the lender. For such purpose, the daily interest shall be the daily equivalent of the applicable rate of interest determined under section 427A(a)(1).

''(4) MEASURES TO FACILITATE EXERCISE OF LENDING AUTHORITY DURING PILOT PROGRAM.—The Secretary shall provide for the establishment of facilities for the communication of information that permits eligible borrowers to be informed of the identity of, and means to contact, lenders holding unexercised lending authority pursuant to this subsection.

''(b) AUTHORITY FOR PROGRAM-WIDE USE OF MARKET-BASED MECHANISMS.—

''(1)(A) Notwithstanding any other provision of this part, the Secretary is authorized to implement a program-wide system of using market-based mechanisms to determine lender return on loans made under this

part for loans made for periods of instruction on or after July 1, 2001.

''(B) The Secretary shall implement such program-wide system only if the Secretary determines that doing so would be feasible, efficient, include the means to ensure that all eligible students would have access to loans, and be cost-effective when compared to the average program costs for the preceding three years (as adjusted for loan volume).

''(2) Notwithstanding any other provision of this part, if the Secretary does not implement such program-wide system, the applicable interest rate on loans made for periods of instruction on or after July 1, 2001 shall be increased by .25 percent, and lenders' annual rate of return on such loans shall be reduced by .25 percent.

''(c) COORDINATION.—The Secretary shall, by regulation, coordinate the availability of loans pursuant to section 428(j) to the extent necessary—

''(1) to permit lenders to exercise the lending authority secured pursuant to this subsection; and

''(2) to ensure that eligible borrowers obtain loans under this part.

''(d) AUTHORITY TO PREPARE FOR PROGRAMS.—Notwithstanding subsections (a) and (b), the Secretary may, before the dates described in each such subsection—

''(1) prescribe regulations to carry out each such subsection; and

''(2) expend funds appropriated pursuant to this part to carry out activities necessary to the implementation of the programs authorized by each such subsection.''.

(b) CONFORMING AMENDMENT.—Section 428(j)(1) (20 U.S.C. 1078(j)(1)) is amended by adding at the end the following new sentence: ''The availability of loans under this subsection shall be coordinated to the extent necessary in accordance with regulations prescribed by the Secretary under section 427B.''.

H.R. 6

OFFERED BY: MR. PETRI

AMENDMENT NO. 53: Page 192, after line 10, insert the following new section (and conform the table of contents accordingly):

SEC. 430. MARKET-BASED DETERMINATIONS OF INTEREST SUBSIDIES.

(a) AMENDMENT.—Section 438 (20 U.S.C. 1087-1) is amended by adding at the end the following new subsection:

''(g) MARKET-BASED DETERMINATIONS OF INTEREST SUBSIDIES.—

''(1) APPLICABILITY.—Notwithstanding the preceding provisions of this section, no special allowance or other payment shall be paid under this section with respect to any loan disbursed on or after July 1, 1999, except as provided pursuant to this subsection.

''(2) USE OF AUCTIONS TO APPORTION LENDING AUTHORITY.—

''(A) AUCTIONS REQUIRED.—The Secretary shall conduct an auction in accordance with paragraph (3) to allocate the authority to make loans under this part among eligible lenders for any academic year. The Secretary shall estimate the amount of lending authority that will be required by eligible students for such an academic year, and shall by auction allocate such amount, plus a reasonable margin for unexpected loan demand.

''(B) LENDING AUTHORITY REQUIRED.—A lender may not make a loan under this part that is disbursed on or after July 1, 1999, except pursuant to an allocation of lending authority pursuant to this paragraph.

''(C) TRANSFERABILITY OF LENDING AUTHORITY.—An eligible lender may transfer any lending authority acquired pursuant to this subsection to another eligible lender upon such terms as may be agreed upon between such lenders, except that the acquiring lender may not extend loans pursuant to such authority except after notice to the Secretary in such form and manner as the Secretary may require by regulation.

''(D) EXERCISE OF LENDING AUTHORITY.—The Secretary shall, by regulation, provide for verification that a lender is not making loans under this part in excess of the amounts of lending authority obtained in accordance with this paragraph. Such regulations shall provide that any lender who acquires, directly or pursuant to subparagraph (C), lending authority that was obtained at auction pursuant to two or more bids of different amounts shall be deemed to exercise such authority in descending order based on the amounts of such bids.

''(3) CONDUCT OF AUCTION.—

''(A) IN GENERAL.—The Secretary shall allocate the amount of lending authority determined under paragraph (2)(A) among eligible lenders submitting bids in descending order by the unit price bid, but permitting each bidding lender to acquire such authority at the unit price bid by the next lower ranking bid, except that the Secretary may establish by regulation a different procedure for the conduct of the auction if the Secretary determines that such procedure will secure more receipts for the United States. The Secretary shall not permit any lender to acquire more than one-third of the amount of the lending authority offered at any auction conducted under this subsection, but a lender shall not be prohibited from acquiring more than such amount pursuant to paragraph (2)(C).

''(B) BIDS GREATER THAN ZERO.—Any lender whose bid is accepted pursuant to subparagraph (A) shall, if such bid is made at a unit price exceeding zero, promptly pay to the Secretary an amount equal to (i) the unit price, multiplied by (ii) the amount of lending authority allocated to such lender. A lender making such a payment shall have no claim to a refund or remuneration based on the lender making loans in an amount that is less than the amount of lending authority obtained.

''(C) BIDS LESS THAN ZERO.—The Secretary shall pay to any lender whose bid is accepted pursuant to subparagraph (A), if such bid is made at a unit price that is less than zero, an amount equal to—

''(i) the amount by which the unit price is less than zero, multiplied by

''(ii) the amount of lending authority that the lender demonstrates, in accordance with regulations prescribed by the Secretary, has exercised by making and disbursing loans under this part.

''(D) CONTRACTUAL RIGHT OF HOLDERS TO SPECIAL ALLOWANCE.—Any lender whose bid is accepted pursuant to subparagraph (A), if such bid is made at a unit price that is less than zero, shall be deemed to have a contractual right against the United States, to receive the payment required by subparagraph (C). Such payment shall be made promptly and without administrative delay after receipt of an accurate and complete request for payment, pursuant to procedures established by regulations promulgated under this subsection.

''(E) PENALTY FOR LATE PAYMENT.—If a payment required by subparagraphs (C) and (D) has not been made within 30 days after the Secretary has received an accurate, timely, and complete request for payment thereof, the amount payable to such lender shall be increased by an amount equal to the daily interest accruing on the payments due the lender. For such purpose, the daily interest shall be the daily equivalent of the applicable rate of interest determined under section 427A(a)(1).

''(4) MEASURES TO FACILITATE EXERCISE OF LENDING AUTHORITY.—

''(A) INFORMATION.—The Secretary shall provide for the establishment of facilities for the communication of information that permits eligible borrowers to be informed of the identity of, and means to contact, lenders holding unexercised lending authority pursuant to this subsection.

''(B) COORDINATION.—The Secretary shall, by regulation, coordinate the availability of loans pursuant to section 428(j) to the extent necessary—

''(i) to permit lenders to exercise the lending authority secured pursuant to this subsection; and

''(ii) to ensure that eligible borrowers obtain loans under this part.

''(5) AUTHORITY TO PREPARE FOR PROGRAM.—Notwithstanding paragraph (1), the Secretary may, before July 1, 1999—

''(A) prescribe regulations to carry out this subsection; and

''(B) expend funds appropriated pursuant to this part to carry out activities necessary to the implementation of the programs authorized by this subsection.''.

(b) CONFORMING AMENDMENT.—Section 428(j)(1) (20 U.S.C. 1078(j)(1)) is amended by adding at the end the following new sentence: ''The availability of loans under this subsection shall be coordinated in accordance with regulations prescribed by the Secretary under section 438(g)(5).''.

H.R. 6

OFFERED BY: MR. ROEMER

AMENDMENT NO. 54: Page 172, after line 22, insert the following new subsection (and redesignate the succeeding subsections accordingly):

(c) ADDITIONAL ANNUAL LOAN LIMIT FLEXIBILITY.

(1) IN GENERAL.—Section 428H(d)(2) is amended—

(A) by striking subparagraph (C); and

(B) by inserting after subparagraph (B) the following new subparagraphs:

''(C) notwithstanding subparagraph (A) and (B), in the case of such a student who is pursuing a program of study at an eligible institution leading to the baccalaureate degree—

''(i) $7,200 if such student is enrolled in a program whose length is at least 1 academic year (as determined under section 481);

''(ii) $4,500 if such student is enrolled in a program whose length is less than 1 academic year, but at least ⅔ of such an academic year; and

''(iii) $2,700 if such student is enrolled in a program whose length is less than ⅔, but at least ⅓, of such an academic year;

''(D) in the case of such a student who is a graduate or professional student enrolled at an eligible institution, an amount not to exceed the student's estimated cost of attendance (as determined under section 472), less the sum of—

''(i) any loan for which the student is eligible under section 428; and

''(ii) an estimate of any financial assistance reasonably available to such student.''.

(2) DEPENDENT STUDENTS AMENDMENT.—Section 428H(d) is amended—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2) the following new paragraph:

''(3) ANNUAL LIMITS FOR DEPENDENT STUDENTS.—Notwithstanding paragraph (2), in the case of a dependent student who is enrolled in a program leading to the baccalaureate degree whose length is at least 1 academic year (as determined under section 481), the maximum annual amount of loans under this section such a student may borrow in any academic year or its equivalent or in any period of 7 consecutive months, whichever is longer, shall be the amount determined under paragraph (1) plus $1,500.''.

(3) CONFORMING AMENDMENT.—Section 428H(d)(1) is amended by striking ''paragraphs (2) and (3)'' and inserting ''paragraphs (2), (3), and (4)''.

(4) EFFECTIVE DATE.—The amendments made by this section shall apply to loans made for periods of instruction beginning after July 1, 1998.

H.R. 6

OFFERED BY: MR. SANDERS

AMENDMENT NO. 55: Page 56, after line 18, insert the following new paragraph (and redesignate the succeeding paragraphs accordingly):

''(5) cooperation between institutions to encourage cost saving initiatives through joint purchase of goods and services, and shared use of facilities and faculty resources.''

H.R. 6

OFFERED BY: MR. SANDERS

AMENDMENT NO. 56: Page 94, strike lines 12 through 16 and insert the following:

''(i) $5,000 for academic year 1999–2000,

''(ii) $5,200 for academic year 2000–2001,

''(iii) $5,400 for academic year 2001–2002,

''(iv) $5,600 for academic year 2002–2003, and

''(v) $5,800 for academic year 2003–2004,

H.R. 6

OFFERED BY: MR. SERRANO

AMENDMENT NO. 57: Page 271, strike line 14 and insert the following:

''(A)(i) is an eligible institution; or

''(ii) is an institution of higher education (as such term is defined in section 101(a)(2)) that provides a 4-year baccalaureate program, is regionally accredited, and serves at least 1,500 Hispanic students;

H.R. 6

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 58: Page 334, after line 19, insert the following new section (and redesignate the succeeding sections and conform the table of contents accordingly):

SEC. 806. STUDY OF CONSOLIDATION OPTIONS.

No later than 2 years after the date of enactment of this Act, the Secretary shall report to Congress on the desirability and feasibility of possible new Federal efforts to assist individuals who have substantial alternative student loans (other than direct student loans and federally guaranteed student loans) to repay their student loans. The report shall include an analysis of the extent to which the high monthly payments associated with such loans deter such individuals from jobs (including public-interest and public-service jobs) with lower salaries than the average in relevant professions. The report shall include an analysis of the desirability and feasibility of allowing the consolidation of alternative student loans held by such individuals through the Federal student loan consolidation program or the use of other means to provide income-contingent repayment plans for alternative student loans.

H.R. 6

OFFERED BY: MR. SOUDER

AMENDMENT NO. 59: Page 237, strike lines 4 through 10 and insert the following:

''(2) REHABILITATION.—A student whose eligibility has been suspended under paragraph (1) may resume eligibility before the end of the period determined under such paragraph if the student satisfactorily completes a drug rehabilitation program that complies with such criteria as the Secretary shall prescribe for purposes of this paragraph and that includes two unannounced drug tests.

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PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, SECOND SESSION

Vol. 144 WASHINGTON, TUESDAY, APRIL 28, 1998 No. 49

Senate

The Senate met at 9:30 a.m., and was called to order by the Honorable TIM HUTCHINSON, a Senator from the State of Arkansas.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, life can be simply awful or awfully simple. Today, we choose the awfully simple but sublime secret of a great day: Your work, done on Your power, achieves Your results on Your timing. We reject the simplistic idea that things work out, and ask You, dear Lord, to work out things. Before us is a new day filled with more to do than we can accomplish on our own strength. You have given us the power of inspired imagination to envision a day in which what is truly important gets done. Help us to move expeditiously through today's work, to listen to You and each other, and to make guided decisions. Pull our anchors out of the mud of combative competition, lift our sails, and remind us that it is Your set of our sails, and not the gales, that determines where we will go.

Lord, we believe that the work we will do this day is crucial for our Nation. This is the day You have given. We intend to live to the fullest with Your guidance, by Your power, and for Your glory. In the name of the Way, the Truth, and the Life. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 28, 1998.

To The Senate:

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

STROM THURMOND,
President pro tempore

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Ms. COLLINS. Mr. President, this morning the Senate will be in a period of morning business until 10:45 a.m. Following morning business, the Senate will proceed to executive session to resume consideration of the treaty on NATO enlargement. Senator HARKIN will then be recognized to offer an amendment regarding U.S. costs.

Under the previous order, there will be 2 hours equally divided for debate on the amendment. At 12:45 p.m., the Senate will recess until 2:15 p.m., to allow the weekly party caucuses to meet.

When the Senate reconvenes at 2:15, there will be 10 minutes of debate equally divided for closing remarks on the State Department Reauthorization Conference Report. Following that debate, at 2:25 p.m., the Senate will proceed to the first of two stacked rollcall votes. The first vote will be on the adoption of the State Department Conference Report, to be immediately followed by a vote on or in relation to the Harkin amendment. Members should expect further rollcall votes throughout Tuesday's session on amendments to NATO enlargement, or any other legislative or executive items cleared for action.

I thank my colleagues for their attention.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 10:45 a.m., with Senators permitted to speak therein for up to 10 minutes each.

Under the previous order, the Senator from Maine is recognized to speak for up to 15 minutes.

Ms. COLLINS. I thank the Chair.

(The remarks of Ms. COLLINS and Mr. FEINGOLD pertaining to the introduction of S. 1993 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Ms. COLLINS. If there is no other Senator seeking recognition, I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DORGAN. I ask unanimous consent to speak for 10 minutes in morning business.

The ACTING PRESIDENT pro tempore. The Senator is recognized.

THE FEDERAL RESERVE

Mr. DORGAN. Mr. President, this morning the front page of the Washington Post has an article that says, ''Interest Rate Fears Drive Stocks Down.'' The article makes the point that the Dow Jones average tumbled 147 points yesterday. And John Berry, in the

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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Post, who writes a fair amount about the Fed and about economic news, says the analysts on Wall Street indicate there was a strong concern by investors that the long-running bull market might be nearing a peak and that the Federal Reserve Board is looking at the potential of increasing interest rates.

It is interesting to me that it is a front page story that the stock market is down 147 points. The fact is the Dow Jones industrial average is nearly 9,000. It is a stock market that has increased dramatically. We have had up days of 70 points, 90 points, 120 points. It is not surprising that we will have downturns in the market of 140 points or more when you have a market that is over 9,000 in the Dow Jones industrial average.

But what surprises me is the notion somehow that the Federal Reserve Board somewhere behind closed doors at a March 19 meeting indicated that, gee, they were concerned that the economy was growing too fast and that maybe American workers are making too much money. They are concerned that maybe too many people in this country are employed.

There is no amount of good news that will not give the economists down in the Fed a bellyache for a week or two. There is no amount of good news that does not cause them great concern. ''Gosh, the economy is doing well, so we better have a heartache about how well the economy is doing.'' It is interesting to me that the Fed has been consistently wrong. I know there are people in this Chamber who will stand up and say, the Fed ought to be credited with the good economic news in this country. In fact, just the opposite is the case.

The Fed has been consistently wrong about this economy. They indicated time after time after time that if unemployment ever went below 6 percent we were going to be in huge trouble, we were going to see the new fires of inflation stoke up. Well, unemployment went below 6 percent and has stayed below 6 percent. We have not seen new waves of inflation. The Federal Reserve Board has just missed the fact that the global economy has put downward pressure on wages in this country.

But having said that, the Federal Reserve Board now has short-term interest rates higher than it ought to be, higher historically than it should be by a full half a percent. This means the prime rate is higher than it ought to be and higher than it historically would be given the rate of inflation of well over 1 percent at this point. Yet, they are talking about maybe increasing interest rates down at the Federal Reserve Board.

What on Earth can they be thinking? I mean, if the job of the Federal Reserve Board is to simply slow down the economy, my uncle can do that. There are five or six people in my hometown who can do that. We do not have to pay them a lot of money to do that. What can they be thinking? Too many people are working? We are starting to see maybe some increases in some salaries at the bottom of the economic scale?

I would say to the Federal Reserve Board, if you have a lot of time on your hands, take off those gray coats you wear from those gray suits you wear to work every day and start thinking about bank mergers. Maybe start thinking of what the CEOs make at the top—not workers at the bottom, and wonder what it does to the economy.

The Fed should be talking about the biggest bank mergers in the history of this country. What does it mean for consumers that all of the biggest banks of this country are getting together and deciding there is so much romance going on in the financial industry and they would like to marry up?

The Federal Reserve keeps a list down there called the ''too-big-to-fail'' list. That is a list of the biggest banks in the country that will never be allowed to fail because the consequences of their failure would be too catastrophic for the economy. So they have the too-big-to-fail list.

As more and more banks merge, of course, that list gets bigger, and it means the risks of the merger will be borne by the American taxpayer. So this monopoly game played by American giants passes off its risk to the American taxpayer.

So I say to the Federal Reserve Board, if you have lots of time on your hands, don't sit around scratching your heads and increasing interest rates, when the short-term Federal funds rate is already higher than is justified, given the rate of inflation. Start thinking about what these bank mergers do to the American economy. Start asking yourself why—if you keep a list that is called ''too-big-to-fail,'' why in this economy do family farmers out there face a risk of serious financial problems right now? And they seem to be, in the eyes of the Fed, and others, too small to matter? Why is it that some are too big to fail and others, who are critical of this country's success, somehow too small to matter?

I would just say to the Fed—when I read this story this morning, I wondered again about those we hire to do monetary policy and who think about economic policy. What they can be thinking about when they suggest—and have now for about 3 years—that any good economic news in this country is somehow a step backwards.

I just ask the Fed to understand this economy is doing quite well, notwithstanding the Fed's advice. And there is no justification—none—for this Federal Reserve Board to be considering increasing interest rates.

The Federal funds rate at the moment is historically higher than it should be, given the rate of inflation. If they take any action at the Fed, it ought to be to decrease the Federal funds rate to where it ought to be, given the current rate of inflation which, incidentally, is almost nonexistent.

THE AGENDA OF THE SENATE

Mr. DORGAN. Now, Mr. President, just a couple final points.

The agenda of the Senate—I was talking here about the agenda of the Federal Reserve Board, something I do not control. I guess the same is probably true with respect to the agenda of the Senate, because the majority leader controls the agenda of the Senate. He determines what to bring to the floor of the Senate for debate, and the agenda for the U.S. Senate is a very important agenda.

In front of us in the coming weeks I hope will be the following pieces of legislation, some of which are already very, very late. The so-called highway bill or ISTEA bill which is very important. It should have been passed last year. It is now in conference. We need to get that and get it done. It is important for this country, an investment of roads and infrastructure.

The tobacco bill. We have just passed a tobacco bill out of the Senate Commerce Committee. It should be ready to come to the floor of the Senate. I hope it is done sooner rather than later. A supplemental disaster bill—that bill has been passed for some while, and the Senate is now in conference. In fact, I am a conferee. We will have a conference at 2 o'clock this afternoon. That ought to be done. There is no excuse, especially with respect to the disaster funds, for further delay. That ought not sit there waiting. This Congress has a responsibility to get that work done and bring it to the floor of the Senate.

Another important issue that we want brought to the floor of the Senate as soon as possible is the Patients Bill of Rights, which deals with managed care and the abuses that are occurring in managed care in this country.

Those are just a handful of bills we want to be brought to the Senate floor soon. Some of them have already been through the Senate and have been languishing in conference. The highway bill, for example, the supplemental disaster bill, others, need to come to the floor so we can make some progress on them.

I ask the majority leader and all others on both sides of the aisle in the Senate that we do our work and do it on time and tell the American people that things like investment in infrastructure, building roads, repairing bridges, and the kind of things done in this important highway bill get done on time. They were supposed to have been done last year. It is now getting towards May of this year. It is in conference. A very, very important piece of legislation. I hope it is brought to the floor of the Senate soon.

One more point. The tobacco legislation is very important. Some, I know, want to stall on that legislation, but we reported it out of the Commerce Committee under the leadership of Senator MCCAIN. That piece of legislation, I think, because of the short year that we were involved with that piece

of legislation, should be brought to the floor of the Senate as soon as possible. The later that it is brought to the floor of the Senate, the less likely it is that Congress will get its work done on the tobacco bill. I ask the majority leader, bring the tobacco bill to the floor of the U.S. Senate, and let's get it done.

I yield the floor.

The PRESIDING OFFICER (Mr. ROBERTS). Under the previous order, the hour of 10 a.m. having arrived, the Senator from Indiana, Mr. COATS, is recognized to speak for up to 45 minutes.

Mr. COATS. Mr. President, I thank the Chair.

(The remarks of Mr. COATS, Mr. ABRAHAM, Mr. SANTORUM, and Mr. BROWNBACK pertaining to the introduction of S. 1994 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

PROTOCOLS TO THE NORTH ATLANTIC TREATY OF 1949 ON ACCESSION OF POLAND, HUNGARY, AND THE CZECH REPUBLIC

The PRESIDING OFFICER. Under the privilege order, the Senate will now go into executive session to resume consideration of Executive Calendar No. 16, which the clerk will report.

The legislative clerk read as follows:

Treaty Document No. 105–36, Protocols to the North Atlantic Treaty of 1949 on Accession of Poland, Hungary and the Czech Republic.

The Senate resumed consideration of the treaty.

Pending:

Kyl amendment No. 2310, to establish principles of policy of the United States toward the Strategic Concept of NATO.

The PRESIDING OFFICER. Under the previous order, the hour of 10:45 having arrived, the distinguished Senator from Iowa, Mr. HARKIN, is recognized to offer an amendment on which there shall be 2 hours of debate equally divided.

The Senator from Iowa is recognized.

EXECUTIVE AMENDMENT NO. 2312

(Purpose: To limit any United States subsidy of the national expenses of Poland, Hungary, or the Czech Republic in meeting its NATO commitments)

Mr. HARKIN. Mr. President, I send my amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN] proposes an executive amendment numbered 2312.

Mr. HARKIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

In section 3(2)(A), strike ''and'' at the end of clause (ii).

In section 3(2)(A), strike ''(iii)'' and insert ''(iv)''.

In section 3(2)(A), insert after clause (ii) the following:

(iii) any future United States subsidy of the national expenses of Poland, Hungary, or the Czech Republic to meet its NATO commitments, including the assistance described in subparagraph (C), may not exceed 25 percent of all assistance provided to that country by all NATO members.

At the end of section 3(2), insert the following new subparagraph:

(C) ADDITIONAL UNITED STATES ASSISTANCE DESCRIBED.—The assistance referred to in subparagraph (A)(iii) includes—

(i) Foreign Military Financing under the Arms Export Control Act;

(ii) transfers of excess defense articles under section 516 of the Foreign Assistance Act of 1961;

(iii) Emergency Drawdowns;

(iv) no-cost leases of United States equipment;

(v) the subsidy cost of loan guarantees and other contingent liabilities under subchapter VI of chapter 148 of title 10, United States Code; and

(vi) international military education and training under chapter 5 of part II of the Foreign Assistance Act of 1961.

Mr. HARKIN. Mr. President, I will yield myself such time as I may consume for opening comments and then reserve some time for others on the amendment.

Mr. President, we are, as the Senate and the country now know, debating the issue of whether or not the Senate will advise and consent to the President's signature on a proposal to bring three more nations into the North Atlantic Treaty Organization.

While I was not present yesterday in this Chamber, I did watch some of the debate that unfolded yesterday, and I think the debate is taking a good course of action. The debate yesterday was a good debate. I hope that the debate today will continue along those lines. In other words, what I mean by that is not just people giving a speech and then walking off the floor but where we can actually engage one another in asking and answering questions about the implications of the NATO treaty.

So I hope that will be the course of action during the Senate's responsibility to advise and consent here.

Mr. President, I want to make some extended remarks about the whole picture of NATO expansion, but I will just talk very briefly right now about the amendment I sent to the desk.

Basically, I think one of the most important issues facing us on NATO expansion is what it is going to cost, what it will cost the taxpayers of this country. So what I have sent to the desk is an amendment that will hopefully clear this up a little bit and provide for an accurate accounting of all of the expenses incident to the expansion of the North Atlantic Treaty Organization. And I will have more to say about that a little bit later.

Concerns about the extension of our military obligations—and let's again be frank about this; NATO is a military alliance—have been voiced by Senators and interest groups, academics across the political spectrum, and when the voices expressing caution include Republicans and Democrats and progressives and conservatives, libertarians and others, such a diverse opposition may be a sign that we ought to really act very deliberately and deliberatively on this issue. So I am glad the debate has finally begun, and as I said, I am delighted with the course of action in the debate.

At the outset, I hope the Senate would not simply rubber stamp this bill that we have before us. We have a constitutional responsibility to both advise and consent on treaties. This is a responsibility that is taken seriously by every Senator and ought to because, as you know, under our Constitution a treaty overrides the Constitution. So anytime we advise and consent on a treaty, we are advising and consenting on a document that basically overrides much of our Constitution. So we have to be very careful about this.

There are important issues to consider in NATO expansion—burdensharing, command and coordination, responses to real and perceived threats, even the basic questions of mission and scope of the organization itself. They are not simple questions that lend themselves to a simple, sound bite debate. These questions and their answers will shape for better or worse our defense and foreign policy options for decades to come.

There is no doubt that NATO has been one of the greatest military alliance success stories in our Nation's history. And, again, at the outset we have to ask the question. Here is an organization founded in 1949 shortly after the end of the Second World War—the Second World War in this century—when 12 countries signed the North Atlantic treaty to establish the military alliance known as NATO.

Now, let's face it. The reason for NATO was the Soviet Union. The reason for being in that alliance, and also to preserve the nations of Europe together, was to preclude any possibility of cross-border excursions by European countries. The treaty had as its goal ''to unite their efforts for collective defense and the preservation of peace and security in Europe.''

Four nations have been added. Spain, the most recent, joined in 1982. So, again, it has been a success. It has kept the peace in Europe for nearly 50 years, both by deterring aggression by the Warsaw Pact and by encouraging cooperation between its members.

I must say, due to the commitment of its members and the leadership of the United States, NATO has largely fulfilled the reason for its very birth—the demise of the Soviet Union. So we have to, I think, at the outset, say, if something was born because of the Soviet Union and it has succeeded, what,

then, are the reasons not only for continuing it but for expanding it? And, subsequently, are there better and other ways in which we can fulfill other goals, such as democracy, economic progress, market-based economies, and integration of the countries of Europe into one economic entity?

So, what role will NATO play in a new century? And what is the cost going to be in financial terms? And what is the cost going to be in other less tangible areas, like the potential for strained relations with nonmember nations? Or what will the cost be in a dangerous rollback, perhaps, of nuclear arms control and nonproliferation progress made since the end of the cold war?

By the administration's own admission, ''Enlargement will take place in a European security environment in which there is no current threat of large-scale conventional aggression and where any such threat would take years to develop.'' This is from the administration's own admission. There is no current threat and any threat would take years to develop. In response to questions from many Senators, the administration reiterated this point when they wrote, ''Current members and prospective new members face no imminent threat of attack.''

This seems to be one of the few issues on NATO expansion where we can find wide consensus. There is no large-scale external threat, including Russia. They just don't exist. The administration's expectation for the role of an expanded NATO include:

No. 1, helping to deter future threats; No. 2, expanding our collective defense capabilities to respond to both traditional and nontraditional security challenges; and, No. 3, helping to support and stabilize emerging democracies. I agree that these are goals that the United States should pursue. They are worthwhile goals. But again I ask, is NATO the proper framework in which to accomplish these goals?

Poland, Hungary, and the Czech Republic have legitimate concerns about protecting their borders and their national sovereignty. After all, they persevered through a century of invasions and decades of outside control by a large and powerful neighbor. But, again, let me also say that I remember when I happened to be in Moscow shortly after the Berlin Wall came down and the Soviet Union was breaking up, I remember one of the Russian Members of the Duma telling me that, ''You think you were the victims of the Soviet Union. You think Europe was the victim of the Soviet Union,'' he said. ''We Russians were the biggest victims of the Communist Soviet Union.''

So we have to think about it in that context also; of Russia, and of them coming out from underneath the yoke of a Soviet Communist empire. Think about Russia, also, in terms of its history, when it has gone, also, through a century of invasions and decades of control by a power not necessarily of Russian being.

I learned a lot about what countries in this region had endured. Last year I attended the dedication of the National Czech and Slovak Museum in Cedar Rapids, IA.

It is interesting. I was there with President Clinton and Ambassador Madeleine Albright, who was then-Ambassador to the United Nations, President Vaclav Havel of the Czech Republic, and President Kovac of the Republic of Slovakia.

Again, these people of these nations have shown a commitment and resilience to the democratic ideals during the economic and political transition. They are working in concert with the community of nations and peacekeeping operations in Bosnia, in Iraq also. I want to commend and recognize their efforts. That is all well and good. But is that a reason to expand NATO?

I am not convinced it is the most appropriate vehicle that we can use to get the goals of security, stability, political reform, and economic integration with the West sought by these newly free countries.

I am really worried we are buying into a mentality that has its roots in the cold war, and not the mentality that is looking ahead to the next century. Yes, it is true that Europe has sustained decades, almost a century, of warfare, invasions, domination and oppression by the people of Eastern Europe. This approach to foreign policy would be appropriate if the world climate was similar to what it was, say, before World War II. But the world has changed.

To those who say that, well, we can have another cross-border invasion by a country in Europe against another country, even the administration admits this is not going to happen. This would not happen for years. It would take years for anything like this to develop. You are not about to see any headlines exclaiming that Russian troops are marching toward Poland or Czechoslovakia.

The czars are gone. The Third Reich is gone. Germany is united as a democracy. Again, we need to reorient ourselves to the realities of the 21st century where the security threats are not czars and Hitlers and people like that, but are more likely to be rogue nations, international terrorists, and, as we have seen again in Europe, internal ethnic clashes.

For example, the security threat of most concern to Europe now is Bosnia and Kosovo. There is also the so-called nontraditional threat—terrorism, chemical, biological weapons. Again, we need to consider, is NATO the best way to deal with these challenges? But my primary concern now, and with this amendment, is the cost.

In February of 1997, the administration estimated the total cost of between $27 to $35 billion, of which the U.S. share would be $1.5 to $2 billion.

In December, NATO released their own study with the astonishingly low total cost estimate of $1.5 billion. Well, then the Clinton administration revised their initial projections down to reflect the NATO estimate of $1.5 billion.

Some would argue that comparing these numbers is like comparing apples and oranges—I heard that—because of the different assumptions and scenarios. But I would argue that is exactly the point. We do not have any consensus or concrete ideas on what posture NATO will take in the future and at what cost.

I have a chart here that shows basically the varying cost estimates so we get an idea of just how widely divergent they are. NATO, as I said, estimates $1.5 billion. The Clinton administration initially, as I said, came in last year—a year ago—at $27 to $35 billion. Now the administration says it is $1.5 billion. They just picked up the NATO estimate. CBO has given us a range of $21 to $125 billion. The Rand Corporation says it is $10 to $110 billion.

As I said, the first Clinton administration estimate was $27 billion to $35 billion—to $1.5 billion. So we go from $1.5 billion to $125 billion.

Where is it? How much of this will the U.S. taxpayers have to pick up? The GAO issued a report late last fall, the title of which explains my concerns and the reason for this amendment. It says, ''NATO Enlargement Cost Implications for the United States Remain Unclear.''

Now, much of the uncertainty is because—a quote from the GAO report—''It will not be until June of 1998 that NATO will make decisions about whether or how much to increase the common budgets which would then be shared among current and new members. Until this has been done, the implications for the U.S. contributions to NATO's common budgets will be unclear.''

Now, again, this is one reason why several other Senators and I asked for a delay in voting on NATO expansion. I felt and some others felt that we should have delayed this until this summer. We are not going to get this NATO estimate until at least June of this year. So why should we be voting on a blank check for the American taxpayer before we have the data? What is the rush? Why could we not wait until this summer until we get the NATO decisions on how much they want to increase their common budgets?

The same GAO report went on to discuss the financing for commonly funded items, such as the needed infrastructure to send reinforcements to new allies in times of crisis, communications systems, or interoperability with NATO's air defense system. None has been agreed to yet. None of it has been agreed upon yet.

Again, from the GAO report: ''Whether they will be financed within existing budgets or by increasing the size of NATO's common budgets will not be determined until June of 1998.''

That is from the GAO report.

I am hopeful that the managers of the bill would engage with us in discussing why we would go ahead with this before we have this data that NATO will come up with in June of 1998. So that is a missing piece of the puzzle right there.

Another piece of the puzzle we are missing is how new members are to address their military shortfalls. The countries' force goals will not be set again until this spring. In other words, we are without a plan to address the force goals and the price tag associated with it.

Again, I and others are uncomfortable signing the American taxpayers' names to a potentially ballooning blank check, so that is a second part of this puzzle that I believe is missing.

The GAO concluded that while DOD's key assumptions were reasonable, their ''cost estimates'' are speculative. ''NATO enlargement could entail costs in addition to those included in DOD's estimate, including costs for assistance to enhance the PFP or other bilateral assistance for countries not invited to join NATO in July 1997.''

So, in other words, it is not just those countries invited to join. What about the cost for assistance and other vital assistance for all of the other countries not invited to join in July 1997?

Mr. BIDEN. Would the Senator yield?

Mr. HARKIN. I would be delighted to yield.

Mr. BIDEN. Wouldn't the Senator acknowledge the example he just gave has nothing to do with any commitment that is being undertaken by the expansion of NATO now? It is unrelated. We may or may not through the program which the opponents of expansion constantly point to—the Partnership for Peace, as what we should have stuck with—we may or may not do that. But passage of the expansion of NATO for these three countries in no way affects the point of whether or not we give assistance to Romania or we give assistance to any other country questioned. Is that not correct?

Mr. HARKIN. Well——

Mr. BIDEN. I respectfully suggest the answer is yes.

Mr. HARKIN. Well, wait a second. I do not think the answer is yes. What GAO said is NATO enlargement could entail costs in addition to those countries in the Partnership for Peace, for example, others who may not be invited to NATO but because of the enlargement of NATO there may be other costs incidental and associated with it. That is what they are saying.

Does the Senator say absolutely there will be no other costs associated to PFP countries when NATO is enlarged?

Mr. BIDEN. If the Senator will yield, the answer is I am saying there is no obligation we undertake. The Senator sits on the Appropriations Committee. The Senator will have to make an individual judgment as each of the items come before him whether he wishes to do it.

For example, we are going to have, and right now the President has sent up within the last 3 months a request for additional equipment for Turkey, additional military equipment for Greece. Now, they have nothing to do with our common budget in NATO, zero.

Now, the Senator sits on the Appropriations Committee. He can come to the floor, and on foreign military sales of those countries, he can say no, we don't want to do that, and we can vote against it. It is irrelevant. It has nothing to do with whether or not Poland is a member of NATO or the Czech Republic is a member of NATO.

What the Defense Department means, I respectfully suggest, is the following; that with NATO, with the additional three countries in NATO, we may conclude that our defenses would be further enhanced, bilaterally enhanced, U.S. interests enhanced if we gave more money, more for military sales to Romania or to the Baltics or somewhere else. But it has nothing to do—nothing to do, zero—with whether or not we expand NATO. Zero, nothing.

The Senator from Virginia is on the floor, a strong opponent of expansion. He knows that the Armed Services Committee has no obligation to send foreign military sales which we subsidize to Greece or Turkey, yet he votes for it. But it has nothing to do with NATO, zero. Nothing to do with NATO, zero. It is not part of NATO's common budget, common budget.

The only thing, I respectfully suggest to my colleague, that we are committing ourselves to with the expansion of NATO is that we will continue to participate roughly 25 percent of the cost of the common budget of NATO. The things that the DOD referenced and what my friend from Iowa is talking about have zero to do with the common budget.

There is a chart here, ''budget cost-sharing formula, in percentage of total NATO common budget.'' I will later in the day go into great detail, because I think one of the great misnomers here is how the NATO is funded. I am not speaking to my friend from Iowa, who knows this area very well because he serves on the Appropriations Committee. But many of us who do not serve on the Appropriations Committee or Armed Services Committee don't necessarily understand the details of how the NATO budget is constructed. There are three common budgets. I will not go into it now. But they are the things that all 16 NATO nations reach into their pockets and pay for. They are not the national budgets.

The national budget, my friend on the authorizing committee—both my friends stand here on the Armed Services Committee—in the national budget we decide whether or not out of our military budget we are going to help Greece beyond the common budget, whether we are going to help Turkey beyond the common budget, whether we are going to help Chile beyond the common budget, whether we will spend money in Korea beyond, and it has nothing to do with the common budget of NATO.

So what happens here is we are taking great big apples and putting them in baskets of small oranges. We talk about mixing apples and oranges. The reason why the numbers, which I will go into in great detail later, range from $125 billion to $1.5 billion is that we are counting the wrong things.

So the issue here, and we will get a chance to talk about this in detail, what is NATO's—and I know my friend from Virginia knows this well—what is the common budget of NATO? And what are we committing ourselves to spend in addition to what we are now spending on the common budget of NATO because these three countries are going to be added—if they are added, if we prevail?

So, that is the issue. With all due respect, my friend is mixing apples and oranges here when he refers to the DOD saying we might in the future decide to spend more money. It has nothing to do with any obligation we are taking on as a consequence of expanding NATO.

I thank my colleague. I yield the floor.

Mr. HARKIN. I would like to respond, but I yield to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Iowa controls the time and the time has been running on his side.

Mr. HARKIN. I had 1 hour.

The PRESIDING OFFICER. Correct; the Senator has 35 minutes remaining.

Mr. HARKIN. I yield to the Senator from Virginia.

Mr. WARNER. I thank my distinguished colleague.

First, I want to say what a pleasure it is to sit and listen to a well-informed presentation on a very important amendment. Indeed, I will, in the course of the day, engage in another detailed colloquy with my friend on this.

I point out when you mention the Armed Services Committee, authorizing committee, I think the Senator should reconsider. It is your committee, the Foreign Relations Committee, that authorizes the level of assistance on matters like this, as opposed to the Armed Services Committee.

Mr. BIDEN. That is correct.

Mr. WARNER. A small matter, but I wanted to make——

Mr. BIDEN. We are so accustomed to other committees stealing our jurisdiction that it was a slip of the tongue.

Mr. WARNER. It is well-taken. At every opportunity the Armed Services Committee will do that.

Your question is correct, but I say to my good friend that while there is no fixed-in-law obligation for an increased contribution on behalf of the United States to these three potential new members, there is, indeed, a moral, and

it seems to me that that moral obligation will come into play very strongly. If for any reason their economies cannot support their quotient of final costs allocated among the three, I am certain the United States would be a participant in picking it up.

Mr. BIDEN. On my time, if I may respond, if I can take 3 minutes—and I guess it is not just my time but the time controlled by the majority here—if I can have 3 minutes to respond.

The PRESIDING OFFICER. The Senator is recognized for 3 minutes.

Mr. BIDEN. Mr. President, I say to my friend, one of the things the Armed Services Committee has been very jealous of, rightfully so, even though foreign military sales fall within the Foreign Relations Committee purview, when we argued in the Foreign Relations Committee, some of us, against some foreign military sales, the Armed Services Committee members and staff have often come to us and said, ''Joe, do you know what you are doing?'' If you don't let Lockheed or Marietta Martin sell that particular item subsidized to the Germans or to the Greeks or to the Spaniards or to whomever, do you know what you are doing? You are just subsidizing the French because they will sell them a Mirage; they will sell this, they will sell that.

When we make these judgments on foreign military sales, they are judgments that are not only made in terms of what we believe to be our security interest, but when we fail to participate in that, we find that we lose part of our infrastructure because we find that, as a lecture I received many times on the floor from Armed Services Committee members, we lose the competitive advantage to those foreign military sales merchants in France, in England, wherever else.

So what we are talking about is the independent judgment of whether or not we may, in the future conclude, as we have in the past, that in addition to our contribution to the common military budget, in order to keep peace in the Aegean, we have supplied in addition to that common NATO budget, we have supplied additional moneys or subsidies to Greece or to Turkey or Denmark. We have done it for almost all of the 15 members.

What the amendment of my friend here would do is something revolutionary. It would say that we will redefine what NATO's common budget is as it relates to the United States. We now would have to include as part of the economic budget any of the following: foreign military financing under the Arms Control Export Act, transfers of excess defense articles, emergency drawdowns or no-cost leases of U.S. equipment or subsidies or loan guarantees, which would in effect give veto power over our interests with the other 15 NATO nations. The reason we give a veto power is because if we draw down, if we have to draw down from a 25 percent foreign military sales, we can't then pay our common budget that is owed to NATO because we have agreed. If we don't do that, then NATO says ''Woe, woe, you are not engaging in cost sharing.'' And that, in turn, means that they can veto whether or not as a practical matter we decide it is in our national interest to sell Cobra helicopters to the Greeks. My time is up.

Mr. HARKIN. Will the Senator yield?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I think the Senator is making my point. My friend from Delaware is making my point. We are limited to 25 percent of the common budgets. All of the cost estimates we keep hearing about only deal with the common budgets. We don't talk about the national budget. What my amendment says is what is good for one side ought to be good for the other. We are not mixing the two. We are applying a good, sound principle. If 25 percent is good for the common budgets, it ought to be good for the national budgets. That is what my amendment says. It says to the American people, look, you are right, we don't know what it is going to cost us in the future. The Senator just stated that. He said that we don't know what it may cost us in the future.

What this amendment says is that at no time will the portion of the national budgets of these countries or any other new members of NATO be more than 25 percent, so that if some cost comes in at $10 billion, our share, the share of the American people, will be no more than 25 percent. The other nations of NATO will have to kick in their proportionate share, also.

That is why I drafted this amendment. People don't understand the difference between the common budgets and the national budgets. We keep hearing from the Clinton administration that this is only going to cost us $400 million—as I pointed out, we already promised as much as $1.069 billion in loans and subsidies to Eastern and Central Europe—because they are talking about the common budgets, not about the national budgets of these countries. The Senator from Delaware is exactly right. My amendment seeks to say that no more than 25 percent of those would be paid for by the American taxpayers. I would think the Senator would support that.

Mr. BIDEN. If the Senator will yield. He wants written into law in the passage of the amendment to the Washington treaty a commitment that the United States national budget will now and forever not exceed 25 percent of all the money we decide to spend in the European theater. I can't imagine the Senator from Virginia supporting that.

Mr. HARKIN. Mr. President, with all due respect, I don't think the Senator read my amendment.

Mr. BIDEN. I have read it in detail.

Mr. HARKIN. It is talking about the subsidy. It is not talking about what we spend ourselves in terms of our own military. It is talking about what subsidy we provide to these countries.

Mr. BIDEN. Is that not out of our national budget? Is that not out of our national defense budget?

Mr. HARKIN. Yes, out of our taxpayer dollars, subsidies to those countries. But it has nothing to do with our military expenditures for our nation's forces stationed in Europe.

Mr. BIDEN. Mr. President, it clearly does. It says that if we want to ''take a tank off the shelf,'' as they say, which comes right now out of the Defense Department budget, and we want to give that tank to Turkey, or to Greece, or to Germany, it says that tank can't be given if in fact we have already met our obligation of 25 percent under the common budget because it would exceed 25 percent. So he is limiting—limiting in perpetuity—the amount of money we can spend out of our national budget.

Look, this is apples and oranges again. We say with NATO, here is the deal: We are going to pay 25 percent of all the moneys that directly relate to NATO. We do not say we are only going to keep 25 percent of the total amount of money we spent at 25 percent if, in addition, we decide we want to help, as we have over the last 30 years, Greece. If this had been the law in the last 20 years, the military aid that we have given to Greece and Turkey would have eaten up our share of what we agreed to do in the common budget. So in Aviano, Italy, the national budget of the country of Italy pays for that Air Force base. But if we are going to build a runway to land NATO planes on, or Italy comes back and says, wait a minute, even though that is on an Italian air base for which we pay for all the infrastructure, if you want to lengthen the runway to accommodate NATO planes, the other 15 members of NATO have to kick in to pay for it. If it costs $10 to extend the runway, we take out $2.50 and pay the 25 percent. But if we have already given $2.50 off the shelf to Greece, we don't have any money, we are prohibited by law from being able to do this.

This is hamstringing our national defense budget, unrelated to NATO. It is a little like my saying that we are not going to spend anymore money on education than what we now spend on title VII. So if we want to pass, as I do, and did, the subsidy for IRAs for private schools, that would have to come out of the ceiling for all title VII, which was a billion dollars. We would have to find $300 million out of that billion dollars, which means you don't have enough money to meet the obligation you have agreed to, separate and apart for decisions independent of NATO considerations. You know, the rest of NATO has not wanted to support Greece. We stepped in and said, OK, notwithstanding that NATO doesn't want to support Greece beyond the NATO common budget, we are going to step in and give them the following

subsidies, or the following military equipment off our shelf, out of our national budget, out of our pocket.

Now, if we deal with any NATO nation, and we conclude that we want to engage in foreign military sales with them, unrelated to NATO, if we want to convince the French—which we never could—to stop flying Mirage aircraft in their national air force and fly F–15s, we could not do that. And so this is a profound change in national defense policy that, with all due respect, has nothing to do with NATO. If you want to cap all U.S. spending as it relates from the Euros to the Atlantic at 25 percent, fine, do it; but understand that you are making a profound foreign policy judgment that has nothing to do with whether or not Poland, the Czech Republic, and Hungary are members of NATO.

I yield the floor.

Mr. HARKIN. Mr. President, I will get back to this amendment. I respectfully suggest that the Senator from Delaware, again, is making my point in two ways. What the Senator from Delaware has said is that the costs of the taxpayers of this country are going to increase in the future. We don't know how much, but that is what he said. It is going to increase. Listen carefully—

Mr. BIDEN. Mr. President, with all due respect, I did not say it is going to increase. It would be up to the Senate and the Appropriations Committee.

Mr. HARKIN. After a treaty is signed. And keep in mind, treaties override the Constitution of the United States. Once those decisions are made, we are going to have to meet, as the Senator from Virginia said, our moral obligations.

Mr. BIDEN. Moral obligations—

Mr. HARKIN. If the Senator will let me finish, I never interrupted him.

Mr. BIDEN. The Senator is correct. I apologize.

Mr. HARKIN. Again, I think the arguments, if I might respectfully say so, of the Senator from Delaware are arguments that we would have heard on the Senate floor in the 1950s and the 1960s and the 1970s. The Senator's arguments pertain to a world that no longer exists in Europe. The Senator talks about Greece, that if this amendment had been in effect 30 years ago, 40 years ago, we could not have done in Greece what we did. The Senator is right. But this is not 40 years ago.

Mr. BYRD. Will the Senator yield?

Mr. HARKIN. I yield to the Senator from West Virginia.

Mr. BYRD. Mr. President, I thought I heard the distinguished Senator say that treaties override the Constitution of the United States.

Mr. HARKIN. Portions.

Mr. BYRD. Did I hear him correctly?

Mr. HARKIN. Portions.

Mr. BYRD. No, treaties don't override the Constitution of the United States. Under the Constitution, treaties are a part of the law of the land, the supreme law of the land. They don't override the Constitution of the United States.

Mr. HARKIN. I will not argue constitutional principles with the Senator from West Virginia.

Mr. BYRD. I hope the Senator will take that out of his written speech.

Mr. HARKIN. I will not argue constitutional principles with the Senator from West Virginia, I know that. But treaties under—I forget the article—treaties become the law of the land.

Mr. BYRD. Yes; but they don't override the Constitution.

Mr. HARKIN. Under the Constitution, they become the law of the land.

Mr. BYRD. They become part of the supreme law of the land. I thank the Senator for yielding.

Mr. HARKIN. I appreciate the correction of the Senator from West Virginia.

Back to my point; the Senator from Delaware is right. If this amendment had been in effect 40 years ago, we couldn't have been in Greece. But that was during the cold war. That is when we were facing the Soviet Union. That is when we were facing, if I might say to the Senator from Delaware, facing a Europe that was on its knees, busted, broke, basically decapitated from World War II. There is no way that they could have done it on their own. That is why I say with this whole NATO argument that it just seems to me we are arguing about a world that existed 50 years ago. The Senator from Delaware in his impassioned pleas is arguing for a situation that no longer exists. Europe is powerful. Europe is wealthy, and the nations' GNPs are going up. There is no Soviet Union. There is no external threat like Greece was facing. Europe has been rebuilt. The cold war is over. Let's look ahead.

What I am saying is that I don't believe, in the context of a Europe that we see now and in the foreseeable future, that our taxpayers ought to be liable for the national costs anymore in excess of what they are liable right now for the common costs. That is what this amendment says. Very simply, it says very forthrightly, ''Any future United States subsidy of the national expenses of Poland, Hungary, or the Czech Republic to meet its NATO commitments, including the assistance described in subparagraph (c), may not exceed 25 percent of all assistance provided to that country by all NATO members.''

When it comes to tanks, planes, or anything else, of course, we can still sell them. They can still buy from us. But our subsidy to this national effort cannot be more than 25 percent of the total amount of subsidies by all of the countries for that national effort——

Mr. BIDEN. Mr. President, will the Senator yield on that point?

Mr. HARKIN. Yes. But I am losing a lot of time; if the Senator would help me by yielding back some time.

Mr. BIDEN. Where you don't go back 50 years—for example, if the Senator's amendment had been in place, we probably could not have amended the conventional forces in Europe. In 1991, it became clear—the wall came down in 1989—we had to amend the conventional forces amendment. We renegotiated that agreement. The flank agreement in the Senate was an amendment. It was passed in Russia in the Duma as well. What we said was that we had to give up a number of pieces of equipment, thousands of pieces of equipment, but because Greece and Turkey were on the southern flank of NATO and because we still were concerned about instability in the region, we still wanted force structure there, we had to call for a cascading down. We took all of the equipment that we were giving up, thousands of pieces, and we just gave them to the Greeks and the Turks. It was in our national interest to do so.

Had the Senator's amendment been in place, the cost of all of those pieces of equipment would have to have been computed and added up, and then reduced from the 25 percent ceiling that was allowed to be spent by the United States on the common budget of the NATO. That had nothing to do with the cold war; it had to do with reality. It had to do with the arms control agreement. That arms control agreement would have done one of two things. It would not be able to have been negotiated and signed by us because we would not have been able to have that force structure on the southern flank, or we would have had to go in arrears to our commitment of saying 25 percent of the common budget of NATO.

That is a contemporary example. That went on from 1991 to 1996. It is a further example of how well-intended but dangerous this amendment is.

I thank the Senator for yielding.

Mr. HARKIN. Again, I respond to the Senator from Delaware. Again, what he is basically arguing for is giving a blank check to the American people. I disagree with the Senator on the point that he just said about conventional structure. We are talking about three countries. My amendment only mentions three countries. It mentions Poland, Hungary, and the Czech Republic. It is just those three countries that we are talking about and about their national costs. There may be other arrangements in Europe. There may be other structures in which we are engaged that are not covered by this amendment.

Mr. BIDEN. Will the Senator yield?

Mr. HARKIN. I am talking only about subsidies to the national military budgets, the national expenses of those three countries to meet their national commitments.

Mr. BIDEN. Just those three?

Mr. HARKIN. That is all.

Mr. BIDEN. This in no way limits our ability to give aid or assistance to any other country in NATO. So we are going to say that you three guys can come in, but we are going to promise that we are never going to give you assistance, but we will maybe give assistance to Greece, Turkey, Germany, France and England.

Mr. HARKIN. That is right. Exactly. Why is that? Because England, France,

and all of these countries' forces are modernized. They are fully integrated into NATO. Those are the three countries that are going to have a lot of money for interoperability, command, communications, force structures. That is where the money is going to go. I didn't want to say anything about the other countries. I don't think it is necessary for these other countries because we are not going to be involved in that kind of expenditure. That is why I limited it specifically to those three countries and why I respectfully demur from the Senator's comments that we could not be involved in other aspects of NATO beyond the 25 percent. We absolutely could. That is why I want to focus on those three countries only because that is where the money is going to be spent for force structure and modernization. I don't believe we ought to give a blank check.

Mr. SMITH of Oregon. Will the Senator yield?

Mr. HARKIN. Yes.

Mr. SMITH of Oregon. Wouldn't we, if we accept the amendment of the Senator from Iowa, then be relegating Poland, Hungary, and the Czech Republic second class citizenship in NATO?

Mr. HARKIN. I don't believe so. I think all we are saying is that the other members of NATO have to be as fully involved financially in upgrading and modernizing their force structure as the taxpayers of this country. I basically would submit that this amendment is more inclusive. It is saying to our partners in NATO that we are in this together; don't just stick the American taxpayer with the bill.

Mr. SMITH of Oregon. One other question.

It seems to me, as we look at the numbers that the Senator is presenting, $125 billion versus $1.5 billion, and changing circumstances, I would remind the Senate that the $125 billion was predicated on the Congressional Budget Office based upon an invasion by Russian forces of Hungary, Poland, and the Czech Republic, and that it would require the full advanced positioning of the U.S. military. If that were to occur, those numbers are probably right. The much reduced number of $1.5 billion is a reflection, according to the GAO, of the current political situation and, therefore, isn't an accurate estimate.

But I would say this: I don't think we should hamstring now our ability as the Senate and as the Congress to respond to whatever things might occur. But it seems to me, we would be doing just that if we were to accept the Harkin amendment.

Mr. WARNER. Mr. President, if I might, if I could restate what the Senator is trying to achieve with his amendment, is simply to say when NATO establishes the military requirements of three new nations, the costs associated with each of the nations and their ability to reach that requirement, the U.S. States taxpayer will pay no more than 25 percent of that cost, and 75 percent is then to be allocated among the remainder of the nations. It is as simple as that in clear English language.

Mr. HARKIN. I thank the Senator. That says it very clearly and very eloquently, and I think brings the point home again. I say to the manager of the bill that when you talk about $1.5 billion, that is one of the common costs. That is why we are trying to reach out and find out what these other costs associated with it are. These NATO's costs, as I have pointed out, we have already allocated over $1 billion ourselves of taxpayer dollars for this.

I also say in response to the comments of the Senator from Delaware about what happens in the future that, if there is an emergency or something happens where you have changed circumstances, I would respond with the same enjoinder that he gave to this Senator; that is, I believe it is important now to limit our taxpayers' exposure rather than a blank check. If there is an emergency in the future, if something does happen, yes, the Appropriations Committee will respond. The Foreign Relations Committee and the authorizing committee will respond. The Armed Services Committee in their capacity as authorizing committee will respond. The appropriators will respond. It is better to address it at that point rather than giving a blank check now and just sort of letting it go. I think from a budgetary standpoint, from the standpoint of protecting our taxpayer dollars better, we limit it now, and then, if there is an emergency, fine, we can come up with the money and finance the emergency.

Mr. BIDEN. If the Senator will yield. If in fact this logic makes sense, I don't know why we would produce an amendment that says right now we spend—I don't know the exact national budget. My friend from Virginia may know how much we spend on defense right now in the United States of America on our total defense budget. I will make up a number. Let's say it is $300 billion. Why don't we attach an amendment right now and say that we will not spend more than $300 billion on defense, period? Why don't we do that? It is the same logic. Let's tell the American taxpayers now we are limiting what they are going to spend on defense. We will do it now. We will limit it to that number, not just in Europe but all over the world. Tell them that right now. If there is an emergency, we can come back.

This is the same man, whom I respect enormously, who argued strenuously, and he argued on the same issue of a constitutional amendment to balance the budget.

Why not set a number? Defense spending cannot increase at all. We can pass it now, unless we come along and by a two-thirds vote in this body agree to spend more money on defense. That is what we are doing here relative to these three countries. That is what we are doing for Europe. Why don't we do it for the all of the national defense budget? If it doesn't make sense for the whole national defense budget, I respectfully suggest it makes zero sense to do it in Europe for these three countries.

Mr. WARNER. Mr. President, if I could clarify, the funds the Senator is talking about come out of the Department of State budget, not the defense budget.

Mr. BIDEN. Let's set the State Department budget.

Mr. WARNER. It is important in this debate that we begin to establish a few fundamentals with some correctness. The defense budget will be around $260 billion to $270 billion, but it does not contain the funds to which my distinguished colleague is now referring.

Mr. BIDEN. If the Senator will yield, let's set the State Department budget then, freeze that.

Mr. HARKIN. I didn't hear the Senator from Delaware.

Mr. BIDEN. If the categories all come out of the State Department budget, then let's say let's freeze the State Department budget. Nothing can go up in the State Department budget, period. Freeze it, just like we are going to freeze it here. Why not do that? And if an emergency comes along, we can change our mind.

It is not a way to do business, I respectfully suggest.

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa has 13 minutes 30 seconds.

Mr. HARKIN. I am sure the Senator will yield me some more off his time, because I have been so yielding to him.

I think the analogy that the Senator from Delaware uses is totally wrong. Let me provide, I think, a more correct one. This amendment in no way limits how much total defense dollars we can provide to these three countries—not at all. It simply says, whatever their national budget, we will only pay 25 percent. So the Senator's analogy that we are somehow going to cap defense spending is not right.

A better analogy, if I might say to my friend from Delaware, is this. We do have a defense budget in the United States. It is $260 billion. Let's say that for national emergency reasons, or whatever threat might come up, we have to increase it to $300 billion a year. But what we are going to do is tax the citizens of Delaware for half of it, and then we will spread the other half among the other 49 States of the Union. That is the more correct analogy as to what my amendment seeks to do.

Now, certainly we would not say to the citizens of Delaware, ''We are going to increase the defense budget. You have to pick up 50 percent of the total.'' No. We would spread it out, make everybody pay a fair, proportionate share. That is what my amendment says. My amendment in no way limits the total amount of defense money spent on these three countries.

Mr. LIEBERMAN. Mr. President, I wonder if I might yield myself time from the Senator from Oregon.

Mr. HARKIN. Mr. President, I will yield the floor and let others use their own time.

Mr. LIEBERMAN. Mr. President, I wonder if, having discussed with the Senator from Oregon, I might yield myself time from his time so as not to deprive the Senator——

The PRESIDING OFFICER. The Senator from Iowa yields the floor?

Mr. HARKIN. I am sorry. Mr. President, I yielded the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. I thank the Chair.

Mr. President, the Senator from Iowa has been very generous in yielding his own time. I wanted to make a brief statement and then pose two questions on what I take to be not just hypotheticals but real life probabilities.

I followed the discussion on a particular element of the budget, whether State Department or defense. I don't think that is right on point to what is being said here. I think the amendment of the Senator from Iowa is saying that American subsidy, as it were, of the national expenses of Poland, Hungary, and the Czech Republic to meet their NATO commitments should not be more than 25 percent of all assistance provided to each of those countries by all NATO members.

Let me lead into the questions that I want to ask the Senator from Iowa. The Senator from Iowa has said that his purpose in offering this amendment is to protect the taxpayers of America from incurring a liability greater than this 25 percent; that is, 25 percent of all assistance provided to each of these three countries by all NATO members. But I am concerned that there are some consequences in his amendment, perhaps unintended, which in fact not only do not protect the taxpayers of the United States but may hurt them, and certainly may hurt their security. And I want to describe two situations and then ask the Senator from Iowa if he would respond.

The 25 percent number is one that has some currency—no pun intended—in NATO circles about the American share. So it is not the 25 percent that I think troubles those of us who oppose this amendment. It is what the Senator from Iowa is including within the 25 percent in subsection (C) of his amendment, and I go particularly to this and I read from the amendment.

The assistance referred to in (A)(iii) above includes (1) Foreign Military Financing under the Arms Export Control Act.

So here is the circumstance I am concerned about being covered here. At sometime in the future—next year, 2 years, 3 years, 4 years—one of these three countries, the Czech Republic, Hungary, or Poland, decides that they, as part of their participation in NATO, their responsibility for their own defense, want to acquire certain modern military equipment systems.

My concern is that by squeezing foreign military financing under the Arms Export Control Act—which is to say the credits that our Government gives to facilitate the sale of weapons systems by American manufacturers to foreign purchasers—we are going to block our defense companies from having a chance to compete equally with other foreign defense manufacturers to try to sell to the Czech Republic, Hungary, and Poland. Because the credits will be included within the 25 percent, and the effect of that will not be to protect American taxpayers, it will be to hurt American defense workers, whose products will not be able to be sold to these three countries.

So, I ask my friend from Iowa, is it not true, if the amendment he has submitted is agreed to, that we will limit credits for foreign military sales to these three countries and therefore limit the opportunity of American defense manufacturers to sell to these three countries, meaning that they will be pushed to buy from other producers elsewhere in the world?

Mr. HARKIN. I will respond to my friend, if he will yield.

Mr. LIEBERMAN. I do.

Mr. HARKIN. Mr. President, again, this amendment does not preclude increased subsidies as long as we only pay our fair share. That is the point I was making prior to the Senator's comments.

But, again, is the Senator arguing that, again, this is going to cost a lot more than the $400 million that the administration has suggested—that this could really balloon in the years ahead? That is what I am concerned about. What is this going to cost? We are told it is only going to cost us $400 million. But now I hear the Senator saying maybe, if a country there decides to buy some expensive military hardware, we will want to jump in and subsidize our sales, so, therefore, we don't give it? I mean, nothing is given? It is not free; the taxpayers pay for it. And that bothers me. It doesn't preclude the sale of weapons; it just means it must be a fair share.

Again, I probably agree with the Senator that my amendment would preclude the kind of giveaway programs that cost our taxpayers a lot of money in order to maybe help one of these countries modernize to the point where they may not need it. But as long as it is free to them and costs our taxpayers, why not give it to them?

Mr. LIEBERMAN. I appreciate the response of the Senator from Iowa, because I do believe the response confirms my concern that one of the effects of passage of this amendment will be to apply what I consider to be an arbitrary cap—which is to say a 25 percent cap—on all American expenditures related to the assistance provided to these NATO countries.

Here is why I am concerned about that and why it does bother me. There are two different categories of expense. One is the direct amount we are contributing—common expenses, if you will—the $400 million that the Senator from Iowa refers to, to enlarge NATO to these countries. I do not consider the credits given to facilitate the sale of American military equipment to these countries in that same category. These are not giveaways. These are, in a long-established program, quite similar to what we do through the Export-Import Bank in other areas, or OPIC in other areas, to facilitate American companies' ability to sell their products abroad, creating or sustaining more jobs for American workers here at home.

So, my initial concerns are confirmed. I think the effect of this amendment, if adopted, would be to limit the ability of American companies to compete equally with foreign manufacturers of comparable weapons systems to sell them to these three countries, and the losers in that would be the workers in defense companies all around America. So these export credits are not giveaways. Yes, it may take the budget, the possible spending, somewhat above the $400 million, but that is a different category. The $400 million, if you will, is a grant. This is a little bit like giving a bit of a subsidy so you can sell a multiple of many times more and create jobs for American workers.

Mr. BIDEN. Will the Senator yield for a question?

Mr. LIEBERMAN. I will.

Mr. BIDEN. The Senator from Iowa forthrightly responded, as he always does, that if we wanted to sell Poland, like we sell Greece or Germany or anyone else, a piece of American-made military equipment, as long as we did not subsidize more than 25 percent of what that was, then we could sell it.

I wonder, why in God's name would the French Government agree to come up with money for Poland to allow them to buy an American jet instead of a French jet? Why would they possibly do that? And does this not give a veto, a veto on the part of other NATO nations, over American foreign military sales? Because unless they come up with 75 percent of what any subsidy would be, why would they possibly do that?

Is it not true—the Senator is on the Armed Services Committee—is it not true that one of the core debates in NATO beyond burdensharing has been who gets to sell NATO the equipment, whether they fly Mirages—whether NATO planes are Mirages or whether they are American made aircraft? Every other European country in NATO has been saying, ''You Americans get too much of an advantage.'' Every time we talk about burdensharing, don't they come back and say, ''Yes, but you don't get it; you get to make all that money and get all those jobs because you are supplying the equipment that all the NATO uses''?

So why in the Lord's name would we give a veto power over the ability of American manufacturers and American employees to keep their jobs to the French and the Germans and the Brits?

Mr. LIEBERMAN. The Senator raises a very good question. For me, at least, there is no good answer to that. That is why I say I believe that this may be an unintended consequence of the amendment that the Senator from Iowa has put forward. There is very spirited competition among the member countries of NATO in arms sales and arms purchases by NATO.

For instance, right now there is a great issue about the Joint Stars Program, a remarkable air surveillance of ground activity system in which we had an original requirement of 19 planes; assuming that NATO would buy 6, we would pay for 13. Our military says these are extraordinarily valuable. They are going to be critical in future warfare. We have already used them in Bosnia before we thought we would have to. Our allies in NATO decided last fall that they didn't want to buy the six from us, they wanted to try to make them themselves. So there is very spirited competition that goes on among the NATO members for NATO acquisitions, let alone to other countries.

I do want to say one word additionally on this point. The credits that are given for foreign military financing under the Arms Export Control Act are not literally spending; they are more in the form of a guarantee. I don't have the exact information before me, because I didn't realize we were going to get into this point this morning. I don't believe that the taxpayers have actually spent very much money on these credits. They are a form of a guarantee to facilitate these sales.

Anyway, bottom line, I leave this part of the debate with a confirmed concern, which deepens my opposition to the amendment, that one of the unintended consequences—or consequences of this amendment, if it passes, would be to hamstring, to tie up, to put a cap on the ability of American companies and workers to compete with foreign companies and workers to sell these three systems that they may want to acquire in the future.

Mr. President, I would like to go on and pose a second question to my friend from Iowa. Let me describe a different kind of fact circumstance.

One of the reasons I am so strongly supporting the enlargement of NATO to these three countries is that it will help us—it will share our burden, to be as specific as I can. NATO, as we continue our historic mission of providing for the collective defense of the member states, will face threats, as it has both within their territories and outside. We have seen it in Bosnia. I suspect, as others do, that we will be threatened increasingly from the south of NATO, not from the east, because Russia is now our ally and our partner—Partner for Peace, as we say—in that specific program. And I am struck by what these three new members can add to NATO's military capacity.

First off, and most explicitly, they will add 200,000 troops. And not just the troops, but I think what we will find, because these new members will have the enthusiasm of new membership, perhaps even a greater willingness to be involved in sharing the burden that would otherwise fall exclusively on the United States of America in responding to threats to the security of NATO and its member states, including our own security.

Let me give a specific example. Hungary has been of great help to us already in Bosnia, giving us a base from which we can launch or source so much of our activity in Bosnia. But let me come to a much more specific and recent point. A short while ago, we were on the edge of military action against Iraq again, because the Iraqis wouldn't allow us, or the United Nations inspectors, access to their facilities, according to the post-gulf-war promises that they had made. And that conflict, for now—I am afraid not forever, but for now—has been avoided. But the record will show that during the period of time leading up to the possibility of military action against Iraq, these three countries—Poland, Hungary, and the Czech Republic—made unswervingly clear that they were prepared to stand by us.

Let me be very blunt about this, undiplomatically blunt. They were much more supportive of military action against Iraq, much more willing to commit forces and materiel, much more convinced of the common threat that an uninspected Iraq posed to them, as well as to us, than some of our longest term and foremost allies in NATO. There is no secret here. The French were particularly reluctant about military activity against Iraq.

So what I want to pose now is another fact situation. Let us say in the next half year—we all hope this does not happen, but we can feel it building in Iraq again. Mr. Butler, of UNSCOM, of the U.N. group charged with inspecting in Iraq to guarantee that weapons of mass destruction have been eliminated, has said in the last week or two that, yes, the inspectors gained access to Saddam Hussein's palaces, but as far as I interpret his statements, the Iraqis cleared out the palaces, let the inspectors in, the inspectors naturally found nothing—there was a lot of time that passed—the inspectors went out, and now the Iraqis say, ''That's it. Lift the sanctions.''

Mr. Butler, steadfast, honorable, independent, says, ''Hey, we don't have affirmative proof as required under the post-gulf war agreements that the Iraqis are not developing chemical and biological weapons.''

So let us go forward a few months, and the conflict grows, the disagreement grows, the Iraqis refuse to allow U.N. inspectors in, and we are on the edge of military conflict again, and as we hope it will not happen, in fact there is a decision to launch a military action, and in this we ask and receive the support of our allies in Hungary, Poland and the Czech Republic.

I know I am speeding up the schedule a little bit because they will not in that timeframe have acceded to NATO membership. So let us take it forward a year or two or three. They want to help us in an international conflict. And the one in the gulf is most likely. To facilitate their aid to us, we have to invoke exactly the sections of law that the Senator from Iowa includes in his amendment under the 25-percent cap—transfers of excess defense articles under section 516 of the Foreign Assistance Act of 1961, emergency drawdowns of our equipment to give to them no cost leases of U.S. equipment. All of this is not to throw it away but because they can share our burden. They can send troops to be with ours. But they may need some assistance, materiel assistance that we would normally draw down from.

So perhaps this has been a longer way than necessary to say that my concern is, these additional sections of this law would prevent the United States from, in a crisis such as the one I have described, or God forbid a larger one, where the soldiers, the military forces of these three countries were ready to share the burden of the United States in defense, in fact the 25-percent cap would say, you cannot do it, you cannot help them help us.

That is not only in the most limited and technical sense such a result in the interest of the taxpayers of the United States, it certainly is not in the interest of the security of the United States or in the interests of the well-being of the military of the United States, without assistance from countries like this, to have to shoulder more of the burden.

So I ask my friend from Iowa, is it not true that these sections of this amendment would limit the ability of the United States to draw down, to transfer articles, to enter into no-cost leases of U.S. equipment to these three countries in a time of crisis, in which we would very much want them to be helping us with our assistance?

Mr. HARKIN. If the Senator will yield.

Mr. LIEBERMAN. I will.

Mr. HARKIN. Is the Senator then saying that the cost of this is going to escalate greatly in the future, that it is not $400 million, it is going to be something much above that because we are going to subsidize a lot of sales? Is that what the Senator is saying?

Mr. LIEBERMAN. I thank the Senator. What I am saying is that from the best estimates I have seen, the American contribution to the common costs of NATO will be limited to the $400 million. But there will be other cases in our self-interest, such as the ones I have mentioned, where there is an international crisis and we will want to

draw down, to give no-cost leases to Hungary, Poland and the Czech Republic to help us so we incur less damage and less direct costs ourselves that I am afraid this amendment would limit. I consider that a very separate category than in the contribution we make to the common costs of NATO enlargement.

Mr. HARKIN. If the Senator would yield further.

Mr. LIEBERMAN. I will.

Mr. HARKIN. The Senator talks about prices. Again, with all due respect, when a crisis happens, Congress responds. Again, just from a budgeting standpoint, from being perhaps a little tightfisted with taxpayer dollars, and not giving sort of a blank check and saying, ''Fill it in,'' I think by having a cap on these costs, a national cost that I propose equivalent to what we do in our common costs, that it precludes a kind of runaway giveaway.

It is like, OK, Hungary wants to upgrade their capabilities in a certain area, so we say, ''Oh, wonderful. You need not the $1.98 version, you need the $100 version.'' But Congress says, ''We can't afford the $100 version.'' We say, ''Not to worry. We'll give it to you. That will be one of our grants. We will subsidize it, and you will get ours.''

Again, I must respectfully say to my friend from Connecticut, this is a whole new vineyard, this debate about jobs. I thought this was about democracy and markets and peacekeeping. Now we are talking about jobs. I find this debate now is veering off course a little bit.

To answer the question as forthrightly as I can, yes, I am saying that if one of these three countries want the $1.98 version, we could give up a 25-percent subsidy for that. We would not come in with a $100 version and say taxpayers are going to pay for the whole thing. Yes, that is exactly what I mean.

Mr. LIEBERMAN. I thank the Senator from Iowa. I will say a brief word or two more and then yield to the Senator from Oregon.

What I fear from the amendment is that the effect of the amendment will be to limit our ability to sell cost-effective items to these three governments, not just the ones that the Senator may consider to be bloated in expense. And more to the point of the second example that I have asked him about, I think it will have the unintended consequence of shackling us in our attempt to benefit from the willingness of these three countries to assist us in a time of international crisis.

I want to make a final point about the comment that the Senator made in passing that this is about, the NATO enlargement debate is about principle, not about jobs in America. I respectfully, loosely paraphrase there.

In my opinion, as I tried to indicate yesterday, this debate really is about a principle, about the principle of freedom that was secured and won in the cold war and that we now, in my opinion, have a moral obligation to ratify that victory in the freedom won by countries like Poland, Hungary and the Czech Republic, countries that suffered during the cold war and the long years of Soviet Communist domination, to welcome them into this military alliance which is based on the principle of freedom, also on collective defense.

I know that there are some who have said that what drives this debate, what drives the move for NATO enlargement is the yearning by American military contractors for more sales in Central or Eastern Europe. I must say, I am on the Armed Services Committee and I have not had a single comment—I have contact on a regular basis with representatives of defense companies, and I have not had a single one of them say a single word to me about NATO enlargement.

But that having been said, and looking realistically, the potential sales here are quite modest as a proportion of overall military sales throughout the world, particularly within the United States with the Pentagon as the purchaser. But if these three countries want and need to purchase new military equipment, why would we want to limit the ability of American companies to sell American made products to them? So, no, the debate overall is not about American workers; it is about the principle of freedom and collective defense, and the promotion of peace and stability on the European Continent, which is what NATO has done so greatly for almost 50 years and will do more broadly in the years ahead if we enlarge it.

Way down on the list of effects is the possibility that there might be a few sales of American-made equipment to these countries. I fear that the unintended consequence of this amendment would be to limit those sales and, in that sense, to give an unusual and surprising competitive advantage to military contractors abroad, particularly in Europe, perhaps even in Russia or China, as well.

I thank my friend from Iowa for what I hope has been an illuminating dialog and for the directness and eloquence of his own participation.

I thank my friend from Oregon for yielding me this time. I yield the floor.

The PRESIDING OFFICER (Mr. SESSIONS). The Senator from Oregon.

Mr. SMITH of Oregon. Mr. President, I was once asked by a mother in a town meeting I had in Oregon why her son or daughter should put his or her life at risk for a Hungarian or Pole or Czech through the expansion of NATO. I think it sometimes helps to think in human terms like that. My answer to her was that the surest way not to put her son's or daughter's life at risk was, in fact, to expand NATO.

It is a very troubled area in world history. In a tough neighborhood, good fences make for better neighbors. I have fought to expand NATO because I think to leave the vacuum, to leave muddled ''international speak'' out there at the border was a mistake.

I think the answer I gave to that mother can also be given to my friend from Iowa. The Senator is concerned about the bill going up. I am concerned about that, too, but I think the surest way that the bill not go up is to expand NATO. I think if we did not expand NATO, and the worst kinds of scenarios you could construct actually occurred, we would be spending far more than $1.5 billion—whether Poland, Hungary and the Czech Republic were in NATO or not because I don't think this time we would stand idly by. I certainly hope we would not.

So the surest way, I think, we can assure the American taxpayer that Senator HARKIN is rightly concerned that we won't spend $125 billion to expand NATO, is to define the terms of the future, not just react to them, make them, expand NATO, make this commitment, and I believe it means we will not be spending the kind of excesses that I also fear with the Senator from Iowa.

Mr. HARKIN. How much time remains?

The PRESIDING OFFICER. The Senator has 11 minutes.

Mr. SMITH of Oregon. I yield the floor.

Mr. HARKIN. Mr. President, I will respond with a couple of things.

First of all, I have to ask again the question: Can these three members, these three nations, can they afford membership in NATO or can they not? Can they afford to bear the burden or can they not? We have been told they can. One of the requirements for membership is they can pay the tab. These three nations have stated over and over they could afford it.

Now I am hearing, wait a minute, no, maybe they can't, because now we will have to give them a lot of subsidies to buy weapons systems. Well, if that is the case, then do they have the economic strength to join NATO? It seems like we cannot have it both ways. If they have the economic strength, why do they need all the subsidies? If they don't, are they really capable of joining NATO?

Secondly, yes, I am concerned about these types of giveaway programs and loans and grants. I say to my friend from Connecticut, we have—I have been on the Defense Appropriations Committee for several years now, and I have been in some aviation things going back almost 20 years, both in the House and the Senate. I say to my friend from Connecticut, we have always been faced with other countries subsidizing, in many cases more than we ever subsidized our arms manufacturers.

So how do we beat them? We beat them because we make the best products. We have the best quality. No one can match our aircraft. No one can match our weapons systems. No one can match not only the quality but the kind of support infrastructure that we can provide for those weapons systems. So other countries might have to subsidize theirs a little bit more, but only

because they cannot match us in those areas. So we have been quite capable of competing and winning in the world market our share of defense items in the past. I do not think that will change in the future.

So in the last decade we have written off or forgiven over $10 billion in default of loans on military-related items on this. I think, again, we have to be very careful about this. We are told it will only cost us $400 million, but now what I hear is no, that is only for the common costs. This could go up and up and up and up, subsidy after subsidy after subsidy.

Then we hear that is only if there is a crisis. Fine. If there is a crisis we will address it then. But even the administration has said any threat to Europe to these nations is not imminent and would take years to develop. So we are not facing something that might happen in the next few months or even in the next couple of years or so, even according to the administration's own admission.

Therefore, I submit once more, Mr. President, that to keep the costs down, to be honest with the taxpayers of this country, what my amendment says is what is good for the common costs—that is, we limit our involvement to 25 percent—that we should limit the 25 percent, for subsidies for all of those national costs, also. That is all this amendment does. My friend from Oregon, my amendment does not stop NATO expansion. It simply says no longer will our taxpayers simply pick up the tab.

I yield the floor and reserve the remainder of my time.

Mr. SMITH of Oregon. Mr. President, with all respect for my friend from Iowa, I believe the Harkin amendment attempts to strangle NATO's expansion because it cannot prevent NATO expansion. This amendment places unreasonable restrictions on expenditures by limiting our assistance to new NATO members to 25 percent of all assistance provided to these countries by current NATO members.

I urge my colleagues to read carefully the resolution of ratification that we have before us. Condition two requires the President to certify that the United States is under no obligation to subsidize the national expenses necessary for Poland, Hungary, or the Czech Republic, to meet those countries' NATO commitments.

Let me be clear on this point. In signing the Protocols of Accession with these three countries, the United States has not signed up to foot the bill for their membership in NATO, and Poland, Hungary, and the Czech Republic understand that it is ultimately their responsibility to make the necessary improvements to their military structures.

Now, my friend from Iowa knows that in the past, the U.S. Congress has authorized and appropriated funds for countries in Central and Eastern Europe to assist in their efforts to meet the criteria for NATO membership.

Approving this resolution, however, in no way restricts the congressional prerogative to make this decision on an annual basis. In other words, why draw an arbitrary line now? We are going to do this on a regular basis anyway as circumstances change.

If in the future years we determine that Poland, Hungary, and the Czech Republic do not warrant or do not need the U.S. assistance, we will not authorize and appropriate it. I trust that future Congresses will be able to make this decision based on the circumstances in their time and will not need artificial percentages to dictate how our assistance should be appropriated.

I also confess concern about the signal that would be sent if the Senate adopted the Harkin amendment. Does approval of this amendment mean that the United States would only need NATO 25 percent of the time no matter what our security interests may be? Does it mean that the United States is interested in only 25 percent of NATO's activities, exercises, and planning processes? Does it mean that the United States would participate in just 25 percent of NATO operations despite any potential threat posed to the alliance? I think these questions demonstrate why arbitrary ceilings simply do not belong.

Mr. President, I suggest that we allow the Congress to make funding decisions based on our foreign policy interests and that we reject any effort to tie our assistance to countries in Central and Eastern Europe to that provided by our NATO allies. I, therefore, urge my colleagues to oppose the Harkin amendment, which I do today.

I yield the floor, Mr. President.

Mr. HARKIN. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. Seven minutes.

Mr. HARKIN. Mr. President, I want to briefly touch on an issue the Senator from Connecticut mentioned, and that is lobbying by defense contractors.

At the outset, I want to say that I have not been contacted by any either. I don't know that my staff has; at least they haven't told me that. I respond by reading from an article that appeared in the New York Times on March 30, which I obviously got off the Internet, in which the writer of the article went on to say that ''The chief vehicle of support for NATO expansion is a group called 'The U.S. Committee to Expand NATO'.'' The president of that innocent-sounding group is Bruce Jackson, director of strategic planning for Lockheed, a vice president for Lockheed for strategic planning.

Mr. President, again, a lot of these people have been championing NATO membership for these countries. He quoted me as saying that ''This may amount to 'a Marshall Plan' for defense contractors who are chomping at the bit to sell weapons and make profits.'' Well, I am a Democrat, and it says, ''A top Republican aide joked that the arms makers were so eager for NATO expansion, we will probably be giving landlocked Hungary a new navy.'' Those are just musings and comments by various and sundry people.

Again, this gets back to the question of whether or not we are going to ask the taxpayers of this country to provide subsidies over, above, and beyond what they kind of have been told in terms of NATO expansion as to what the costs would be. Yes, if these countries are going to upgrade their weapons system, sure. Do I want our defense contractors to be in there to provide them the necessary resources they need for defense? Absolutely. But do I want them there when the taxpayers say—as I pointed out to my friend from Connecticut, which we have seen so often in the past, for one of those countries may say that we need a certain system and it cost $1.98. Since there is no limit on the subsidies, one of our contractors could come in and say: You don't need the $1.98 one, you need the $100 version. Hungry, Poland, or the Czech Republic may say: We can't afford that. The contractor may say: Not to worry. You see, under the situation we have now, the U.S. taxpayers will provide the subsidy for it and you can go ahead and have it.

Once again, our taxpayers are stuck with it. I think that is the normal course. If there is a crisis, as has been stated many times, well, this would hamstring us in terms of a crisis. Again, I point out that no one is saying there is any imminent threat of any crisis at all. The administration says that for years ahead Russia is no threat. So if, in fact, a crisis comes up in the future—in the distant future—we have time to react, we have time on both the authorizing committee and on the appropriating committee to make changes, to make sure these countries have the adequate and necessary defense capabilities to defend themselves. But to just give a blank check now, I think, is wrong. I think it will cost the taxpayers of this country untold billions of dollars, unless we put the same cap on our subsidies for national expenses that we have on the common costs.

We have agreed with our fellow member nations in NATO that on the common costs we would provide about 25 percent. I see no reason why that same logic cannot prevail and be used to cap our exposure on the national costs. In fact, I have gotten an idea this morning that I may offer another amendment to this bill, and that is to get other member countries of NATO to also agree that their subsidies, their proportion of the national costs, would not exceed what their proportion is under the common costs. Now, we cannot force them to do that, but it seems to me that should be one of the negotiating principles that we would use with other countries when they want to expand and enlarge NATO. In fact, it kind of comes as a surprise to me that

we did not do that in the beginning. If we really want honest accounting, and we want the European countries that are quite wealthy now to bear their fair share of the costs, it seems to me that we should have insisted in the beginning that the same proportionality that pertains to the common costs should pertain to the national costs. To me, this is a gaping hole, and the first place to close it is here with this bill, by saying that the United States will provide no more than its 25-percent share of those national costs.

Mr. President, I yield the floor and reserve my time.

Mr. LIEBERMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. I wonder if the Senator from Washington will yield up to 5 minutes.

Mr. GORTON. Certainly.

The PRESIDING OFFICER. The Senator is recognized for 5 minutes.

Mr. LIEBERMAN. Mr. President, I want to respond briefly to two points. One is on the question of the involvement of the American defense industry in this debate. The Senator from Iowa cited a news article indicating that a group called the U.S. Committee to Expand NATO, headed by a gentleman involved in the defense industry—honestly, I don't know the facts about that committee at all, but I have seen some advertisements they have placed. But what I want to do is suggest—and I know the Senator from Iowa didn't mean to say this in quoting the article—that the support for NATO enlargement is quite broad. It is enormous. It goes well beyond this one organization headed by this one man. There are a host of military and veterans' organizations that I think support this because they have learned the lessons. They feel enlarging NATO is one of the rewards, if you will, for their service over the long years of the cold war. It was one of the goals they aspired to—to free the captive nations and let them become part of the community of freedom-loving nations. AMVETS supports NATO enlargement, as do the American Legion Association, U.S. Army Jewish War Veterans, Marine Corps League, National Guard Association, Reserve Officers Association, Veterans of Foreign Wars Association, and, in addition, a host of civic policy and political organizations, including, interestingly, the Council of State Governments, the U.S. Conference of Mayors, a host of State legislative bodies, including my own State senate in Connecticut that spoke on behalf of enlargement;

A true rainbow coalition of ethnic organizations, American ethnic organizations, many of whom have members who have family ties to the people who have suffered for almost five decades, four decades anyway, under Soviet Communist domination, are now thrilled that their family and friends can enjoy the blessings of liberty and want to affirm that opportunity by membership in NATO;

Many business and labor organizations, including the AFL-CIO, support the enlargement of NATO. So this is a very broad-based organizational effort, much beyond one group;

A remarkable number of high-level officials have signed a statement of support of NATO enlargement; former Vice Presidents Quayle and Mondale; former Secretaries of State Baker, Christopher, Eagleburger, Haig, Rodgers, Shultz, Kissinger, and Vance. I believe that is every living former Secretary of State;

Former National Security Advisers Allen, Brzezinski, Lake, McFarland, and Powell;

Former Secretaries of Defense Carlucci, Cheney, Clifford, Perry, and Rumsfeld.

It is a remarkable, broad coalition, much beyond one person whose affiliation may be the defense industry and an organization that I presume is much larger than that.

The second and final point that I want to make is I want to draw on something that the Senator from Oregon said, and it helps me to make a point about what I believe to be one of the unintended, certainly undesirable, consequences if we should adopt the Harkin amendment, which I hope we will not. The Senator from Oregon has occasionally held town meetings in Oregon. He has asked about NATO enlargement. Do we want to send your sons? How will you respond to the question of why would you send your sons to defend Budapest or Warsaw or Prague?

One of the effects of enlarging NATO is in effect quite the opposite, which is to bring the military forces, 200,000 strong, into the common effort to defend NATO and its member states from security threats to it and them. That involves a scenario that I suggested earlier that may occur in the Middle East around Iraq and other trouble spots around the world. What I am confident of is there will be an enthusiasm and a steadfastness to participate among these three new members that we don't always find, frankly, among the other members who have been with us from the beginning.

The question could almost be turned. That is, expanding NATO holds the prospect that Hungarian soldiers, Czech soldiers, and Polish soldiers will be sent to trouble spots in the world and not require American soldiers to be sent, certainly not in the same numbers. I believe that one of the consequences of this amendment putting an arbitrary 25 percent cap on American involvement here will be to make it impossible for us to draw down supplies and equipment to offer assistance to those soldiers of these three countries when they share our burden and place less of a burden on our military and on those who wear the American uniform.

I thank the Chair.

I yield the floor.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, 10 days ago in a column appearing in the Washington Post, Charles Krauthammer wrote:

> By ruling Central Europe out of bounds to Russia, NATO expansion takes one of this century's fatal temptations off the table. It is the easiest U.S. foreign policy call of the decade.

Why is it the easiest foreign policy call of the decade? Because the North Atlantic Treaty Organization for 50 years has preserved the peace of Europe and the peace of the United States. As a result of the North Atlantic Treaty Organization, the Soviet Union literally ceased to exist. All of this was accomplished by a military alliance that never was required to fight or to sacrifice its young men and women in a military conflict within the bounds of that organization.

Why did the North Atlantic Treaty Organization come into existence in the first place? Because the first half of this century showed that both world wars began in Central Europe because of the weakness, the instability, the unsettled nature of the former empires and the then national states in that part of Europe, occupied almost wholly by the Soviet Union at the end of World War II. The West could only be defended by a military organization of which the United States was a part. Behind the magnificent defensive line, the parapets, built by the North Atlantic Treaty Organization, Western Europe became free, democratic, and prosperous.

During that 50 years, we and the Western Europeans invested not an inconsiderable amount of money in communicating those ideas of freedom to the people of Central and Eastern Europe through the Voice of America and other such organizations. It is clear now that nothing was desired by the people of the Czech Republic, Poland, and Hungary more than to join the free and prosperous countries of Western Europe. Partly because of our efforts through NATO, partly because of our economic success, and partly from their growing dedication to freedom, they freed themselves—they freed themselves—from the Soviet Union. The Soviet Union disappeared and became Russia, a country still unstable, a country with candidates for President in the year 2000 who would desire nothing more than the restoration of the old Soviet Union.

So the rationale of the expansion of the North Atlantic Treaty Organization is to say, no; these countries freed by their own efforts and our own efforts will stay freer. They will be to us as Germany and France and Normandy have been for the last half century. What history teaches us is that a political vacuum filled with weakness and irresolution is a temptation to an aggressor. Countries a part of the North

Atlantic Treaty Organization were not such a temptation, even at the height of the power of the Soviet Union.

Accession to NATO is as close to a guarantee as we can possibly come of the fact that our sons and daughters will not die in Warsaw or in Prague or in Budapest any more than they were required to do so in Oslo or in Paris in the course of the last half century.

Mr. President, this is the easiest foreign policy call of the decade. The North Atlantic Treaty Organization will lend strength to us, a contribution to our own defense, but most importantly the security of countries that have not been secure that want to join us in prosperity and in safety as they have in freedom.

The amendment of the Senator from Iowa is simply another attempt to make these members second-class members. We have already stated that we made no commitment at all, a zero commitment, to subsidize the national expenses for these countries. How much, if any, we subsidize them in the future is a decision that can and should be made in the future and not in the course of this debate.

Even more mischievous, in my view, Mr. President, are amendments to say that there will be no further expansion, that we will leave a vacuum unless certain preconditions are made. For more than 50 years the United States of America refused to recognize the annexation of the Baltic republics by the Soviet Union. When their cause was deemed to be a hopeless cause by almost everyone, they, too, have freed themselves. They, too, want at some future date to be a part of NATO. They, too, create a vacuum at the present time in the power structure of Central and of Eastern Europe.

To pass an amendment that is likely to be proposed by another of my colleagues that singles them out as being countries we will not want to defend or be a part of without special circumstances, in my view, is simply an engraved invitation to some future Russian Government to say: We're coming back in; we don't care about your desire for freedom. You're a part of us whether you like it or not. And, look, the Americans have in effect in the Senate said that's OK.

That is the essence of instability and of uncertainty, not only for the nations immediately involved but for all of us.

Certainty created through 50 years by the North Atlantic Treaty Organization is the best guarantor of peace. I am convinced we should reject all limiting amendments, admit these three nations, and judge in the future what additional nations should be admitted to NATO—nations, in my opinion, consisting of all of those that become real democracies, real free market countries, with a real desire not only to be a part of the North Atlantic Treaty Organization but to contribute their own strength to it.

We should reject the Harkin amendment. We should grant the accession of the three countries before us at the present time without further conditions, and in the good faith that their accession will strengthen peace, strengthen their democracy, and strengthen our own security.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent that I be allowed to address the Senate as if in morning business past the agreed upon time of 12:45.

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

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

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

Mr. BIDEN. Mr. President, I realize we only have a minute or two before the unanimous consent order kicks in which ends discussion at 12:45, but let me say for the record that one of the aspects of the amendment that we are considering and will be voting on when we come back from our caucus luncheons, the Harkin amendment, deals with requiring excess military materiel transferred to any NATO country—in this case, the three new members—to be counted against our common budget.

I did not have these numbers before, but I want to put them in the RECORD now. The Senator from Iowa has contended that we provide aid only to the less well off countries in NATO, and he implied they are the only ones we have given this excess military equipment to. Most people don't know what we are talking about here, so let me make it clear. Here are the facts.

In fiscal year 1996, we provided excess defense articles to the following countries: Denmark, Germany, Greece, Portugal, and Turkey, for a total value of $55 million. In fiscal year 1997, these excess articles went to the United Kingdom, Norway, Spain, and Turkey; value: $113 million. And my friend from Iowa, if his amendment passes, would say we can continue to spend taxpayers' money for what we believe is in our national interest to give excess items to other NATO countries, not part of our NATO requirement but our individual judgment, but we could not do the same for Poland, the Czech Republic, or Hungary. I think that would a serious mistake. If he wishes to do that and ''save the taxpayers' money,'' why not have his amendment say no excess military arms could go to any NATO country? Why single out for this second-class treatment the three new countries?

I yield the floor.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I thank my friend from Delaware. His statement is a very important contribution to this debate on NATO, and I appreciate the fact that not only is he giving the Senate information but the great job the Senator is doing on this issue here for these many days. I am very appreciative.

Mr. BIDEN. I thank the Senator.

Mr. MCCAIN. There is no one more qualified, in my view, in the Senate than the Senator from Delaware, on this issue especially, but other foreign policy issues.

THE TOBACCO INDUSTRY'S CAMPAIGN OF DIVERSION

Mr. MCCAIN. Mr. President, much has been said and written about the tobacco bill approved by the Senate Commerce Committee 19 to 1, three weeks ago.

The Senate will soon have an opportunity to debate, offer amendments and vote on tobacco legislation. I know the Senate can and must work cooperatively and without partisanship, as we have on the Commerce Committee, to improve the measure, and assure that it serves the public health interests of our nation—most particularly our children.

The Commerce Committee measure is a bipartisan bill that was developed in consultation with the attorneys general, the administration and the public health representatives including Dr. Koop, Dr. Kessler, and Matt Myers of the National Center for Tobacco Free-Kids.

It's a comprehensive bill aimed at dramatically reducing youth smoking. Every living Surgeon General has signed a letter to Congress urging us to pass comprehensive legislation this year to address what is our nation's number one public health problem.

The tobacco industry is now embarked on a campaign of diversion to change the subject from health and children. They are trying to take attention away from the facts, and use specious ''buzz word'' attacks to kill a bill they know might actually stop kids from smoking and reduce their ability to lock teens in as lifetime smokers.

So, Mr. President, this is about money—the tobacco industry's money—and the lengths they'll go to make more, including lieing to Congress, manipulating nicotine to hook customers and marketing to kids.

Mr. President, I would like to quote recent newspaper items responding to the industry's attacks and regarding new evidence of the prevalence of smoking among minority children as reported in the Washington Post. First, from USA Today:

> Some, ever eager for some raw meat, were sucked right in by the rhetoric. But before you believe it, pause a moment for one little bit of truth: Everything the industry is railing against today it agreed to in some form just 10 months ago. Here's the rundown:

Big tax boost. Half a trillion dollars. That's how much those greedy lawmakers want to take from smokers. And a disproportionate amount would come from poor people because they smoke more.

But wait a minute. Where were these brave champions of the downtrodden last June? Ooops. They were signing a settlement deal with a group of state attorneys general to dig $400 billion from smokers' pockets. The AGs and congress sought high prices to discourage smoking, particularly in the teen years when most smokers start. The poor? Flip the tax idea around. Imagine what the reaction would be to a plan that lowered their costs in order to lure them into a deadly habit.

Big government. Standing athwart the onward march of big government, tobacco executives now warn that ''Washington wants to create 17 new bureaucracies.'' Memories of Clintoncare dance in their heads.

Just don't pay any attention to the fact that 10 months ago these same executives were whipping big government on. The June settlement gave the Food and Drug Administration a 30% boost in its budget, the feds new powers to ban indoor smoking, and on and on.

Ad restrictions. Why those do-gooders in Washington even want to strip the industry of its First Amendment rights by sharply restricting advertising. No human images, no color ads, and so on. Yet somehow all this was perfectly fine with the industry last June.

Tobacco farmers. Congress' plan would put hundreds, if not thousands, of tobacco farmers out of work. The Senate bill does set aside some $28 billion in a trust fund to help growers and their communities dislocated by the cut in smoking rates. Guess how much the industry secured for these beloved farmers when cutting its June deal? Zip. Zero. Nada.

What changed between June and today is this: Congress started to give the appearance of closing loopholes the industry had artfully built into the June deal—a tactic it has exploited in the past. Penalties for failing to reduce teen smoking, for instance, were too small to matter.

Some observers have suggested that the industry quit negotiations now only to improve chances for a weak deal later. That remains to be seen, but one thing is certain. All Big Tobacco has done for two weeks is blow smoke.

As reported in the Washington Post:

The latest annual report by the surgeon general, David Satcher, showed what other studies have highlighted: that smoking continues to increase in allure to young people even as fewer adults smoke. Over the past six years, it said, youth smoking has risen by nearly a third, and some 40 percent of white high school students smoke. Smoking by high school-age blacks, who still smoke less than white counterparts, rose by nearly 80 percent from 1991 to 1997. The smoking rate among Hispanic students rose by 34 percent, the study found.

Here are the facts.

First the statistics on youth smoking are clear and alarming: 3000 kids a day start smoking every day; 1000 of them will die early from smoking related disease; and one out of every three adolescents uses tobacco by age 18. Mr. President, we're not talking about kids who sneak a cigarette out of their mother's purse. According to a Surgeon General's report: Seventy-one percent of youth smokers, use tobacco daily.

The Centers for Disease Control reports that youth smoking is on the rise, a trend that the American Cancer Society calls a ''pediatric epidemic.'' Ninety percent of lifetime smokers take up the habit before the age of 18—when it is illegal to buy tobacco products in every state in the union. We know from documents discovered in state suits against the tobacco industry that they have long understood the adverse health impacts and addictiveness of their products, yet actively marketed to children, including studying 5–7 year olds.

The cost of this problem is enormous!

Mr. President, 435 thousand Americans die from smoking related illness every year—the single greatest cause of preventable disease and death in America by far. Every year, taxpayers must foot the bill for $50 billion in health care costs to treat smoking related disease. According to the Department of the Treasury, smoking related injury, damage and economic cost exceed over $130 billion annually. To recoup some of these costs to taxpayers, 41 states have sued the industry.

Mr. President, the severity and urgency of the problem is beyond question. Now is the time for action. As I said, every living surgeon general of the United States has signed a letter urging Congress to pass comprehensive tobacco control legislation.

The bill passed by the Commerce Committee is comprehensive and mirrors the framework of the tobacco settlement reached between the industry and the attorney general.

The bill: Restricts tobacco advertising and marketing aimed at kids; sets aggressive but achievable youth smoking reduction targets, and holds the industry responsible for failing to achieve the reductions; increases the price-per-pack of cigarettes by $1.10 over five years to reduce youth consumption. Experts agree such a hike is a critical part of the overall effort to curb youth from smoking.

It provides the Food and Drug Administration with authority to oversee nicotine and tobacco product ingredients and marketing. It requires the industry to pay up to $516 billion over 25 years to compensate states for tobacco related costs to Medicaid and public health programs; to fund youth smoking reduction and health research initiatives; and to assist tobacco farmers.

The bill is about our kids, it's about accountability and it's about solving a national problem. The industry wants to change the subject with the tried and true tactics of diversion.

I understand they now intend to spend $100 million for print and broadcast media to maintain the status quo. Perhaps if the industry had spent some of their resources on legitimate anti-youth smoking activities, we wouldn't have the problem we do today.

The industry diversion play book consists of four themes.

DIVERSION ONE—SOLVING THE PROBLEM OF YOUTH SMOKING IS REALLY ABOUT TAX AND SPEND GOVERNMENT

Experts agree that a price increase is an essential component of the effort to stop youth from taking up the habit—the industry doesn't want a bill that will truly diminish the number of their ''replacement'' users.

The money raised by a settlement would be used to reimburse taxpayers for the $50 billion yearly tax that big tobacco places on American taxpayers in the form of tobacco health care—including a substantial drain on Medicare and Medicaid.

The funds would also finance: Youth anti-smoking initiatives; vital health research to find new cures and treatment for smoking related disease including, cancer, stroke and heart disease. It would assist farmers who will be affected by reductions in tobacco consumption—hard working middle class Americans who for years have been encouraged to grow tobacco by federal policies.

The bulk of the revenue raised—up to $195 billion—will be dispensed to the states to settle their cases against the tobacco companies and could be used for tax cuts at the State level.

It's more than slightly ironic that last summer the industry agreed to a substantial price increase in their settlement with the attorneys general. They further tax their own credibility by suggesting that an additional 10 cents more per year by the year 2003 is the difference between enlightened public policy and tax and spend government.

DIVERSION TWO—THE EFFORT TO STOP YOUTH SMOKING IS ABOUT BIG GOVERNMENT

The tobacco companys ads say that the bill approved by the Commerce Committee contains seventeen new boards and panels, and is government run amok.

Of the dozen boards, most of which were contemplated in the industry's agreement, eight of them are part-time or advisory and entail little or no cost; two are temporary, including one created to reimburse small business people for the termination of cigarette vending machines. And, one is to ensure that increased research dollars are not wasted.

Furthermore, the majority of these initiatives were contemplated in the June 20th agreement signed by the industry.

DIVERSION THREE—THE INDUSTRY WILL GO BANKRUPT

The Commerce Committee bill implements the President's request for $1.10 increase in the price per pack of cigarettes over five years.

The Deputy Secretary of the Treasury, Lawrence Summers, testified before the Commerce Committee that this increase would not bankrupt or render the industry financially unviable.

The President has stated that it is not the administration's intention to drive the industry out of business, but to get them to stop marketing and selling to kids.

If the industry truly believes the President's request creates a bankruptcy situation, it's incumbent upon

them to make their case to the Department of the Treasury, not simply walk away from the table, and threaten to go back to business as usual.

DIVERSION FOUR—PRICE INCREASES WILL CREATE A BLACK MARKET

Again, the administration has assured that the President's request will not stimulate a substantial black market.

It's important to understand that today there is a black market today in cigarettes, as there is in a variety of consumer goods.

If the industry has credible evidence that price hikes will create a substantial black market that poses a threat to public safety or health they should produce that evidence.

I don't believe, however, that most Americans would agree we should refrain from doing what's necessary to stop youth smoking based on unsubstantiated conjecture.

One answer to the omnipresent black market issue is to better enforce our laws against smuggling and sale of contraband.

Let me conclude by saying Congress and the administration must focus on enacting a fair, effective and responsible piece of legislation that will stop youth from smoking. The American people demand it.

They do not want a political football, or partisan politics.

Certainly, improvements in the Commerce Committee bill can be made, and I look forward to continuing to work with all Senators to achieve that end. Now is the time for all sides to lower the rhetoric, make their case and let the legislative process work.

Mr. President, I appreciate the indulgence of the Presiding Officer, and I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 1 o'clock having been reached, the Senate is in recess until 2:15.

Thereupon, at 12:59 p.m., the Senate recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. COATS).

Mr. ENZI addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

EXECUTIVE SESSION

PROTOCOLS TO THE NORTH ATLANTIC TREATY OF 1949 ON ACCESSION OF POLAND, HUNGARY, AND THE CZECH REPUBLIC

The Senate continued with the consideration of the treaty.

EXECUTIVE AMENDMENT NO. 2310, AS MODIFIED

Mr. ENZI. Mr. President, I ask unanimous consent that it be in order at this time to modify the Kyl amendment with the modification that is at the desk.

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

The Executive amendment, as modified, is as follows:

In paragraph (1) of section 3, after ''(1) THE STRATEGIC CONCEPT OF NATO.—'' insert the following:

(A) POLICY OF THE UNITED STATES TOWARD THE STRATEGIC CONCEPT OF NATO.—The Senate understands that the policy of the United States is that the core concepts contained in the 1991 Strategic Concept of NATO (as defined in (1)(F)), which adapted NATO's strategy of the post-Cold War environment, remain valid today, and that the upcoming revision of that document will reflect the following principles:

(i) FIRST AND FOREMOST A MILITARY ALLIANCE.—NATO is first and foremost a military alliance. NATO's success in securing peace is predicated on its military strength and strategic unity.

(ii) PRINCIPAL FOUNDATION FOR DEFENSE OF SECURITY INTERESTS OF NATO MEMBERS.—NATO serves as the principal foundation for collectively defending the security interests of its members against external threats.

(iii) PROMOTION AND PROTECTION OF UNITED STATES VITAL NATIONAL SECURITY INTERESTS.—Strong United States leadership of NATO promotes and protects United States vital national security interests.

(iv) UNITED STATES LEADERSHIP ROLE.—The United States maintains its leadership role of NATO through the stationing of United States combat forces in Europe, providing military commanders for key NATO commands, and through the presence of United States nuclear forces on the territory of Europe.

(v) COMMON THREATS.—NATO members will face common threats to their security in the post-Cold War environment, including—

(I) the potential for the re-emergence of a hegemonic power confronting Europe;

(II) rogue states and non-state actors possessing nuclear, biological, or chemical weapons and the means to deliver these weapons by ballistic or cruise missiles, or other unconventional delivery means;

(III) threats of a wider nature, including the disruption of the flow of vital resources, and other possible transnational threats; and

(IV) conflict in the North Atlantic area stemming from ethnic and religious enmity, the revival of historic disputes or the actions of undemocratic leaders.

(iv) CORE MISSION OF NATO.—Defense planning will affirm a commitment by NATO members to a credible capability for collective self-defense, which remains the core mission of NATO. All NATO members will contribute to this core mission.

(vii) CAPACITY TO RESPOND TO COMMON THREATS.—NATO's continued success requires a credible military capability to deter and respond to common threats. Building on its core capabilities for collective self-defense of its members, NATO will ensure that its military force structure, defense planning, command structures, and force goals promote NATO's capacity to project power when the security of a NATO member is threatened, and provide a basis for ad hoc coalitions of willing partners among NATO members. This will require that NATO members possess national military capabilities to rapidly deploy forces over long distances, sustain operations for extended periods of time, and operate jointly with the United States in high intensity conflicts.

(viii) INTEGRATED MILITARY STRUCTURE.—The Integrated Military Structure of NATO underpins NATO's effectiveness as a military alliance by embedding NATO members in a process of cooperative defense planning and ensuring unity of command.

(ix) NUCLEAR POSTURE.—Nuclear weapons will continue to make an essential contribution to deterring aggression, especially aggression by potential adversaries armed with nuclear, biological, or chemical weapons. A credible NATO nuclear deterrent posture requires the stationing of United States nuclear forces in Europe, which provides an essential political and military link between Europe and North America, and the widespread participation of NATO members in nuclear roles. In addition, the NATO deterrent posture will continue to ensure uncertainty in the mind of any potential aggressor about the nature of the response by NATO members to military aggression.

(x) BURDENSHARING.—The responsibility and financial burden of defending the democracies of Europe will be more equitably shared in a manner in which specific obligations and force goals are met by NATO members.

Mr. ENZI. Mr. President, I ask unanimous consent that at 4:30 p.m. today, the Senate resume consideration of the Kyl amendment No. 2310, as modified, and there be 30 minutes equally divided for debate on the amendment. Further, I ask unanimous consent that following the expiration or yielding back of time, the Senate proceed to vote on or in relation to the Kyl amendment, and further that no amendments be in order to the Kyl amendment prior to the vote.

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

Mr. ENZI. Mr. President, I further ask that following the vote on adoption of the State Department conference report, at 2:25 p.m., there be 2 minutes equally divided for closing remarks on the Harkin amendment prior to the vote on or in relation to the Harkin amendment.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to legislative session.

FOREIGN AFFAIRS REFORM AND RESTRUCTURING ACT—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, there will now be 10 minutes of debate equally divided for closing remarks prior to the vote on the adoption of the conference report accompanying H.R. 1757, which the clerk will now report.

The legislative clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1757), have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The Senate continued with the consideration of the conference report.

The PRESIDING OFFICER. Who yields time?

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. I yield myself 2½ minutes. It is what, 5 minutes each?

The PRESIDING OFFICER. Five minutes on each side.

Mr. HELMS. I yield myself half of my time.

The PRESIDING OFFICER. The distinguished Senator is recognized.

Mr. HELMS. Notify me when it is over.

The PRESIDING OFFICER. The Chair will advise the Senator.

Mr. HELMS. I thank the Chair.

Mr. President, rumors, they are aflying to the effect that the President of the United States has instructed the Democrats of the Senate to vote against this conference report and, if my intelligence sources are correct, it will get about three Democratic votes this afternoon. That compares with the vote of 90–5 for this very same bill, largely, that was passed by the Senate. If such game playing is going to happen, and if this conference report is defeated because of that sort of thing, then the President is going to have a difficult time about a lot of things.

Let me say it again. The pending conference report is the result of more than a year's hard work by Senator BIDEN and Secretary Albright and JUDD GREGG, ROD GRAMS, and many others to abolish two antiquated temporary Federal registries created in the 1950s and bringing reform to the United Nations. Now, if this conference report is defeated this afternoon, so be it.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, the chairman and I have worked very, very hard over the last 9 months to produce this bill. I will not reiterate all that each of us said last week at the end of the day. We have no real disagreement in terms of the substance of the bill. We have a disagreement on not even whether or not we should attach a provision relating to family planning and abortion in the bill. We don't even disagree on that. The chairman had nothing to do with that being in. He is a strong supporter of the family planning limitation that is in this bill, so-called Mexico City, although he did not ask for it to be put in this bill, but it is on the bill. We are faced with the reality, it is on the bill.

The question is, What do we do from here? I urge my colleagues, notwithstanding the agreement the Senator and I have in every other aspect of the bill, to vote against this conference report. I do so because, at the insistence of the House, the Mexico City provision, which is not related to the underlying legislation, is in the bill, and stopping the conference report, I hope—and I may be tactically wrong here; this is my objective—I hope we send a signal to the House that we will not yield to what I characterize—not the chairman, ''me''—characterize, as legislative blackmail on this or other controversial issues.

As indicated, it would be inappropriate, if the Democrats took back the House next time out—I have no idea whether that will happen, but if they did—for them to attach to one of the bills an education provision that no one on the Republican side liked and said, ''Take it or leave it.'' I think it is a mistake.

The underlying legislation is critically important to American foreign policy. It would pay off our arrearages to the United Nations and bring additional reform to that body and reorganize our foreign policy agency, and it begins to provide the funds, in essence, to restore our diplomatic presence worldwide. I believe the President will sign it promptly, provided we send him one without Mexico City attached.

Again, the only thing that the chairman and I disagree on, he believes, and he believed, and I believe he believes it, that what the House sent is at least a compromise on Mexico City. I view it as not a compromise at all on Mexico City.

So I urge my colleagues to reject this conference report so we can return to conference and produce a bill that the President can sign.

I reserve the balance of the time.

The PRESIDING OFFICER. Who yields time?

Mr. BIDEN. How much time remains?

The PRESIDING OFFICER. The Senator has 2 minutes 30 seconds.

Mr. BIDEN. I see the Senator from Texas is standing. After he speaks, I am delighted to yield my 2 minutes in closing to my friend from Massachusetts.

Mr. GRAMM. I want to ask the distinguished chairman of the committee a question, if I might, if he will yield for that purpose.

Mr. HELMS. I yield for that purpose.

Mr. GRAMM. Obviously, a great deal of compromise has occurred on our side of the aisle with regard to arrearages at the United Nations. That is now, obviously, a focal point of this bill. I have to assume that the President would have to understand that if this bill is defeated today, his chances of getting any arrearage funding for the United Nations in this Congress would be diminished substantially and probably would not happen.

I ask the chairman his views on that.

Mr. HELMS. If I have anything to do with it, there will be no action on arrearages or anything else that the President is interested in.

Now, he has waved that veto flag time and time again. Let him wave it this time, but he must bear in mind that this is it, this is the end of it, one way or the other.

I thank the Senator.

Mr. GRAMM. I thank the chairman.

Mr. BIDEN. I yield to my colleague from Massachusetts.

Mr. KERRY. Mr. President, I will join, I hope with the vast majority of colleagues on this side of the aisle, to vote against this bill even though the bill is an important bill and it is one that I have worked on with the ranking member and chairman for a long period of time.

I know the chairman worked diligently to try to break this bill free of the Mexico City language and to try to have the capacity to move forward on the floor. I applaud him for his good-faith efforts to do that.

Let me say to my colleagues that this is a tragedy of enormous proportions. It is dangerous. It is damaging to the interests of the United States to tie the U.N. arrearages and larger policy questions to one issue, to one point of view, by a very narrow percentage of Members of the U.S. Congress who want to tie it in this way to the United Nations. It is a form of a kind of political blackmail.

The reality is that the United States of America is going to lose significant prestige, significant leverage, and our interests are going to be set back in the international arena. We are going to be hurt with respect to issues like Bosnia. If anybody mistakes it, all you have to do is look at the way in which the coalition fell apart over Iraq and the issue of holding Saddam Hussein accountable for weapons of mass destruction.

Talk to anybody at the United Nations and you can learn very quickly about the growing anger of nations who watched the United States, which has become a scofflaw within the United Nations, unwilling to live up to the rules that we helped to write, unwilling to fulfill our obligations under the United Nations, all because one point of view in the U.S. Congress can't have its way.

I think those who think about this should think hard about what interest is being served here—the interests of abortion versus the interests of world leadership of the United States in the United Nations. That is what is at stake here.

I think the President ought to veto this and we ought to hold those accountable who are unwilling to assert the interests of the United States, the world's leader, all nations of the world today looking to us for that leadership, and here we are, handicapping ourselves over a totally separate issue.

Mr. CHAFEE. Mr. President, I would like to express my opposition to the measure we are about to vote on, H.R. 1757, the State Department Authorization conference report. Despite the fact that this bill contains many provisions which I support, such as a wide-ranging reform package that would ensure U.S. payment of dues to the United Nations, the entire measure is overshadowed by an egregious and misguided abortion provision included at the insistence of those who oppose abortion rights.

This provision would prohibit foreign organizations from receiving U.S. family planning funds if that organization, with its own funds, provides legal abortion services or advocates on abortion issues in its own country. Such providers, for example, would lose their U.S.

funds if they discussed at a conference that more than 20 percent of all maternal deaths throughout Latin America and the Caribbean are due to illegal abortion.

In my view, this provision is a thinly-veiled attempt to further erode our commitment to international family planning programs. I must say, Mr. President, I am always perplexed by those who oppose family planning and also oppose abortion. Study after study has shown that lack of family planning leads to more unintended pregnancies which leads to more abortions. Consider two countries: Russia has very little contraception available, and abortion is the primary method of birth control. The average Russian woman has at least four abortions in her lifetime! Alternatively, Hungary has made family planning services more widely available and the abortion rate has dropped dramatically.

The impact these family planning programs have on the health and well-being of women and children around the world cannot be denied. But there is another issue here that should not be overlooked—the important role population programs play in sustaining the global environment.

The earth now supports 5.7 billion human beings. In thirty years it is estimated the world's population will be 8.3 billion. We are growing by 86 million people per year. It is expected that 90 percent of this increase will be in the developing world. India has to feed an additional 16 million people per year. And so many of these people are children—forty percent of the population of the average less-developed nation is under the age of 15.

Mr. President, the United States plays a critical role in providing family planning services abroad. I feel strongly that we should continue our leadership role in this area. It is both humane and environmentally sound. This conference report contains provisions that would gut our commitment to international family planning, and I urge my colleagues to oppose this measure.

Mrs. MURRAY. Mr. President, here we go again. As we have done so many times in recent years, we are sacrificing serious and legitimate national interests to the partisan and divisive abortion debate. Due to the global gag rule imposed on international family planning, I will vote against the conference report on H.R. 1757, the Foreign Affairs Reform and Restructuring Act.

I commend the President for his strong veto message to the Congress on this legislation. Passage of this conference report will not change current law. A vote in favor of the conference report will not ultimately result in the payment of the U.S. debt to the United Nations or the reorganization of the State Department. Passage may score political points but it will delay this important legislation and diminish U.S. standing in the international community.

This language is anything but a compromise as proponents of the new global gag rule claim in defending the conference report. It was not adopted nor debated on the Senate floor. Every single Democratic conferee to this legislation refused to sign the conference report. Labeling this language a compromise is misleading and untrue.

Passage of the conference report will unfairly disqualify many family planning organizations from receiving U.S. international family planning funds if they use their own funds in their own countries to point out the adverse public health consequences of medically unsafe abortion. The elimination of these non-governmental organizations from the program, considered to be one of the best and most cost-effective channels for U.S. foreign aid dollars, will have a devastating impact on this critical foreign aid program.

The language in the bill will condition an organization's eligibility for U.S. family planning assistance unless it agrees to surrender its rights to free speech and participation in the political process in its own country using its own funds. Proponents of the controversial language will describe it as a ban on abortion lobbying, such as a restriction would be unconstitutional if applied to American citizens and would undermine one of the primary objectives of our foreign policy—the promotion of democracy around the world. The Senate should reject this conference report and the restrictive family planning language added behind closed doors.

Enactment of the conference report will result in the reduction of family planning funding by $44 million. The funding cut would likely cause a subsequent increase in the number of abortions as couples lose or are denied access to contraceptive services. Any Senator who supports family planning as a means to reduce the incidence of abortion should oppose this bill.

Family planning saves lives, particularly in the developing world where a woman dies in pregnancy or childbirth every minute of every day and where more than 12 million children each year do not live to see their fifth birthday.

I urge the Senate to reject the Conference Report on the Foreign Affairs Reform and Restructuring Act.

Mr. DODD. Mr. President, I rise to speak in opposition to the conference report on H.R. 1757—The Foreign Affairs Reform and Restructuring Act of 1998.

As is the case with many of my colleagues who have already spoken on this matter, I believe that it is fundamentally wrong to be holding the payment of U.N. arrears and the structural reform of U.S. foreign affairs organization hostage to a single issue related to international family planning—an issue by the way which was never even discussed during Senate consideration of this legislation. I am speaking of course of the so called Mexico City restrictions on U.S. international population programs that have been included in the legislation pending before us today—Section 1816 of the bill. These restrictions not only prohibit foreign non-governmental organizations that accept U.S. funding from using their own funds to perform abortions, but also bar them from lobbying their own governments, with their own money, on abortion related public policy issues.

Without doubt, Section 1816 is going to result in all of the other sections in the bill, over 160 of them—not becoming law.

That means that nearly two years of work on this bill will have been for naught. That is unfortunate in my view, because many of the other provisions are meritorious and should become law.

Mr. President, how did we get to where we find ourselves with respect to this legislation? Mr. President, let's be clear about who is responsible. It was not the President who created the current dynamic—he and officials in his administration have worked in good faith for months with House and Senate conferees on the legislation before us today.

It certainly wasn't the Senate conferees who working together had come up with an acceptable package of compromises on the various difference between the House and Senate passed bills —a package that we all more or less agreed to and would have supported. A package that did not include Mexico City language.

The responsibility for putting U.S. leadership at the U.N. in jeopardy and delaying foreign affairs reorganization rests solely with the House Republican leadership.

The Republican leadership knew full well that this entire bill was being put at risk with the inclusion of Section 1816 in this bill—a provision which, incidentally, would never become law if it were to be applied to domestic non-governmental organizations because it is so fundamentally a violation of the first amendment constitutional protections of free speech.

I know our Democratic colleagues in the House warned them of what was likely to happen.

I know Senator BIDEN did as well. Certainly the President has made no secret of his fundamental opposition to the so called Mexico City language and most especially the ''global gag rule'' aspect of it.

Despite these warnings, the House leadership instructed House Republican conferees to include this provision in the final version of the bill. Not a single Democratic conferee from either the House or Senate supported the final conference report that we have before us today. I was one of those conferees who refused to sign onto this legislation.

I certainly agree with those who are strongly opposed to the codification of the Mexico City language into law. I

think it is reprehensible to attempt to restrict the free speech of foreign nongovernmental organizations and their members.

I happen to believe that these organizations do very important work—work that is making a real difference to the health and over all quality of life for hundreds of millions of women and children living in developing countries throughout Asia, Africa, and Latin America.

But my objections with respect to this matter go beyond the substance of the provision to that of the tactics that are being used here and for an unwillingness to take into account U.S. national and foreign policy interests that may be at stake. Proponents of this measure have made no effort to balance these overarching interests against the narrower ones of wanting to score partisan political points by promoting a very controversial agenda that clearly does not have the support of the majority of the American people.

Mr. President, it is my hope that the Senate will vote to reject the pending conference report and thereby send a signal that, at least in the Senate, we aren't in the practice of ''legislative hostage taking''—that is not the way the Senate conducts its business. In doing so, we will also be sending a signal to the American people that we are here to do their business, the business that we were elected to look out for, and not to play games of ''partisan one upmanship.'' I would urge my colleagues to join me in sending such a message by voting no on this measure.

Mr. DASCHLE. Mr. President, this conference report contains many important provisions that deserve the support of the Senate.

It authorizes Congress, at long last, to pay our overdue debt to the United Nations. It clears the way for comprehensive UN reform. The bill also includes a much-needed, major restructuring of our nation's foreign affairs agencies.

In the years since the Cold War ended, the maps of the world have been redrawn. The reorganization plan in this bill would enable us to redraw our foreign affairs structure to match the new, post-Cold War reality. It is the product of careful and detailed negotiations, and enjoys broad, bipartisan support.

Despite these important provisions, I regret that I will vote against this conference report, and I urge my colleagues to do likewise. The reason I oppose this report is because, in addition to its positive provisions, it also contains an extreme and extraneous provision the Senate has considered and rejected many times in the past. This provision—the so-called ''Mexico City language''—would do serious damage to international family planning efforts—including efforts that have nothing to do with promoting abortion and that, in fact, help to prevent abortions.

It would do serious damage to one of the ideals on which our own nation was founded, freedom of speech and expression. The Mexico City language would bar any agency that receives international family-planning assistance from the U.S. from using their own funds to pay for abortions, or to lobby for abortions.

Let me repeat: This bill does not tell agencies it cannot use U.S. funds for these services. That is already prohibited under existing law. This bill tells agencies in other nations that they may not use their own funds to pay for, or lobby for, abortions, without losing all U.S. family-planning assistance. This goes far beyond what the current law prescribes.

This body has rejected this kind of restriction in the past because we agreed it is inappropriate to place such limitations on how organizations in other nations may use their own money. Mr. President, it is still inappropriate for us to do so. But it is important to note that the Mexico City language is not simply the language this body has previously rejected. In 2 important ways, it is even more extreme.

First, this Mexico City provision will cut funds for international family-planning services. The conference report mandates that family planning agencies in other nations may not receive one dollar in U.S. family-planning assistance unless and until they certify that they will not perform abortions with their own funds. It is true that the President may waive this restriction. But if he does so, U.S. aid for international family-planning programs for that year would be limited to $356 million—$44 million less than we are now spending.

Second, this new version of the Mexico City language includes a provision that not only prohibits funding for any organization that lobbies to change abortions laws in other nations, as the former version did. It goes far beyond that prohibition to forbid recipients of U.S. funds from making any public statements about abortion. They are forbidden, Mr. President, even from expressing concerns about the dangers of illegal abortions.

And the President has no authority to waive this provision. The Secretary of State has rightly labeled this restriction a ''gag rule.'' In no way would this provision improve the lives of women and children around the world, nor would it reduce the incidence of abortion. Instead, this gag rule would violate one of our country's most hallowed principles, the principle of freedom of speech.

What kind of message would we be sending to the rest of the world if violate our founding principles? That those principles are not inalienable after all? That they may have worked 200 years ago, but they are not applicable in a modern world?

Surely, at a time when struggling new democracies all over the world are looking for guidance and inspiration, these are not messages we want to send. But the greatest danger of these extreme and extraneous provisions is that they will not improve the lives of women and children anywhere, nor will they prevent abortions anywhere. In fact, they will have the opposite effect. They will make it more difficult for women to plan their own families.

U.S. support of international family planning programs have immeasurably improved the lives of women in developing countries. By helping women limit the size of their families, we have enabled women to make the educational and economic gains that are essential if they, and their children, are to live longer and healthier lives. The number of women of childbearing age is increasing by 24 million every year. Now is not the time for this nation to cut back on our commitment to programs that enable women to plan their families—programs that actually reduce the incidence of abortion.

And make no mistake, Mr. President, that would be one of the consequences if we pass this conference report. There would, inevitably, be an increase in the number of abortions. That is not something I want to see, and I know that every member of this body agrees with me on this point.

Finally, Mr. President, it is important to note the context in which we are considering this conference report, and the implications it has for another important piece of legislation the Senate has already passed—the supplemental funding for the U.S. contribution to the International Monetary Fund.

Last month, the Senate approved these funds overwhelmingly. The vote was 84–16. The size of that margin indicates the importance Senators attach to an adequately-funded IMF. Unfortunately, a small but vocal minority of members in the other body have expressed reluctance to vote on the IMF funding unless we give into their demands on the Mexico City issue.

They are, in effect, holding hostage an important bill with significant national security implications, a bill that has broad, bipartisan support in the Senate, in order to force their way on a completely unrelated issue. The IMF appropriation is an insurance policy for the world economy and for countless American exporting businesses and farmers whose livelihoods depend on strong markets in Asia, Latin America, and other regions of the world. It is inappropriate and dangerous to link passage of IMF with the Mexico City restrictions. The longer we delay passage of the IMF funds, the more we expose our businesses, workers, and farmers to the risks and uncertainties of world financial markets.

For all of these reasons, Mr. President, the Mexico City provision does not belong in either the State Department authorization bill, or the IMF supplemental. If the other body wishes to implement the Mexico City restrictions, it should debate those restrictions in the context in which they belong—in a comprehensive foreign aid

authorization bill. They should not hold hostage every high-priority piece of foreign policy legislation moving through the Congress.

It is imperative that the Senate defeat this conference report to demonstrate that we will not support such efforts at linkage either in this instance or in the future. I urge my colleagues to vote against the conference agreement.

Mrs. BOXER. Mr. President, I rise today to emphasize the value of our nation's international family planning program. I share the outrage expressed by my colleagues that the United States Congress would even consider the un-democratic and un-American provisions contained in the Foreign Affairs Reform Act. What Congress should really be focusing on as we debate the role of international family planning is the impact of these scarce federal funds on the lives of women and families throughout the world.

Currently at least one woman dies every minute from causes related to pregnancy and childbirth. In developing countries, maternal mortality is the leading cause of death for women in reproductive age. The World Bank estimates that improved access to family planning would reduce maternal death by 20 percent. In the United States, there are 12 maternal deaths for every 100,000 live births; in parts of Sub-Saharan Africa, this ratio is more than 1,500 maternal deaths for every 100,000 live births. That's over 100 times greater than in the United States.

By being able to plan their pregnancies, mothers are able to ensure they bear their children at their healthiest times and that pregnancies do not occur too close together. This reduces the risks to the lives of both the mother and her children. Data from developing countries shows that babies born less than 2 years after their next oldest sibling are twice as likely to die in the first year as those born after an interval of at least 2 years. Further analysis suggests that, on average, infant mortality would be reduced by 25 percent if all births were spaced at least 2 years apart.

Reduced maternal and infant mortality are just two of the benefits of family planning programs. Family planning education also helps prevent the spread of sexually transmitted diseases, including AIDS. Family planning can also reduce the number of abortions. A U.S. study found that for every $1 increase in public funds for family planning, there is a decrease of 1 abortion per 1,000 women. According to the Rockefeller Foundation, in just 1 year, cuts and severe restrictions of federal funding for family planning programs will result in an additional 4 million unplanned pregnancies, and 1.6 million of those pregnancies will end in abortion. These are only conservative estimates.

U.S. family planning funds are having a profound, positive impact on families throughout the world. Mothers and children are healthier; more women are using contraception; fewer women are having abortions. Let me share just a few examples of the positive role family planning has played in Latin America. In 1960 in Chile, less than 3 percent of married women were practicing family planning, and the abortion rate was 77 abortions per 1,000 married women of reproductive age. By 1990, 56 percent of married women were using family planning, and the abortion rate had dropped to 45 per 1,000. Data from Bogota, Columbia showed that contraceptive use doubled between 1976 and 1990, accompanied by a 40 percent decrease in the abortion rate during the same period. In Mexico City, use of contraception increased by about 24 percent between 1987 and 1992, and the abortion rate fell 39 percent.

Similar successes can be found in examples from former Soviet Bloc nations. In Almaty, Kazakhstan, the United States population program has provided funding to train doctors and nurses and to increase contraceptive supplies for 28 clinics. Between 1993 and 1994, the number of people receiving contraceptives from the clinics increased by 59 percent, and the number of abortions fell by 41 percent. In Russia, contraceptive use has increased from 19 to 24 percent after an affiliate of the International Planned Parenthood Federation opened in 1991. The abortion rate dropped from 109 per 1,000 pregnancies in 1990 to 76 in 1994. The total number of abortions fell from 3.6 million in 1990 to 2.8 million in 1994. In Hungary, abortion rates dropped dramatically from the late 1960's to the mid-1980's, largely due to the significant increase in contraceptive use.

The numbers are incredible, but what is truly important and who we can't forget are the women and their families represented in these numbers. One such woman is 30 year old Maria Elena Absalon Ramirez in Mexico. Her husband earns just $80 per month to support Maria and their four children. They cannot afford contraceptives and rely on USAID-funded family planning. These are Maria's words: ''What I fear most is becoming pregnant again.''

I urge my colleagues to recognize the valuable impact of family planning on the lives of millions of families throughout the world, and to oppose restrictions on the use of international family planning funds.

Mr. KOHL. Mr. President, I want to comment on one aspect of the conference report before us today, the provisions relating to the consolidation of USIA into the State Department. Although the President has already signaled his intention to veto this bill should it pass, I would like to highlight a concern I share with others which was addressed to some degree in the conference report: the need to protect the integrity of U.S. public diplomacy.

There have been some indications that when the State Department incorporates the functions of USIA into its organization, there are some State Department officials who are interested in using the resources associated with USIA programs to boost the public affairs functions of the State Department. I would like to go on record in opposition to any shifting of resources or even worse merging of these two very distinct functions of public affairs and public diplomacy.

To give some background on this issue, since 1948 when U.S. government information programs were first authorized under section 501 of the Smith/Mundt Act, it has been understood that public diplomacy programs were directed to foreign audiences. As Under Secretary of State Philip Habib said in 1986:

> There is a distinction between public diplomacy and public affairs. The word diplomacy means ''outside'' and has nothing to do with what you are trying to do with the American people, which is altogether different. Gaining the support of the American people for U.S. foreign policy initiatives is entirely different from attempting to pursue the interests of the United States in the foreign arena.

Over the years, Congress and the courts have upheld and strengthened the distinction between public diplomacy, which is directed abroad, and public affairs, which is directed toward a U.S. audience. As USIA and its functions are folded into the State Department—and I do not necessarily oppose this and other cost savings moves—we must continue to uphold the distinction between these two functions. I support the need to provide a clear articulation of U.S. foreign policy to Americans, especially as the world and U.S. international interests have become increasingly complex. However, the State Department should not anticipate a windfall in resources for its public affairs function.

Public diplomacy, the presentation and advocacy of information about the United States, not just the advocacy of a particular foreign policy position, has been best presented independently and objectively without consideration of how that message would play at home. Educating the rest of the world about American society should not be hindered by the equally important but distinct function of explaining U.S. foreign policy to the American people.

Edward R. Murrow said it best almost 40 years ago:

> What we endeavor to reflect . . . is not only our policy, but our ideals. We not only seek to show people who we are and how we live: we must also engage others in the delicate, difficult art of human persuasion, to explain why we do what we do.

Mr. President, as we consider legislation to consolidate USIA into the State Department, whether it be in this session or in future sessions of Congress, I urge my colleagues to keep this important distinction in mind.

Ms. SNOWE. Mr. President, I rise in opposition to the conference report to H.R. 1757, the Foreign Affairs Reform and Restructuring Act.

My opposition is tinged with a measure of regret, for this bill contains

many provisions that I have worked on, first as Ranking member on the House International Operations Subcommittee for ten years and for two years as Chair of the Senate Foreign Relations Subcommittee on International Operations. This bill consolidates our foreign policy apparatus by merging the Arms Control and Disarmament Agency and the United States Information Agency into the State Department—which will make our foreign policy machinery run more efficiently.

With regard to arrearages owed to the United Nations, I supported the provisions of this bill—which are similar to provisions in my own UN Reform bill—which linked payment of funds owed by the United States to the United Nations implementing certain benchmark reforms including a reduction in the dues charged to the United States for the United Nations regular budget as well as our share of peacekeeping assessments.

I have worked on six State Department authorization bills during my time in the Congress and know how difficult a process it is to assemble a consensus on the reorganization of the State Department. I was extremely pleased that this bill built upon the foundation the Foreign Relations Committee laid in the last Congress when I was Chair of the International Operations Subcommittee, I worked with Senator HELMS on these most important foreign policy issues. The work done by Senators HELMS and BIDEN on these matters is to be commended.

However, this bill also contains a provision that would reinstate the Mexico City Policy in a way that imposes unacceptable restrictions in international family planning efforts. And for that reason I cannot support it.

Mr. President, this issue is often referred to as the ''Mexico City policy'' issue because it was at the 1984 United Nations Population Conference in Mexico City that the Reagan Administration adopted for our international family planning programs a precursor of what became known as the ''gag rule'' for our own domestic family planning programs. Under the Mexico City policy, the Reagan Administration withheld international family planning funds from all groups that had even the slightest involvement in legal abortion-related services using their own private funds.

Before I address what I believe to be the most troubling aspects of the current version of the ''Mexico City policy,'' let me first emphasize that no United States taxpayer funds are being used to pay for abortions overseas. Since 1973 an amendment, authored by the Chairman of the Foreign Relations Committee, prohibits the use of United States funds for abortion services. That needs to be made clear in discussing United States funding for international family planning efforts.

However, the current version of the so-called ''Mexico City policy'' contained in this bill is most troubling. Foreign nongovernmental organizations would still be barred from receiving family planning assistance if they, with their own funds, perform legal abortions. While the President can waive the ban on the performance of abortions, he is prohibited from using waiver authority granted him under section 614 of the Foreign Assistance Act of 1961 to permit these groups to lobby on abortion matters.

As Secretary of State Albright noted, this lobby ban ''is basically a gag rule that would punish organizations for engaging in the democratic process in foreign countries and for engaging in legal activities that would be protected by the First Amendment if carried out in the United States.''

Let me take just a moment to illustrate what the practical effect this lobbying ban would have on international family planning efforts.

If a foreign nongovernmental organization, or NGO, were to produce a paper that noted that a certain percentage of all maternal deaths in a certain part of the world are due to illegal abortion, it would lose their US family planning funds. The reason? This paper would be calling attention to ''defects'' in abortion laws.

If the president of an NGO were to give a radio interview and make a ''public statement'' giving an opinion about his or her nation's own abortion law, that NGO would lose its US family planning funds. The reason? A question about abortion law was answered on the airwaves.

These restrictions greatly concern me and they should concern anyone interested not only in the free exchange of ideas but the welfare of developing nations.

Ever since the 1974 United Nations Population Conference in Bucharest, Romania the United States has been the traditional leader in international family planning assistance. Many of the world's developing nations at that time perceived family planning to be a western effort to reduce the power and influence of Third World nations. By the time of the Mexico City Conference ten years later, most developing nations had come to understand the importance of widely-available, voluntary family planning to their own nation's development potential.

I believe that the absence of family planning assistance may well lead to more, not fewer, abortions being performed. If organizations such as the International Planned Parenthood Federation would be denied United States funds, we would be unable to support some of the most effective and capable family planning programs in the developing world. These programs are vital in preventing unplanned pregnancies, in reducing infant mortality and in promoting maternal and child health.

I am also troubled by the message that this ''gag rule'' sends to nations all around the world about American values that I cherish—freedom of speech and participation in the political process of one's country. Under the restrictions imposed by this bill, a foreign nongovernmental organization would be required to remain silent on this issue. This restriction on public debate is unhealthy for the democratic process and is something Americans would not tolerate if attempts were made to impose it here at home.

Finally, I am troubled by the fact that these restrictions would place the weight of the United States government behind efforts to tell NGOs what they can and can not do with their own, let me repeat that, their own, funds. These groups should not have to check in with the United States whenever they wish to issue a public statement, sponsor a conference, or distribute materials with their own money.

Mr. President, international family planning should not be held hostage to these restrictions. The benefits of population control are substantial. Funds invested in family planning yield savings in maternal and child health care costs. Lower population growth rates make it easier for developing nations to institute the types of free market reforms that offer them their best hope for long-term sustainable development. Lower population growth places fewer strains on these nations political institutions which means there is less of a risk to international stability and peace.

Lower population growth also places less of a strain on the environment. Reduced environmental trauma, improved standards of living, and reduced immigration pressures benefit every single living person on the planet.

This conference report endangers all of these potential benefits. For this reason I will oppose its adoption and I urge my colleagues to do likewise.

The PRESIDING OFFICER. The time allocated to the Senator from Delaware has expired.

The Senator from North Carolina.

Mr. HELMS. All the President has to do is pull back that flag of veto. All the Democrats have to do is to vote for this bill, and then we can proceed to work in harmony, as we have previously, leading to a 90–5 endorsement on this bill on the first go-round.

I yield the remainder of my time to the distinguished assistant majority leader.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. I compliment my colleague from North Carolina for his work on the State Department reorganization bill. He has worked on it for years. He has done good work. It will save taxpayers a lot of money and make the State Department more accountable and do a better job.

We have heard colleagues on the other side say, I will not support it because of the so-called abortion provision. The only thing in this bill that deals with abortion is that it basically says we don't want to have U.S. money used to lobby other countries to change their laws. What in the world makes

people think that we are so right on abortion, this administration's philosophy is so right on abortion, we should be lobbying other countries to change their position? Some countries are pro-life. They have it in their constitution; they have it in their legislature. Why should U.S. tax money be used to lobby those countries to change their laws? That is a serious mistake—a serious mistake.

I heard somebody say we haven't changed Mexico City policy. There is no restriction in here. These International Planned Parenthoods can use their money for abortions overseas. That is not even in this. The only restriction is, anybody that received nongovernmental entity can't use money to lobby other countries to change their laws and influence other countries on abortion. I don't think we should do that. We certainly shouldn't have U.S. tax moneys doing that.

I think this is a decent compromise. I urge my colleagues on both sides of the aisle to pass this.

Mr. BIDEN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. BIDEN. Does the Senator from Delaware have any time left?

The PRESIDING OFFICER. No.

Mr. BIDEN. I ask unanimous consent for 60 seconds.

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

Mr. BIDEN. Mr. President, I know my friend from Oklahoma didn't intend to mislead, but there is already a law, the HELMS amendment, which says no U.S. money can be used for that purpose —no U.S. money.

What the Mexico City language in this bill says is that these nonprofit organizations cannot use their own money, the money they raise, in Mexico, in Argentina, in Italy, in France, in China, they can't use that money to lobby their government. No U.S. taxpayers' dollars are allowed under present law to be used to lobby for abortion, period, bang. That is already law. That is the HELMS amendment.

What we are talking about is using their money raised from sources other than a contribution from the U.S. taxpayer.

The PRESIDING OFFICER. All time has expired.

Mr. NICKLES. Mr. President, I ask unanimous consent for 60 seconds.

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

Mr. NICKLES. Mr. President, money is fungible. We had the law of the land under President Reagan and President Bush for 10 years, 12 years, a certain number of those years. No money should be used by these organizations if they take U.S. money to fund abortions or to lobby governments. Whether it be government money or their money, we said, ''No; if you are going to get U.S. money, you can't go in and take other money and use it to pay for abortions or lobby other countries.''

Money is fungible, so the net result is, what we are trying to say is, wait, if you are going to take U.S. taxpayer dollars, don't use money and shuffle money around in accounts and lobbying other countries to change their laws. They are representing our Government in many cases. If they are getting U.S. taxpayer money and they are lobbying and using that money to set up family planning, and they are also lobbying, a lot of other countries are going to think that is the U.S. Government or would think that is taxpayer dollars. That is a mistake.

This is a reasonable compromise. I urge my colleagues to pass it.

The PRESIDING OFFICER. All time has expired.

Mr. KERRY. I ask unanimous consent for 30 seconds.

Mr. HELMS. I object.

The PRESIDING OFFICER. The objection is heard.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 105 Leg.]

YEAS—51

Abraham	Faircloth	Lugar
Allard	Ford	Mack
Ashcroft	Frist	McCain
Bennett	Gorton	McConnell
Bond	Gramm	Murkowski
Breaux	Grams	Nickles
Brownback	Grassley	Roberts
Burns	Gregg	Santorum
Campbell	Hagel	Sessions
Coats	Hatch	Shelby
Cochran	Helms	Smith (NH)
Coverdell	Hutchinson	Smith (OR)
Craig	Hutchison	Stevens
D'Amato	Inhofe	Thomas
DeWine	Kempthorne	Thompson
Domenici	Kyl	Thurmond
Enzi	Lott	Warner

NAYS—49

Akaka	Feinstein	Mikulski
Baucus	Glenn	Moseley-Braun
Biden	Graham	Moynihan
Bingaman	Harkin	Murray
Boxer	Hollings	Reed
Bryan	Inouye	Reid
Bumpers	Jeffords	Robb
Byrd	Johnson	Rockefeller
Chafee	Kennedy	Roth
Cleland	Kerrey	Sarbanes
Collins	Kerry	Snowe
Conrad	Kohl	Specter
Daschle	Landrieu	Torricelli
Dodd	Lautenberg	Wellstone
Dorgan	Leahy	Wyden
Durbin	Levin	
Feingold	Lieberman	

The conference report was agreed to.

Mr. HELMS. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

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

The motion to lay on the table was agreed to.

EXECUTIVE SESSION

PROTOCOLS TO THE NORTH ATLANTIC TREATY OF 1949 ON ACCESSION OF POLAND, HUNGARY, AND THE CZECH REPUBLIC

The Senate continued with the consideration of the treaty.

EXECUTIVE AMENDMENT NO. 2312

The PRESIDING OFFICER. Under the previous agreement, there will be 2 minutes equally divided on the Harkin amendment No. 2312.

We will not proceed until the Senate is in order.

Who yields time? If no one yields time, time runs equally on each side.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I rise in opposition to the Harkin amendment. Everyone should understand one thing. This has nothing to do with the expansion of NATO. Under the resolution we are passing, we say we are not going to do anything beyond what we now do to contribute to the common budget of NATO, which, on average, is 25 percent.

There are three common budgets. My friend from Iowa comes along and says: Look, we are not going to allow you to do what you were allowed to do now for Greece, Turkey, Germany. For example, when we passed the CFE agreement, we agreed we would get rid of a lot of materiel. That materiel was worth the sum total of about $185 million. We gave it to Turkey, Portugal, Germany, et cetera.

Under this amendment, we would not be able to do that kind of thing for any of the new countries if they come in. In addition to that, we would be limited to be engaged in any foreign military sales to these countries. Nothing to do with common budgets.

I urge you to vote no.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from Iowa has 1 minute.

Mr. HARKIN. As former U.S. Ambassador to Russia, Jack Matlock warned:

> We're going to have a dilemma that we either encourage them—new NATO members—to divert resources they don't have or we end up fooling the American people about what it's going to cost them.

That is what this amendment is about, not fooling the American people.

My amendment does two things. It requires a full accounting of all U.S. contributions, all for NATO expansion by including the U.S. contributions to the national governments when calculating the U.S. share of enlargement costs.

Right now, we are limited to 25 percent for the common costs. That does not take into account the national costs. What I am saying with this amendment is, sure, we will provide our fair share, but why should we do more than 25 percent.

And please do not fall for the argument that we could not have done this

for Greece and others in the past. The cold war is over. Europe is rich. These countries have money. We should not just stick U.S. taxpayers with the total bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. HARKIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 24, nays 76, as follows:

[Rollcall Vote No. 106 Ex.]

YEAS—24

Ashcroft	Graham	Moseley-Braun
Baucus	Harkin	Moynihan
Bond	Hutchinson	Murray
Bumpers	Jeffords	Smith (NH)
Byrd	Johnson	Torricelli
Conrad	Kempthorne	Warner
Dorgan	Kohl	Wellstone
Feingold	Leahy	Wyden

NAYS—76

Abraham	Faircloth	Lugar
Akaka	Feinstein	Mack
Allard	Ford	McCain
Bennett	Frist	McConnell
Biden	Glenn	Mikulski
Bingaman	Gorton	Murkowski
Boxer	Gramm	Nickles
Breaux	Grams	Reed
Brownback	Grassley	Reid
Bryan	Gregg	Robb
Burns	Hagel	Roberts
Campbell	Hatch	Rockefeller
Chafee	Helms	Roth
Cleland	Hollings	Santorum
Coats	Hutchison	Sarbanes
Cochran	Inhofe	Sessions
Collins	Inouye	Shelby
Coverdell	Kennedy	Smith (OR)
Craig	Kerrey	Snowe
D'Amato	Kerry	Specter
Daschle	Kyl	Stevens
DeWine	Landrieu	Thomas
Dodd	Lautenberg	Thompson
Domenici	Levin	Thurmond
Durbin	Lieberman	
Enzi	Lott	

The executive amendment (No. 2312) was rejected.

Mr. CAMPBELL. I move to reconsider the vote, and I move to lay it on the table.

The motion to lay on the table was agreed to.

VISIT TO THE SENATE BY DEPUTY PRIME MINISTER OF GREAT BRITAIN, MR. JOHN PRESCOTT

Mr. CAMPBELL. Mr. President, I ask unanimous consent the Senate stand in recess for 2 minutes for the purpose of welcoming Deputy Prime Minister of Great Britain, Mr. John Prescott, to the floor.

In addition, I ask unanimous consent the privilege of the floor be granted to Sir Christopher Mayer, the British Ambassador to the United States.

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

RECESS

There being no objection, the Senate, at 3:21 p.m., recessed until 3:23 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. KEMPTHORNE).

PROTOCOLS TO THE NORTH ATLANTIC TREATY OF 1949 ON ACCESSION OF POLAND, HUNGARY, AND THE CZECH REPUBLIC

The Senate continued with consideration of the treaty.

Ms. MIKULSKI. Mr. President, I rise to speak in favor of the expansion of NATO. And how appropriate that our friends, colleagues, and allies from the United Kingdom have joined us on the Senate floor just as they have joined us in battle and just as they have joined us in keeping the peace, and we welcome them with affection, admiration, and gratitude.

Mr. President, I am pleased that the Senate has returned to consideration of the ratification of NATO enlargement. I hope we will now have an uninterrupted debate. NATO enlargement deserves the dignity of serious consideration of this matter and to take such time as the Senate deems necessary.

Mr. President, I support NATO enlargement because it will make Europe more stable and America more secure. It means that the new democracies of Central and Eastern Europe will share the burden of European security. It means that future generations might not have to fight and die in a European theater.

If NATO doesn't enlarge, the Iron Curtain remains permanent and the unnatural division of Europe will live on longer than the Communist empire did in the Soviet Union. NATO will remain, as President Havel has said, an alumni club for cold war victors. It will have little relevance to the realities of the 21st century.

Mr. President, as a Polish American, I know that the Polish people did not choose to live behind the Iron Curtain. They were forced there by the Yalta agreement and by Potsdam and because they and the Baltic States and the other captive nations were sold out by the West.

Many Members of the U.S. Senate have stood long for the freeing of the captive nations. Many of our colleagues have been strong supporters of Solidarity. I, as both a Congresswoman and then as a U.S. Senator, supported the Solidarity movement. I was a strong supporter of the Solidarity movement. I was with President Ronald Reagan in a wonderful evening he held at the White House where he hosted the Polish Ambassador to the United States who had defected when Poland had imposed martial law on its own people, there sitting with President Reagan and the Ambassador from Poland who chose to defect rather than uphold where the Polish Army had been forced to go against its own people.

We pledged that we would make Poland free. And now Poland is free, but we have to make sure that Poland, Hungary, and the Czech Republic are not only free but that they are secure. That is why my support is for the expansion of NATO. My support for NATO is not based on ethnic American politics nor is it even based on the past, but it is based on the future. What will the new world order look like?

I support NATO enlargement because it will make America and Europe more stable and secure. NATO enlargement means a future in which the newly independent countries will take their rightful place as a member of Western Europe. NATO played an important part in securing this freedom. It has been the most successful alliance in history. It is an alliance that helped us win the cold war. It deterred war between the superpowers and helped prevent confrontation between member states.

But if NATO is to survive, it must adapt to the needs of a post-cold-war world, or it will become irrelevant.

NATO has evolved since it was created in 1949. We have enlarged NATO on three different occasions. Each new member strengthened NATO and increased security in Europe. No expansion of NATO is easy. No expansion of NATO is done without thought. No expansion of NATO is ever without controversy. We can only reflect what the bitter debate must have been when we voted to include Germany because of their provocative role in World War I and World War II.

Today, we are facing difficult and different threats to security. We have civil wars, as in Bosnia; we have hot spots caused by ethnic and regional tensions, as in Kosovo; we have international crimes, drugs, and terrorism; and we have the spread of weapons of mass destruction. NATO must change in order to meet these new threats. Europe's new democracies will help us meet those challenges.

The countries of Central and Eastern Europe want to help us address these new threats. How many times has the Senate discussed burdensharing in Europe—and we want others to share the burden, not only in the financial cost, but of the risk to be borne in defending democracy. How often have we in the United States complained that European countries were not willing to pay their fair share for their own defense?

Now, we have countries that are asking to share the burden. They are asking to pledge their troops and equipment for a common defense. They are asking to share the burden of peacekeeping. In fact, they are doing it right now in Bosnia, where thousands of troops from Poland, Hungary, and the Czech Republic are helping to secure the peace. Hungary has made itself available, so it is our base camp to go into Bosnia. They have even committed to joining us and ending Iraq's

chemical and biological weapon programs, which is more than can be said of some of our allies.

These countries are not asking for a handout, nor are they asking for our protection without their own ability to maintain their own defense. They are asking to be full partners in the new Europe. By transforming their countries into free-market democracies, countries that have a democracy, a free-market economy, with civilian control of the military, transparent military budgets, wow, these new democracies are ready to join NATO.

These new democracies will contribute to America's security by making NATO stronger. They are adding troops and equipment. They will provide additional strategic depth to NATO. They will also provide the will to fight for democratic values. Their history and geography make them passionate defenders of peace and democracy. They know what it means to be occupied and oppressed by tyrants, occupied and oppressed against their own will. They will put our common values into action. They will join with us in defending our national security and our values, whether it means peacekeeping in Europe or preventing the spread of weapons of mass destruction anywhere in the world.

Opponents of NATO enlargement have valid concerns, and I think we need to discuss them. First of all, opponents of enlargement point to cost. They say that NATO enlargement has a cost, and they are right. The new NATO members must modernize their military and make them compatible with NATO systems. The new NATO members have committed to pay this price.

There will also be a cost to the United States. Our funding of NATO's common budget will increase. NATO estimates that the total common budget will increase $1.5 billion over 10 years. The American share of that will be $400 million, or $40 million a year.

But what is the cost of not enlarging NATO? I believe it will be far higher. What will be the cost to European security, the cost to the new democracies of Eastern Europe, the long-term cost to America? And, most important, will the benefits of NATO enlargement outweigh the costs?

As a member of the Senate NATO Observer Group, working on a bipartisan basis, I met recently with the Foreign Ministers of Poland, Hungary, and the Czech Republic. I asked them those very questions.

The Polish Foreign Minister, Bronislaw Geremek, is a hero of the Solidarity movement. He said that Poland would feel abandoned once again by the West. He said that Poland will still pay to modernize their military. In fact, he said that the failure to include these three nations in NATO will cause them to spend more on their military budget. They also said they would form their own military alliance, which would be decidedly more anti-Russian than NATO. He went on to say that by refusing to enlarge NATO, we would give the hardliners in Russia a great victory. The antidemocratic forces in Russia would feel vindicated and proud. We would be handing them a victory that they could build on.

What would be the long-range costs to America of failing to prepare NATO for the 21st century? The cost would be instability in Europe and the increased chance of being pulled into yet another European war. And the cost of preventive security is always less than the cost of war.

I would like to discuss the benefits of enlargement, which I believe outweigh the costs. The strategic benefits of enlargement are most important. NATO enlargement will create a zone of peace and stability that does include Eastern Europe. It will extend NATO's stabilizing influence to more of Europe and reduce the chances of aggression or conflict in Eastern Europe. Enlargement will bring peace and security to Eastern Europe, just as it did for the West.

There are also economic benefits. Europe is America's largest trading partner, with $250 billion in two-way trade each year. Our new NATO partners will increase trading opportunities. They are building vibrant free-market economies. Poland's economy is growing at 6 percent, which is more rapidly than many of the others. NATO brings stability, and stability brings prosperity. We are creating a prosperity zone across Europe.

Mr. President, in the best tradition of the Senate, I could expand, but I know my colleague from Texas is waiting to speak as well. We are both involved in the supplemental. What I want to say is that the treaty ratification is one of the Senate's most fundamental duties. We are extending our Nation's commitment to collective defense. I certainly don't take this responsibility lightly. In the very best tradition of the Senate, we are addressing NATO enlargement as a national security issue, not a political issue. NATO enlargement is bipartisan, and it should be. It must be fully supported by members of both parties and the leadership of the Senate.

We have worked closely with the President and Secretary Albright. The Senate has been fully consulted at every step of the process, as has been required by our Constitution. Senator LOTT and Senator DASCHLE, our Republican and Democratic leaders, appointed a NATO observer group, chaired by Senator ROTH, which has engaged in all aspects of discussing NATO enlargement, as well as the appropriate committees. So now we have had discussion at the committee level. Now it is time to debate this on the Senate floor.

I am proud to support NATO enlargement. By ratifying this resolution, we are marking the end of the cold war and the beginning of a new century. We are building an undivided, peaceful, and democratic Europe for the new millennium. We are laying the groundwork for a new era of peace and stability.

Mr. President, a new century is coming, a new millennium is about to be born, and I do not want the repugnant and despicable wars that characterized the 20th century to be carried into and repeated in the 21st century. That is why I believe in the expansion of NATO with these three countries. I look forward to a full and ample debate with my colleagues, Mr. President. This is a moment that I think is a long time waiting. We appreciate the leadership of President Ronald Reagan, who brought the end of the cold war, and Mr. George Bush, who was willing to defend and fight against the weapons of mass destruction. And now, under President Bill Clinton, we look forward to expanding NATO and to keeping that momentum going.

I yield the floor.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I was going to make my floor statement, but Senator SMITH and I have an amendment and we have been encouraged to go ahead and put our amendment forward. I will yield to Senator SMITH for his introduction of the Smith-Hutchison amendment that deals with MIA. I yield the floor to him.

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the pending Kyl amendment be temporarily set aside for the purpose of offering an amendment.

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

EXECUTIVE AMENDMENT NO. 2314

(Purpose: To express a condition requiring full cooperation from Poland, Hungary, and the Czech Republic with the United States efforts to obtain the fullest possible accounting of captured and missing United States personnel from past military conflicts of Cold War incidents)

Mr. SMITH of New Hampshire. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Hampshire [Mr. SMITH], for himself and Mrs. HUTCHISON, proposes an executive amendment numbered 2314.

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in section 3 of the resolution, insert the following:

( ) REQUIREMENT OF FULL COOPERATION WITH UNITED STATES EFFORTS TO OBTAIN THE FULLEST POSSIBLE ACCOUNTING OF CAPTURED AND MISSING UNITED STATES PERSONNEL FROM

PAST MILITARY CONFLICTS OR COLD WAR INCIDENTS.—Prior to the deposit of the United States instrument of ratification, the President shall certify to Congress that each of the governments of Poland, Hungary, and the Czech Republic are fully cooperating with United States efforts to obtain the fullest possible accounting of captured and missing United States personnel from past military conflicts or Cold War incidents, to include the following:

(A) facilitating full access to relevant archival material; and

(B) identifying individuals who may possess knowledge relative to captured and missing United States personnel, and encouraging such individuals to speak with United States Government officials.

Mr. SMITH of New Hampshire. Mr. President, I will be very brief in my remarks regarding this amendment. First of all, I want to compliment and commend the Senator from Texas, Senator HUTCHISON, for her cooperation and support as we worked together to craft this amendment.

This is a very, very important amendment, which I will get into in a moment, regarding the cooperation of these new NATO nations—if they were to become NATO nations—that would require their full cooperation with the United States in order to obtain the fullest possible accounting of any military personnel missing from any of the wars, from World War II, Korea, Vietnam, to the cold war.

This amendment is supported by a number of veterans organizations—Vietnam Veterans of America, National Vietnam and Gulf War Veterans Coalition, MIA Families, Korean/Cold War Family Association, National League of POW/MIA families.

Mr. President, I ask unanimous consent that a brief statement in support of this amendment by each of those organizations be printed in the RECORD at this time.

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

VIETNAM VETERANS OF AMERICA,
Washington, DC, April 13, 1998.

HOLD FORMER SOVIET BLOC NATIONS ACCOUNTABLE FOR PLEDGES MADE ON POW/MIAS

During the current Senate debate on the expansion of NATO, Vietnam Veterans of America strongly urges the United States Senate to hold the former Soviet Bloc counties of Poland, Hungary, and the Czech Republic accountable for their pledges of cooperation on POW/MIA archival research made to the U.S./Russia Joint Commission in July 1997.

The Joint Commission on the POW/MIA issue was established by President Bush and President Yeltsin in 1992. One of its goals was to research the military, intelligence, security, and communist party archives for relevant information on the disposition of American POWs from the Vietnam War. The Eastern Bloc countries actively supported and were allies of the communist government of North Vietnam during this conflict.

The former Soviet Bloc countries had a significant presence in Asia and were aware of communist POW policy. Membership in NATO guarantees an American military presence. Before considering expansion of NATO to include these Soviet Bloc countries, they must grant access to their archives and provide relevant information on American POW/MIA's from the Vietnam War. Vietnam Veterans of America strongly urges the United States Senate, in their current debate, to focus on the unsatisfactory follow up actions by these countries, and to delay the expansion of NATO to include the Soviet Bloc countries until they have fulfilled their previous commitments.

Vietnam Veterans of America is the nation's only congressionally chartered veterans service organization dedicated solely to the needs of Vietnam-era veterans and their families. VVA's founding principle is ''Never again will one generation of veterans abandon another.''

NATIONAL VIETNAM & GULF WAR VETERANS COALITION,
Washington, DC, April 28, 1998.

Hon. BOB SMITH,
U.S. Senate, Washington, DC.
Re NATO Expansion.

DEAR SENATOR SMITH: The National Vietnam & Gulf War Veterans Coalition is a federation of approx. 90 veterans membership and issue organizations dedicated to the advancement of ten goals for the benefit of veterans of these two wars. One of those goals is for full POW MIA accountability.

The primary argument in favor of NATO expansion into Eastern Europe has been said to be a means of encouraging enforcing Western, democratic norms on these former Communist countries. Under the circumstances, we do not find it at all unreasonable to also require the emptying of the closets containing defunct Communist secrets concerning the disappearance of many of our servicemen, apparently alive and in captivity at some point, from hot and cold wars fought during half a century.

We therefore endorse your rider, requiring the President to certify full co-operation by the NATO membership applicants on the POW–MIA issue that continues to haunt us.

Sincerely,

J. THOMAS BURCH, JR.,
Chairman.

NATIONAL LEAGUE OF FAMILIES OF AMERICAN PRISONERS AND MISSING IN SOUTHEAST ASIA,
Washington, DC, April 28, 1998.

Hon. BOB SMITH,
U.S. Senate, Washington, DC.

DEAR SENATOR SMITH: The lack of full and open cooperation by the governments of Vietnam and Russia to help account as fully as possible for Americans still missing from the Vietnam War has prompted our support for your efforts to seek such cooperation from the governments of Poland, Hungary and the Czech Republic.

We recognize that the initiatives of the U.S.-Russian Commission on POW/MIA offer promise to POW/MIA families who have long awaited answers. Although less promising than through the leadership serving in Hanoi, Moscow and Pyongyang, there is increasing evidence that the countries who were a part of the former USSR have relevant knowledge about Americans still missing and unaccounted for from our nation's past military conflicts.

For this reason, the League expresses our gratitude to you and your colleagues who recognize the need to seek full cooperation from the governments of Poland, Hungary and the Czech Republic.

Respectfully,

ANN MILLS GRIFFITHS,
Executive Director.

NATIONAL ALLIANCE OF FAMILIES,
Bellevue, WA, March 16, 1998.

Re: NATO—A Resolution for Our POWs.

Hon. JESSE A. HELMS,
Chairman, Foreign Relations Committee, Washington, DC

DEAR SENATOR HELMS: Within days, the Senate will vote to extend NATO membership to Poland, Hungry and the Czech Republic. The membership of the National Alliance of Families asks that during debate on this subject, a resolution is introduced requiring the United States to formally request that these nations release all archival information the above Countries hold on American Prisoners of War from the Korean War, The Cold War and the War in Southeast Asia.

During the Hearings before the House Subcommittee on Military Personnel, evidence was presented clearly showing Czech involvement with American and United Nation POWs during the Korean War. Evidence presented by the former Czech General, Jan Sejna, indicated POWs from the Vietnam War were transported to Czechoslovakia.

We do not wish to punish the present democratic nations of the former Eastern Bloc. However, we do not want to let a golden opportunity slip through our fingers. Each former Eastern block nation seeking NATO membership must be asked a series of specific questions relating to that Country's knowledge of American POWs. This mandate for questioning can only be achieved by a formal Senate Resolution.

Each former Eastern Bloc country should be asked to:

1. Search their records for the location of any Americans or former American citizens living in their country. Making said survivors available to U.S. investigators;

2. Open their archives, making all documents relating to American POWs or survivors. This should include all records of interrogations and medical experimentation; and

3. All records and documentation of the Country's involvement with American POWs on foreign soil.

These requests should be made with the understanding that no nation will be condemned or punished for involvement with American POWs or survivors.

Any nation coming forward with ''live'' American POWs (survivors) or information relating to POWs (or survivors) will be commended for their spirit of cooperation in this ''new age'' of democracy.

The Countries that once formed the Soviet Eastern Bloc, holds a wealth of information on American POWs. A resolution by the United States Senate, formally requesting this information assuring no reprisals or condemnation should encourage the cooperation of these new Democracies.

Senator, please do not let this golden opportunity to gain information about our POWs slip through our fingers.

Sincerely,

DOLORES APODACA ALFOND,
National Chairperson.

KOREAN/COLD WAR FAMILY ASSOCIATION OF THE MISSING,
Coppell, TX, April 27, 1998.

Re expansion of NATO.

Senator ROBERT SMITH.

DEAR SENATOR SMITH: The proposed expansion of NATO to include the Czech Republic, Poland, and Hungary presents a unique opportunity to gain information about the fate of the more than 10,000 American men who remain missing from the Korean, Vietnam, and Cold Wars. Although the governments involved might express the best of intentions at this stage of the admission process, experience tells us that promises made to gain

advantage are often broken when the incentive no longer exists. The window of opportunity to ensure significant cooperation is open to us during the admission process, and will be lost if not seized at this time.

As you know, the United States has considerable intelligence and other information that delineates a Soviet program during the Korean, Vietnam and Cold Wars to exploit American POWs. The governments of the former East Bloc countries most certainly had information about this covert program, and some intelligence suggests they participated in the effort to some extent.

The United States would be remiss if we did not set forth a clear expectation of full and good faith cooperation on the POW/MIA issue in the proposed NATO Treaties, as a condition of membership. The nexus between a military alliance and the POW/MIA Full Accounting is both clear and appropriate. As an integral part of their membership in NATO, the three countries under consideration at this time, and all former East Bloc countries that might be considered in the future, should come forward with whatever information they might have about missing American servicemen.

Cooperation on this important issue should go without saying for these countries. If we fail to require a demonstrable level of meaningful cooperation, these countries will be justified in presuming that the United States Government really does not want to know what happened to our missing servicemen. Surely, the Senate does not want to send such an unacceptable message to these countries, to the families of our missing men, nor to the American People.

We thank you for your ongoing support for our efforts to account for American POW/MIAs.

Sincerely,

DONNA D. KNOX.

Mr. SMITH of New Hampshire. Mr. President, I also thank Congressman SAM JOHNSON, who, as many of my colleagues know, was a POW, along with Senator MCCAIN, and others, during the Vietnam war. Congressman JOHNSON and I have traveled to Prague, Warsaw, and to Moscow together in search of answers, along with former Ambassador Malcolm Toon, as part of the U.S.-Russia commission to seek answers on our missing.

There is a great window of opportunity here in the old eastern bloc countries as well as Russia to get some answers as to what may have happened to these Americans. I think as we went out and searched the countryside and met in the capitals of these countries, we received some cooperation. I want to make that very clear. But, Mr. President, there is much more to be done. There are clearly answers in these archives. I think it is very important that, if we are going to say that our military—our men and women in uniform—is going to be asked at some point, if NATO expansion occurs, to shed their blood, possibly, or defend these countries, I think it behooves these countries to provide us the fullest possible accounting of any service personnel who may have crossed their borders during the time the Communists held, basically, and controlled these countries.

I wish that I could say that all follow-up action to our trip had occurred properly and that we had every satisfactory answer that we wanted, but that is not true. It is disturbing because of the reasons that I gave. At some point in the future, by having these countries part of NATO, we are going to ask Americans to face possible combat situations to defend these countries. So the least they could do is to provide us answers that they may have now of things that occurred during Communist control. It has been said by some NATO advocates that we have an opportunity to ensure the cold war never resurfaces. Yet we still can't seem to get the cooperation we need from this region to address vital questions about our missing Americans, especially from the cold war but also possibly from Korea and Vietnam. If their pledges were genuine, as I believe they were, then, frankly, I question why leaders of these countries can't convince the old cold war bureaucracies to allow us access to the archives and allow us access to individuals who could provide us answers.

We have had some cooperation. I am very grateful for that cooperation. We met with some very influential people in the governments of those three countries when I traveled there last summer. Since last summer there have been follow-up communications by our commission support staff at the Department of Defense and also by my own office with each of these nations urging them to follow through. But most important is the fact that, based on current leads available, our commission really still believes that there is relevant information, very relevant information, which likely exists in Eastern Europe, especially in the military intelligence security Communist Party archives of these three nations in question.

Again, this is a very complex situation that has developed. The Communist Party controlled these archives, controlled all of the government activities, controlled the activities of intelligence and military and security. Now we have a different government, a friendly government. But the access to those archives has not yet been provided to us. If they are friendly and we are going to bring them into NATO and defend them, then they owe us that information, pure and simple. They owe us that information. They owe us every opportunity to get and find that information wherever it may be. I regret to say we really have not had that kind of cooperation, even though we have had some very interesting meetings.

Let me just conclude on this point. We should remember and not forget that these eastern bloc countries, when they were eastern bloc countries, were allies of the North Koreans, were allies of the North Vietnamese, and the Soviets, of course, during the cold war. They had a significant presence in both North Korea and in Vietnam. They were privy to information about Communist policies toward our own American POWs. That is very important. I want to repeat that. They were privy to a lot of information about our POWs in Vietnam, our POWs in Korea, and indeed some of the missing cold war losses. This information has not yet been shared with us.

It is very important that we delve into this and find out whether any American POWs were transferred, either stopping there permanently or transferred through any of the capitals of these countries. I want to emphasize again, this is not meant to be a hostile statement. We met with those governments, and they were very cordial and very cooperative but somewhat standoffish by basically passing the buck by saying, Well, you know those were the Communist days, and I am not sure we can dig that out.

Again, if we are asking Americans to shed their blood in the future to defend free nations, then asking them to dig into their archives a little bit is not asking too much.

I want to emphasize again and appeal to leaders of the Czech Republic, Poland, and Hungary to follow through on commitments that were made during our visits and help us to search for American missing service personnel from the cold war, from Korea, and from Vietnam and urge my colleagues on behalf of the veterans organizations that I have mentioned, on behalf of all veterans throughout America and the families, most especially the families of those who are missing, to please join with me in continuing to push for more progress on this humanitarian issue. We can do that and, I think, make a very strong statement here on the floor by voting for this amendment.

At this point I yield the floor for the purpose of allowing my colleague, Senator HUTCHISON, who has been a stalwart on this issue to speak. I am very grateful to her for her support.

I yield the floor.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I thank Senator SMITH for leading the effort on this amendment.

I want to tell you a story about how this came to be an amendment to this bill.

Pat Dunton is my constituent. She is the president of the Korean-Cold War Family Association of the Missing. Pat Dunton's father served in the Korean conflict. She has been trying to get information about her father for all of these years since the Korean war. She still gets choked up talking about not knowing where he is or what happened to him. She came to my office one day and we started talking about how hard it is not to know. We started thinking. Well, you know, maybe we could do something with the new members who have been invited into NATO because during the cold war, which is when some of the MIA incidents took place, maybe the governments of these countries who were allies with the Soviet

Union, some of whom were in Korea, might be helpful in going to these families and providing the information that they might have knowledge of. I just believe that this is something that should be done. I also believe that all three of the countries being considered for NATO membership would like to help in this effort.

I went to Senator SMITH, who has been the leading advocate in the Senate for not forgetting our POWs and MIAs. I said, Let's do something in the NATO agreement that would require any information to be opened to the families of POWs from any conflict. But most especially, of course, Korea is where we think these countries really might have some information that could be relevant.

I am pleased that Senator SMITH decided to take the lead and work with me on this because I think it can make a difference. It calls for the full cooperation of the Governments of Poland, Hungary, and the Czech Republic in obtaining that accounting, and specifically calls for facilitating access to relevant archival material and for these Governments to identify any individuals that may possess knowledge relative to captured and missing U.S. personnel.

Mr. President, Poland, Hungary, and the Czech Republic have all thrown off the chains of Communist domination. But not so long ago and throughout the cold war their military forces and their intelligence services were closely aligned with the very governments who hold the keys to a great deal of information which may help achieve the full accounting we seek. For example, from the end of the Korean war in 1953, representatives of the Czech and Polish military were stationed inside North Korea as part of the Neutral Nations Supervisory Commission at Panmunjom. Their military personnel had direct contact with the North Korean military and had at times a great deal of high-level access throughout North Korea. They met with their North Korean counterparts and may well have highly relevant information on the fate of Americans who were missing during the Korean war.

We also know that their intelligence services and their military often shared information with the intelligence services and military forces of the Soviet Union and that there are those who may have direct knowledge of events involving Americans who were missing during the Vietnam war as well as the numerous Americans who disappeared during military operations in other areas during the cold war.

As new NATO allies, it is certainly reasonable to expect that they would open their archives and provide access to our officials. I have already received assurances from representatives of the Polish Government that this access would be readily granted, and I am certain that the Czechs and the Hungarians would also be eager to work with us.

I have also been contacted by family members of the missing as well as by military personnel working in the area of POW-MIA recovery, and both groups have insisted that it would be helpful to make an official statement on behalf of Congress in the form of this amendment that this is an issue of national importance.

I think the amendment is necessary and important. It sends a message to the long-suffering families often forgotten that are still seeking information about the fate of their loved ones. We must take every opportunity to demonstrate that we understand their grief and their desire to find answers and that it is reasonable to expect any new allies to also respect our legitimate desire to learn all we can about those who are missing in the service of our country. The armed forces and the intelligence services of these same countries that seek to join NATO today were once on the other side of the bitter struggle of the cold war. So they would have information, and we hope that they would agree readily to help us in giving some comfort and perhaps providing answers, that final answer, to some member of a family who has been waiting maybe not patiently but certainly with hope in their hearts that someday they would know what happened to their father or their son who has served in our military and perhaps gave his or her life in service to our country. I think we owe them this amount of caring, this amount of assurance that we will go the extra mile to make sure they have that closure if it can possibly be given to them.

So I thank Senator SMITH. I hope the Senate will adopt this amendment when we have the vote.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Mr. SMITH of New Hampshire addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. SMITH of New Hampshire. I say to my colleagues, just 1 or 2 minutes. I wish to expound a little bit on what the Senator from Texas, Mrs. HUTCHISON, just said in terms of the impact on families.

In the 1950s, there was a Captain Dunham who was shot down over Soviet territory—then Soviet territory—and as a result of the U.S.-Russian commission, of which Senator JOHN KERRY and I are members, we ran an ad in the Red Star newspaper in Russia that went all over; it was read heavily by former military people, veterans of the Soviet Union. And an individual read the article about this Captain Dunham who was missing. It turned out that this individual had been at the crash site and provided us the ring of Captain Dunham, his personal ring, which came back to his family, and as a result of following that up, we were able to find Captain Dunham's remains, missing since the 1950s, and returned just 2 or 3 years ago.

So I think this is a good example of what cooperation can really produce. Sometimes what might seem like a small, insignificant fact turns into a huge issue and a great relief to the family of a missing serviceman or woman. So this is very important, and I want to emphasize again that what this amendment does is very simple, Mr. President.

Let me just mention three things. It would require that prior to the deposit of the U.S. instrument of ratification, the President shall certify to Congress that each of the Governments—Poland, Hungary, and the Czech Republic—is fully cooperating with the U.S. in order to obtain the fullest possible accounting of any military personnel from the cold war, from Vietnam, or any military conflicts; that they facilitate full access to all relevant archival material; and that they would identify any individuals who may possess knowledge relative to the capture of missing personnel. That is it. That is all the amendment does.

I thank my colleagues, especially Senator HAGEL, who has been waiting. I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. BIDEN. I will be very brief. Speaking for myself and my side and I think Senator SMITH of Oregon, who will say the same thing, we are prepared to accept the amendment.

Let me just make a few very brief comments. I think that the applicants for NATO accession have provided cooperation, as was indicated in the U.S. efforts to locate American POWs and MIAs in the cold war.

In July of 1987, the U.S.-Russian Joint Commission on POW/MIAs visited Poland; the Department of Defense Prisoner of War/Missing Personnel Office visited in December of 1997. Resulting from these visits, senior Polish officials pledged to search their archives thoroughly and open all relevant information to the United States. U.S. officials met with the Polish National Security Bureau, the Ministry of Defense, the Ministry of Intelligence Services, the Office of Central Security, Central Archives. All, in the minds at the Pentagon, are fully cooperating. I can say the same relative to the Czech Republic and with regard to Hungary.

So although I, quite frankly, do not think it is necessary, I have no objection to the amendment. And let me say to my friend from New Hampshire, all you have to be is the brother, sister, mother, father, son, daughter, nephew, or niece of an MIA to understand everything the Senator says.

My mother lost her closest brother in World War II, shot down in New Guinea. They never found his body. To this day, my mother—and that was 1944—wakes up after dreaming that he has been found. To this day, he is a constant—''constant'' would be an exaggeration—he is a regular source of

painful memories for my mother. The idea that there is no closure, the idea that there has never been the ability to say his name was Ambrose J. Finnegan, God love him—his nickname was Bozy to everybody in my mom's family. My mother, when I was a kid, literally would wake up at night screaming from a nightmare. She would scare the hell out of us, dreaming that her brother was in the most extreme circumstance.

I do not mean in any way to suggest this is not important by saying we will accept it and that I do not think it is necessary, because it is being done, because it is true, the pain lasts. My mother just turned 80 years old. It is like yesterday for my mother.

So I appreciate what my friend from Texas and my colleague from New Hampshire are doing. Again, I do not think it is necessary, because I anticipate they will fully cooperate. But I see no problem in accepting the amendment.

Mr. SMITH of Oregon addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. SMITH of Oregon. I would like to associate myself with the words of the Senator from Delaware and just tell my colleagues, the advocates of this amendment, I support it. I believe the Poles, Hungarians, and Czechs would support it, too. These are nations that know something about prisoners of war and missing in action, gulags, and all the horrors that go with totalitarianism, and I fully expect that they would want us to accede to this.

I appreciate the Senators offering this amendment. I think it helps. And part of the reason to expand NATO is to heal these countries. Part of the healing comes from addressing issues like this. We will find they will do this with us and without any resistance to it.

I thank the Senators who are offering this amendment.

The PRESIDING OFFICER (Mr. ENZI). The Senator from New Hampshire.

Mr. SMITH of New Hampshire. If I could just respond to the Senator from Delaware for a moment, I listened to his story about the personal episode in his family. I might say, we have found in the last 4 or 5 years, aircraft—I am almost certain that we located an aircraft in New Guinea and other areas where aircraft had been lost during World War II. I think it says a lot about our own Nation that we would still send teams out there in those jungles, searching for people who were lost. Maybe at some point, maybe—I know it was your relative, I did not hear, what relative?

Mr. BIDEN. My uncle. My mother was one of five children. It was her brother and her soul mate. It is amazing how, like I said, she is 80 years old, God love her, and it is still there.

The only reason I bothered to mention it—I never mentioned it before on the floor in all the debates we had about POWs and MIAs. I compliment my colleagues in their diligence to continue to pursue accounting for POWs and MIAs, and I didn't want them to think that, because I slightly disagree with their assertion of what these three countries have done—I agree with my friend from Oregon. I think they are clearly interested in helping. If there are any countries that are fully aware, as my friend from Oregon said, it is the Hungarians and the Czechs and the Poles, who have had people dragged off to those gulags, never to be heard from again.

These democratically elected officials, now—I would be dumbfounded if they did not fully cooperate. But I understand the motivation. That is my point, to my two colleagues. I am happy, from our side, to accept the amendment, as well as my friend has indicated he is willing to accept it.

Mr. SMITH of New Hampshire addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. SMITH of New Hampshire. I appreciate my colleague's willingness to accept it. It seems to be the consensus of those of us who are sponsoring it, we seek a recorded vote on it because of the significance of the issue.

With that in mind, I will ask for a recorded vote at the appropriate time.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Obviously that is the Senator's right. I do not challenge it. I just am reminded, I remember one time when I first got here—and I know he has been here a long time. I went up to Russell Long, the Chairman of the Finance Committee, and indicated to him I wanted help on an amendment to a Finance Committee bill. Senator Long, the senior Senator and Chairman of the Finance Committee, said, ''Fine.'' He accepted it.

Then I thought later it would be good to have a recorded vote. I stood up and said, ''I have decided I want a recorded vote.'' He said, ''In that case, I am against it.'' We had the recorded vote and he beat me. So I learned, from my perspective anyway, that when someone accepts an amendment, I am always happy to do it.

But I understand the Senator's motivation. I will not change my position, but maybe he would reconsider whether we need the vote. But that is his judgment. I yield the floor.

Mr. SMITH of New Hampshire. I had great confidence that you would not do that.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HAGEL. Mr. President, I rise this afternoon to support the ratification of NATO expansion. I have had the good fortune, over almost the last year and a half that I have been in the U.S. Senate, to serve on the Committee on Foreign Relations. That has given me a unique opportunity to examine the NATO expansion protocol. I attended, start to finish, each of the eight full hearings we had in the Foreign Relations Committee on this issue. I also was appointed by the Senate Majority Leader to serve on the NATO Observer Group Task Force. I attended almost all of the 17 meetings that our distinguished colleagues from Delaware, Senator BIDEN and Senator ROTH, held. That does not give me a particularly unique perspective on this issue, but it gives me some grounding on understanding the complications of NATO expansion.

As I have listened to the debate the last 2 days, and in previous weeks when this Chamber debated this issue, and during committee hearings, I have come to the conclusion that, yes, a number of the questions and points raised by my colleagues are not only relevant but are important and they should be fully aired and fully debated. It is based on those observations that I have made, as I have listened to this debate, that I wish to offer some of the following points.

Aside from the obvious defense purpose of the expansion of NATO, there are other issues involved. The obvious defense purpose of expanding NATO is to help assure stability and security in Europe, all of Europe. There has been some debate on the floor about this issue, this fourth expansion—and, by the way, a not unprecedented expansion. We have expanded NATO three other times, to include West Germany, Greece, Turkey, and the third expansion was Spain and Portugal. So this would be not an unprecedented action we take, that we include three new countries. But I find interesting that there has been some reference made to ''we would split Europe.'' I say just the opposite, just the opposite. We would, in fact, do much to unify Europe. Why would that be? That would be because stability, security, economic development, development of democracy and market economies, would extend across the continent of Europe and no longer would there be the Iron Curtain that fell at the end of World War II. NATO expansion would help assure that.

I also find the argument interesting from the perspective of—I thought, when the Berlin Wall fell in 1989, that meant something. It was beyond symbolism. It was a witness to history that authoritarian, totalitarian government does not work, under any name—Nazism, communism, it doesn't work.

Here we are, almost 10 years after the fall of communism, with the Berlin Wall, talking about, ''Well, I don't know, should we do this? We might offend our Russian friends.'' Certainly any important decision must factor in every dynamic in the debate and every dynamic of our national security interest—relationships, future relationships, and in this case it certainly does factor in our relationship with Russia. But, my goodness, why did we fight, for 40 years, a cold war? And we won it. Only 10 years later, to some extent, to be held hostage to what the Russians want?

You see, I don't see an awful lot of sense in that. Yes, it is important to understand the Russians. Yes, it is important to engage the Russians. But not allow Russia, or any other nation to dominate the final analysis and decisions of our Nation's security interests, nor all of the collective security interests of Europe.

There is another consequence of this that has not yet been fully developed and that is we would be helping provide role models for Central and Eastern Europe by these three new nations, Poland, Hungary, and the Czech Republic, coming into NATO, complying with—not as a handout, not as a gesture, but complying with all of the requirements established 50 years ago to belong to NATO. We just didn't invent these. They didn't ''happen.'' They are the same requirements for Poland, Czechoslovakia, and Hungary as we had for the previous three expansions of NATO.

Other nations of Central and Eastern Europe can look to these three nations as role models, for help, and not just in the national security dynamic. Let's face it, I have heard, also, a lot of talk about the European Union—why not allow these nations to be brought into the European Union first? Mr. President, you cannot separate economics here. You can't separate economic stability from military stability. They are integrally entwined.

There is no question the world is a global community underpinned by a global economy. Of course—of course—these nations will benefit economically. And that will invent and give opportunities to other countries, and more opportunities as well. Now, this is not just—not just—a national defense issue and a security issue for the United States. This is an investment for the United States.

This is an investment because it is connected. And if we invest, yes, some money—my goodness, isn't that something? We would actually have to pay some money, not wild exaggerations that we have heard on the floor of the Senate, but some real dollars to invest, to expand the security and stability umbrella of NATO eastward.

It is an investment for us for a couple of reasons. One, it will help assure this country will not be sending its children and its grandchildren to fight another World War or a war in Europe. Democracies do not attack other democracies. Democracies do not go to war. So it is an investment in national security and peace for us.

It is also an economic investment. As these nations that had been under the yoke of Communist dictatorship for almost 50 years are now in a position to develop democracy and flourish economically as they develop their democratic governments and their freedoms, they are as well developing market economies.

What does that mean to us? That means markets, that means some stability, that means connection.

I also have found some of my colleagues, particularly on my side of the aisle, comment about, ''Well, but this President, this administration, wants to take NATO expansion beyond the boundaries of what the mission is of NATO.'' I remind my colleagues on this side of the aisle, my Republican colleagues, who might have some concern about this present administration, 10 Republican and Democratic administrations have presided over America's involvement in NATO, 10 administrations, Republican and Democratic.

This debate should not get confused with the underbrush of detail or who is in the White House today. This debate is about the future and how we are preparing for the future as we go into the next century—not about Bill Clinton, Madeleine Albright, Bill Cohen. They are players on the scene for a very brief time, just like 10 administrations have been on the scene, essentially for a brief time.

Missions and organizations change, believe it or not. Missions and organizations change. Times change. Dynamics change, challenges change, circumstances and situations change.

To my colleagues who say, ''Well, prove to me that NATO is going to be important. Prove to me every dollar that's going in. Prove to me we need NATO,'' well, as brilliant as many of my colleagues are, no one can give them that answer, you see, because no one can predict the future. But that is what NATO expansion is about. That is why we established NATO 50 years ago, because the future was uncertain and was unstable. If we did not have NATO today, we would have to invent NATO.

To those of my colleagues who say, ''Well, why rush? We're rushing into this. What's so important about doing this now? This year? Next year?'' I say, I suppose you could have asked that question after World War II—there was relative peace in Europe after World War II—''What's the rush?'' And for every one of the previous three expansions into NATO, you could have said, ''Why West Germany now? Let's wait until about 1980,'' or for any of the other nations. But, my goodness, doesn't it make a little more sense to develop strong, bold, dynamic, futuristic policy now—now—when we can think clearly, when we can understand the dynamics of the issues rather than, well, let us wait for some country to be invaded and then we will show them what we are going to do? Come on, it does not work that way. It does not work that way.

Let us not squander the time we now have to plan as best we can for a surely uncertain future.

Another dynamic that gets lost in this debate, Mr. President, is another certainty—the diffusion of power in the world. The face of this globe will not look the same in 25 years. It will not look the same because the geopolitical, economic and military power structures of the globe of this 5.2 billion-people world are changing. Like life changes, everything changes.

It is in the best interest of this country and the world for us to lead as best we can to prepare for those new challenges and to prepare for that new diffusion of power, as it will surely come, as it is coming today.

Yes; yes, Europe is only one part of that. But look at the numbers—a rather significant part. Any measurement you take of the importance of Europe, any measurement you take—people, gross domestic product, exports—and do we really believe Europe still and will still be untouched into the next century with no war, no conflict?

Who would have predicted Bosnia? Who would have foreseen that in 1990 and 1991? Kosovo. These are deadly, real examples of how fast things can come unraveled even in—even in—Europe.

Another question that is asked, and appropriately so, is our force strength. It is a very good question. Over the last 10 years, we have been asking our military to do more with less—more deployments, longer deployments. We now have a force structure, in real dollar terms—in real budget terms—that is down as low as any time since 1940. Less than 3 percent of our gross domestic product goes for our national defense. That is below dangerously low. And if we in fact are going to ask our military to take on new responsibilities, like NATO expansion, which I support, and NATO and the Persian Gulf, and a hundred other nations where we have troops, then we are going to have to pay attention to our military. And we have not been doing that.

Another debate for another time surely, Mr. President, but one that is appropriately talked about in this debate and asked because if we are going to ask our military to do more, we are going to have to pay attention to the budget and to rebuilding our military. We are soon becoming a hollow military, and that is in any measurement you wish to take. In the President's own budget for fiscal year 1999, he cuts another 25,000 uniformed men and women from the services. We cannot have it both ways. But, as I say, part of the debate should be part of that debate, but that debate should come at a different time.

I conclude my remarks, Mr. President, by saying that we have a unique opportunity, as the most dominant nation on Earth, at a most unique time in history—not a time seen probably since Rome during the Roman Empire—when one nation has so thoroughly dominated this globe.

There is a bigger question for this country and a bigger challenge that will require a bigger debate than NATO. But it is part of the debate. And that is, yes, a great nation is required to do great things, to take on great burdens, and to give great leadership. It is an awesome responsibility the United States has. And our challenge, our debate is, do we wish in fact to go into the next century as that dominant

great nation and carry that great burden of leadership? This is part of that debate.

We have an opportunity, unique in history, to help build strong democracies, help to build structures that will give more people more freedom than the history has ever known, more market economies, better standards of living, better health, less conflict, less war. That is why NATO expansion is important. It is not the only issue, maybe not the most important issue, but surely it fits into the grander debate that we will have.

New alliances are being formed, new alliances will continue to be formed in the next century. We want to be part of that. As we rely on more nations and more relationships and more alliances, in the end that will mean less burden for us, less burden for us because we are helping develop strong democratic nations with resources, with economies that can defend themselves. That is in our interest. In the end, it is in the world's interest.

That, more than any other reason, is why I strongly support NATO expansion. I ask that my colleagues in this body who are still undecided, for legitimate reasons, listen to this debate closely, because in the end this debate is about our future and what is in our best interest.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BIDEN. Mr. President, it is true the Delaware which touches New Jersey is owned by Delaware, but I am from Delaware. I would be proud to be from New Jersey, but I am prouder to be from Delaware.

Mr. President, I understand we are going to go to the Kyl amendment very shortly and I cosponsor and agree with the Kyl amendment. I think the manager supports the Kyl amendment, too. But while we wait for Senator KYL to make his opening statement in support of his amendment, I would like to reiterate a point I made yesterday with Senator SMITH, in the few minutes while we are waiting for Senator KYL to come to the floor.

Yesterday there was a good deal of talk here about whether or not this expansion of NATO was good, bad or indifferent. The distinguished Senator from New York, Senator MOYNIHAN, the distinguished Senator from Virginia, Senator WARNER and others, were taking issue with the expansion of NATO. I referenced why I thought the Poles thought this was in their interest because the comments were basically made that the Poles—Senator SMITH of New Hampshire said we support the Poles anyway.

I made the point that that kind of promise had been made to Poland before. In 1939, France was considered to have Europe's strongest army. It had built the massive defensive fortification called the Maginot Line which was widely thought to be impregnable.

Hitler's generals warned against an attack on France. In late August of 1939, of course, came the Molotov-Ribbentrop Pact between the Soviet Union and Nazi Germany which—difficult though it may be to understand today—astonished the world then.

Little more than a week later, on September 1, 1939, Hitler's forces launched a surprise attack on Poland. Here we come to two critical points.

First, Great Britain and France had cobbled together an alliance with Poland earlier that year after Germany had annexed the rest of Czechoslovakia.

But that last-minute alliance, of course, can in no way be compared to today's powerful integrated military command of NATO. France and Britain had no capability to project forces eastward to defend the Poles. Furthermore, Poland was then ruled by authoritarian colonels, while Britain and France were democracies. Therefore, appeasers could and did proclaim that they would not ''die for Danzig.''

Hitler saw all this and correctly anticipated that France and Britain would not actively oppose his attack on Poland. And they didn't.

Secondly, Hitler's generals needed the attack on Poland to perfect their new tactic which was dubbed the ''Blitzkrieg'' or ''lightning war.'' The panzer attack on the Polish cavalry, as was pointed out yesterday, an incredible undertaking where Poles on horses were taking on armored divisions of the German Army, which the Senator from Virginia recalled earlier in the debate, was a metaphor for the effectiveness of the German's new kind of rapid, mobile warfare.

I said yesterday that France and Britain, after formally declaring war on Germany September 3, 1939, did nothing. In fact, Mr. President, for more than 8 months nothing happened on the Franco-German frontier. Commentators labeled this the ''phony war,'' a term which students of history will call and readily recall.

Meanwhile, after carving up Poland with Stalin, the Germans were freed to redeploy offensive combat units for use in the West. On May 10, 1940, Hitler invaded France and the Low Countries using the Blitzkrieg tactics perfected against the Poles, now against France. Going through Belgium and Holland, the Germans simply bypassed the vaunted Maginot Line, and soon they were in Paris.

So I repeat, Hitler's road to France went through Poland. We should ask ourselves what lessons can be learned from this sad tale and acknowledge Poland is east of Germany. How did it get to France? Had they not gone into Poland first they would not, in all probability, have been nearly as successful as they were in 1940. The road to France was through Poland.

First, the lesson we should learn from this sad tale is the alliance only means something if it has a deeper purpose. Today, Poland, Hungary and the Czech Republic are democracies with Western values—not as Poland was then, a very different country. By the way, only extreme isolationists, I submit, would repeat a ''I won't die for Danzig'' slogan in 1998.

Second, the alliance must have military muscle to back up a paper agreement. NATO clearly has the military structure in force to make collective defense credible.

The third lesson, is NATO, through its Partnership for Peace Program, is actively cooperating with non-NATO countries, including Russia, to lessen tensions and make future conflicts highly unlikely.

So for all these reasons, Mr. President, Poland, Hungary, and the Czech Republic, passionately want to become members of NATO. All three countries have successfully completed a demanding set of reforms in order to qualify.

History need not repeat itself, Mr. President. But history is always instructive. That is why I mention the connection between Poland and France in 1939 and 1940. I hope this explanation is helpful to my colleagues. I hope we keep it in mind.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Virginia.

Mr. WARNER. I wonder if I might engage our distinguished colleague, who just presented his views, in a bit of a colloquy.

First, I ask my colleague, did he make the statement that NATO is for the defense of all of Europe, or some broad, sweeping statement to that effect?

Mr. HAGEL. No, I didn't say it is for all of Europe. I said we would have a Europe, as we expand NATO eastward, that gives Europe an opportunity from east to west, all of Europe, to be democratic, opportunity to develop market economies, the potential to be a free continent, and that NATO could help do that.

Mr. WARNER. I thank my colleague. I am just going back to read the charter, article V, and this is the heart and soul of NATO.

It says that parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all, and consequently they agree that if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defense, recognized by article V of the Charter of the United Nations, will assist the party or parties so attacked by taking forthwith, individually and in concert with other parties, such action as it deems necessary, including use of armed force to restore and maintain the security of the North Atlantic area.

Now, it was very clear when this was written that we envisioned the Soviet Union as the threat. That was the purpose of it. And now with the demise of the Soviet Union and the threats now being fractured into many places and of many types, we are trying to determine what is the future mission of NATO.

One of my great regrets is that we are proceeding with this matter of including three new states at a time when NATO itself has not determined exactly what is to be the mission subsequent to the 1991 statement to that effect.

The PRESIDING OFFICER. The Chair reminds the Senator of the previous order.

Mr. WARNER. For the benefit of the Senate, the Chair should state the order.

EXECUTIVE AMENDMENT NO. 2310, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, there is to be 30 minutes of debate on amendment No. 2310 offered by Senator KYL of Arizona to begin at 4:30 p.m.

Mr. WARNER. I ask unanimous consent to proceed for about a minute and a half.

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

Mr. WARNER. I direct my comment to the distinguished Senator who is proposing the amendment, Senator KYL, which will now be the subject of further debate. In particular, on page 1 entitled ''common threats,'' it says, ''NATO members will face common threats to security in the post-cold war environment, including . . .''—and on page 5 it says—I guess that was 4. It says, ''. . . conflict in the North Atlantic area stemming from ethnic and religious enmity, the revival of historic disputes, or the actions of undemocratic leaders.''

I find that far afield from the NATO charter itself. Indeed, it is somewhat far afield from the 1991 restatement of the mission of NATO. Speaking for myself, I have grave concerns about NATO incorporating in any future document the fact that it stands ready to stamp out ethnic and religious enmities and the revival of historic disputes. That is the very thing we are involved in now in Bosnia. I just don't have time to get into it, but I would like to have a clearer explanation from the proponent of this amendment as to what he intended by the inclusion of this paragraph in this amendment. Basically, I wanted to support the amendment, but I cannot support a document that says NATO is going to take it upon itself to put out civil wars and religious enmities and ethnic disputes. I am concerned about the future of American servicepersons and that the men and women who will proudly wear the uniform of the United States and be an integral part of NATO would be subject, under NATO commanders, to go into these areas and meet such conflicts.

Mr. KYL. Mr. President, I will be delighted to answer the question of my distinguished colleague from Virginia. I will begin, first of all, by setting forth the essential concept or idea underlying this amendment.

The future course of the NATO alliance, its core purposes and its strategic orientation in this post-cold war era, will be decided by allied negotiations upcoming on the so-called revised strategic concept of NATO. The new document is going to be agreed upon in a little bit less than a year—next April. Senate advice and consent to the NATO enlargement issue here presents a unique opportunity for the Senate of the United States to speak on this issue, an opportunity we would not otherwise have. We, therefore, can help to lay out the strategic vision of NATO from the standpoint of the United States and thus influence the outcome of these negotiations.

In my view, the current resolution focuses too much on what NATO should not be and should not do. The resolution does not attempt to lay out a comprehensive set of principles to guide development of the strategic concept. And so this proposed amendment will establish the Senate's vision of the future of NATO and, I hope, help to lay the foundation for American positions on the strategic concept.

Here is the background that will lead up to the answer to the Senator's question. I hope it is the only expression of concern about the amendment because I would certainly like to have his support for what I think is an amendment that will be overwhelmingly supported by both proponents and opponents of expansion. Our principal objective here, I say to the Senator from Virginia, is to ensure that NATO remains an arm of U.S. power and influence. NATO, not the WEU or the OSCE, must remain the principal foundation for the security interests of its members. This means NATO must be prepared militarily to defend against a range of common threats to our vital interests. We have tried to identify what they all are.

Now, some of us may not like what some of them are and may not like the fact that we will have to respond to them. For example, a radical Islamic terrorism threat in the North Atlantic region may require that we defend against that. That didn't used to be a big problem for NATO. What I have done is insert the words ''in the Atlantic area''—words that were not in the underlying resolution of ratification that came out of the committee. So what I have tried to do is both to, yes, acknowledge a threat that we all acknowledge that could arise, but to limit the nature of our response to that in the Atlantic area by the specific language of the section that the Senator from Virginia and the Senator from Texas are concerned about.

This amendment underscores that collective defense will remain the core alliance mission. But it acknowledges that new threats have emerged in the post-cold war era that will require NATO to adapt its military forces and defense planning mechanism.

Mr. WARNER. May I have one word of clarification?

Mr. KYL. I am happy to try to answer the question.

Mr. WARNER. The mix of NATO is the collective security of member nations and the collective security of the continent that they occupy. That has been the traditional mission. Now, you are recognizing these are threats, and I agree they are becoming more and more threats—religious and ethnic strife. But do you intend, by this document, to say that that should be written in as a mission of NATO, to stand ready to intervene in these types of conflicts? Or are you just recognizing them as potential threats and subsequently, depending on the magnitude of the threat, the NATO commanders, and the NAC, North Atlantic Council, can determine if in fact it threatens the collective security of a nation or the nations?

Mr. KYL. That is an excellent question, Mr. President, and it is, of course, the latter—something that I think the Senator from Virginia and I support. I point to the specific language to confirm my point. In paragraph 5, ''common threats,'' it says: ''NATO members will face common threats to their security in the post-cold war environment, including. . .'' Then we list threats. We hope they will never arise. That is the context in which this particular provision is listed.

If I could just close my comment here, Mr. President, because the Senator from Delaware wishes to comment. This amendment merely conditions Senate advice and consent to its understanding of U.S. policy as it relates to the revising strategic concept of NATO. It acknowledges the principles that have animated our participation in NATO from the very beginning and also identifies the threats that we may face. It states that the Senate understands that the core concepts contained in the 1991 document remain valid today.

I say to my friend from Virginia, in essence, that the 1991 strategic concept provides a foundation on which to build the revised statement of NATO strategy and sets forth the 10 principles which the Senator understands will be in the new document.

I urge my colleagues who support and oppose the expansion of NATO to support this amendment and to put the Senate on record as defining the NATO of the future. I reserve the remainder of my time.

Mr. WARNER. Mr. President, collectively, with the Senator from Texas—

The PRESIDING OFFICER (Mr. SESSIONS). The Senator from Delaware controls the time. Who yields time?

Mr. BIDEN. How much time do I control?

The PRESIDING OFFICER. Fifteen minutes.

Mr. BIDEN. I yield 2 minutes to the Senator from Virginia.

Mr. WARNER. The Senator from Texas and I wish to discuss the capacity to respond to common threats. NATO's continued success requires a credible military capability to deter and respond to common threats. And when you look at the definition of common threats, it includes historic disputes, religious enmities, ethnic and

the like. I fear that, although the Senator in his statement seemed to clarify that this is not to be a mission, somehow the language, I believe, is somewhat tangled. I yield to my colleague from Texas.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I have just been looking at the amendment with the Senator from Virginia. I like every other part of the amendment. I like every other part of the amendment. But it seems that the words define what a common threat is, and included in the common threat are ethnic divisions or uprising, and then it says that one of the missions of NATO is to respond to common threats. I just wondered if there could be a clarification, or perhaps a clarifying amendment that would assure that is not going to be a responsibility of NATO to come into a situation in which there is a border dispute or an ethnic dispute. In fact, that is one of the amendments I would offer later, which is to avoid having the United States get into an ethnic dispute.

If the Senator from Arizona can clarify it, I think the Senator from Virginia and I would like to support the amendment. But if it needs some work to assure its intent, then perhaps we could work on that as well.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. On my time, let my take a crack at that, if I may. I am a cosponsor, although I cannot take credit for the drafting. It is totally a product of my friend from Arizona, and it is an admirable job. The Senator from Oregon and I were just talking about what a good amendment this is. I am glad to cosponsor it. But let me maybe help.

I have in my hand the alliance's Strategic Concept of 1991, the last one that occurred. It is the present operating doctrine for NATO. My friend from Virginia pointed out that the North Atlantic Assembly committee gets together and they decide whether this should be updated periodically, what it should say, and what article V of the Washington treaty means. Article V of the Washington treaty, the NATO treaty, was read earlier by my friend from Virginia.

It starts off, the parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all, consequently, and it goes on from there. Let me read from the strategic concept, the alliance's strategic concept, which is the operating strategy of NATO, as we speak, the one that was, in effect, redone in 1991 to respond to the changed circumstances, meaning no longer the Soviet Union, the Berlin Wall is down, and all these nations. We are talking about independent republics and nations themselves. OK. That is the concept in which the strategic document came about.

On page 4, under ''Security Challenges and Risks,'' paragraph 10, the present strategic doctrine of NATO reads as follows:

> Risks to allied security are less likely to result from calibrated aggression against the territories of the allies, but rather from adverse consequences of instability that may arise from serious economic, social, or political difficulties, including ethnic rivalries and territorial disputes . . .

—border disputes, and ethnic rivalries. Excuse me. Let me be clear that I don't want to misquote. Go back to the quote:

> . . . political difficulties, including ethnic rivalries, and territorial disputes.

Parenthetically inserted by me was border disputes, and what is going on in Bosnia now.

Back to the quote:

> . . . which are faced by many countries in Central and Eastern Europe . . .

Not members of NATO.

> . . . the tensions which may result, as long as they remain limited, should not directly threaten the security and territorial integrity of members of the alliance. They could however lead to a crisis inimical to European stability and even to armed conflicts which would involve outside powers, or spill over into NATO countries having a direct effect on the security of the alliance.

Nothing to do with the expansion of NATO—zero, zero to do with expansion. Presently, NATO interprets article V to represent—is interpreted and laid out tactically in the alliance's strategic concept as interpreted by the 16 NATO nations. It authorizes and allows, and they in advance acknowledge that NATO will deem, under article V, instability as a consequence of ethnic rivalries, or boundary and territorial integrity. They will interpret that. They may interpret that to be a threat to the security of any of the member nations; ergo, you are then allowed under NATO strategic doctrine, if all NATO countries agree, as they do in this doctrine, to use force.

What is happening in this debate, unintentionally, as I said to my friend from Virginia yesterday, and what we are really debating in the biggest debate that has occurred is what the greatest differences have been over NATO strategy as it now exists.

That is really what people are arguing about. They are really arguing not about what these three additional countries will do to impact on strategy. They are basically arguing, as they should, as they should, whether or not this outfit we put together almost 40-some years ago still is relevant today, whether we should still have it. But the strategic doctrine today put in place in 1991 says, and I will repeat, ''Risks to allied securities are less likely to result from calculated aggression against the territory of the allies but, rather, from adverse consequences of instability that may arise from serious economic, social and political difficulties including ethnic rivalries, territorial disputes which are faced by many countries in Central and Eastern Europe.''

Now, my friend from New York, who is opposing the expansion, is probably the single most qualified man in the Congress, having written about and predicting the kind of chaos that would come from the male fist of communism being lifted off of the sectarian rivalries that have been subsumed under that heavy hand in the Communist rule—he predicted in a book he published several years ago, that I recommend to everyone, that there would be crisis in Europe. It would not be Soviet armies invading.

So my friends who keep saying: Look, we ought to reflect reality, NATO should reflect the real world, as Senator SMITH from New Hampshire kept saying yesterday, NATO did just that in their strategic doctrine of 1991. They said the risk—paraphrasing—is not from Soviet divisions; it is from ethnic rivalries, economic, social, and political instability. That is where our risks lie and we must respond to those risks.

So nothing new is being stated by my friend from Arizona. He is not breaking new ground. He is reiterating a basic principle of the strategic doctrine that exists now. And if we vote down these three countries, it will still exist. To the extent you have a fight, an argument with that section of his amendment, which I cosponsor, you do not have a fight about expansion. You have a fight about why don't you introduce an amendment that says the strategic doctrine of NATO should not be what my friend states it should be and, in fact, is.

So, again, we tend to——

Mr. WARNER. Mr. President, if the Senator will yield, I think we could settle this with two sentences. Do I understand from the sponsors—and you being a cosponsor of the amendment—that nothing in the amendment expands beyond what is stated in the 1991 doctrine, paragraph 10, which the Senator from Delaware just read? If it is to be interpreted as saying that remains as the goal, then I am comfortable with the amendment. But as drawn, largely due to the defining language, I have a problem with it in its present form.

I agree with the Senator from Delaware, if that is to be the mission in the future, a consistent one with paragraph 10.

Mr. BIDEN. Mr. President, if I may respond, since I am not the author but only the cosponsor, I do not want to take the liberty of suggesting what the Senator from Arizona meant, but that is my understanding. It is my understanding that the words as drafted now in paragraph 5—and I apologize. I am searching for the language—say each of the threats are self-evidently covered by present NATO doctrine: ''Re-emergence of hegemonic power confronting Europe,'' i.e., Russia. That is part of our existing doctrine today. ''Rogue states and non-state actors possessing nuclear, biological, or chemical weapons and the means to deliver these

weapons by ballistic or cruise missiles,'' et cetera. That, as I read paragraph 10, is contemplated within the ''serious economic, social and political difficulties.'' It says, ''including ethnic rivalries and territorial disputes'' but not limited to those two items.

No. 3, ''Threats of a wider nature, including the disruption of the flow of vital resources'' obviously would affect the economic security and the stability of the NATO nations. No. 4, ''Conflict in the North Atlantic stemming from ethnic and religious enmity.'' That is covered. So as I said——

Mr. WARNER. Mr. President, the Senator is a little swift in saying that is covered. Look, in paragraph 10, in referring to such disputes as ethnic and religious enmity, they say this response: ''These tensions which may result as long as they remain limited should not directly threaten the security and territorial integrity of members of the alliance,'' and therefore NATO stays out.

Mr. BIDEN. Mr. President, to respond, that is exactly what this amendment says. The amendment says, as my friend from Arizona has drafted it, it is a decision self-evident. In this amendment, it is a decision for the NAC to make whether or not it is an armed conflict that will spill over. There have been a number of ethnic conflicts in Central and Eastern Europe which we had concluded not to get involved in because the NAC concluded they were not directly threatened, they did not directly threaten the security of those countries. They did conclude that the ethnic rivalries and the war in Bosnia did—did—threaten their security. They made that judgment internally within the NAC, within that governing body of NATO.

So I reserve the remainder of my time. I have 2 minutes, I am told.

Mr. SMITH of Oregon addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona has 7 minutes.

Who yields time?

Mr. KYL. Mr. President, I ask unanimous the following Senators be listed as cosponsors to my amendment—HELMS, ROTH, BIDEN, and SMITH of Oregon.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Oregon.

Mr. SMITH of Oregon. I thank the Chair. I thank Senator KYL. The Senator just took away some of the business I wanted to do.

I am very pleased to be added as an original cosponsor of this amendment.

Mr. President, I think the Clinton administration made a serious error in allowing the other NATO countries to reopen the strategic concept issue. The current document agreed to in 1991 needs no alteration. The approach taken under President Bush's strategic concept has served NATO well for the past 7 years and would have served equally well for the next 7. That said, what is done is done. The administration failed to prevent the French and others from opening a Pandora's box.

Negotiations on the strategic concept for the purpose of amending it will commence this summer, and I expect that a document will be agreed upon by early next year. Senator KYL's amendment establishes a vision for NATO's future. It does so by emphasizing those aspects of the current NATO policy which the United States finds most important. For instance, the Kyl amendment makes clear that NATO, not the European Union, not the OSCE or any other United Nations-type organization, must remain the principal foundation for collective security in Europe.

It also takes note of the broad range of threats that will face the United States and our NATO allies in the post-cold war world and calls upon NATO members to ensure that their forces can be rapidly deployed and sustained during combat operations.

Taken together with paragraph B of the current condition 1 of the resolution, which calls upon NATO military planners to put territorial defense above all other priorities, this amendment makes clear that the United States expects every NATO member to pursue the capability of operating with the United States in any contingency under any circumstance.

Finally, it reaffirms the key tenets of current NATO nuclear policy. I find this paragraph of the Kyl amendment particularly important.

In conclusion, Senator KYL has identified the 10 most important aspects of NATO's current strategic concept which must be preserved. His amendment sets forth the Senate's expectations that any future revisions to the strategic concept must reflect these principles. I welcome his contribution to the resolution of ratification. It provides a much-needed vision for the future course of the NATO alliance. The administration can expect that I for one will hold it to the policies established under the Kyl amendment during the course of future negotiations of the strategic concept.

Again, my thanks to Senator KYL. I think his amendment is forward looking. It is visionary. Unlike so many amendments offered here today which are sort of in the category of ''thou shalt not,'' this is in the category of ''thou shalt do.'' So I thank Senator KYL for that and his leadership. I am proud to be a cosponsor with him.

I yield the floor.

Mr. MOYNIHAN. Will the Senator yield for a question?

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. I would be delighted to yield for a question from the Senator from New York.

Mr. MOYNIHAN. Would it be correct to say that the statement, ''Conflict in the North Atlantic area stemming from ethnic and religious enmity, the revival of historic disputes or actions of undemocratic leaders'' does not represent any expansion of the 1991 doctrine?

Mr. KYL. Mr. President, I say to my colleague from New York that I am in total agreement with the Senator from Delaware. That is the case, that this was not intended to be an enlargement of existing NATO policy.

Mr. MOYNIHAN. I thank my friend from Arizona.

Mr. KYL. I thank the Senator.

Mr. President, I make that statement in order to assure my colleagues who are concerned about enlarged missions that it is not our intention to try to expand the mission of NATO. But what we are concerned about is helping the administration of the United States define very clearly to our European allies our strategic vision of NATO as a defense alliance. Unfortunately, some Europeans have a different point of view. They would limit NATO solely to the mission of collective defense against an armed attack, elevate the WEU to the principal military organization for responding to all other threats to NATO security, and cuts the United States out of decisionmaking on issues affecting our vital interests. Some undermine our ability to shape NATO as a viable 21st century military alliance, and that is why I offered this amendment, to help make clear an unambiguous U.S. policy on the future direction of the alliance using the fundamental principles which have existed since 1949 when these concepts were first enunciated and which in the Foreign Relations Committee report at that time said that, of course, each party would have to decide in the light of circumstances surrounding the case and the nature and extent of the assistance whether, in fact, an armed attack had occurred and article 5 thus brought into play—armed attack relating to different kinds of situations that might not be a direct invasion but might, from other kinds of causes nevertheless, pose a security risk to the states within NATO.

So I really believe we have not expanded the current policy, but I hope we have clarified for our friends in Europe the limits of the U.S. policy, the vision, the strategic vision that we have. I appreciate the questions raised by the Senators from New York and Virginia to help us clarify that point.

Mr. WARNER. Mr. President, we thank the Senator and with that assurance I will give you my support. But the amendment is to restrict in some way the expressions in the resolution that is before the Senate.

Mr. KYL. That is correct.

Mr. WARNER. Would the Senator state that for the record?

Mr. KYL. Yes. Mr. President, that is correct. We explicitly, for example, insert ''in the North Atlantic area'' which is not in the underlying resolution of ratification.

Mr. MOYNIHAN. Will the Senator yield for a brief question?

Mr. KYL. I am happy to yield. I think I am out of time.

Mr. MOYNIHAN. Would the Senator agree that in 1949 the issue facing Western Europe and the United States was not ethnic and religious conflict, it was international communism in the form of the Soviet Union, which had declared ethnic and religious conflict to be a premodern phenomenon, long since sent into the dustbin of history?

Mr. KYL. The Senator is correct that the concern at the time was the great conflict between the West and communism from the Soviet Union. I suggest the Senator probably knows better than any of the rest of us about the longstanding disputes, some ethnic and religious in origin, which were, perhaps, always under the surface. But at that time, of course, the Senator is absolutely correct.

Mr. MOYNIHAN. I thank my colleague.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I am not one for shilling for books, but for those of you who are interested in this subject and the religious and ethnic conflicts that have erupted after the mailed fist of communism has been lifted in Central and Eastern Europe, I strongly recommend—and I mean this sincerely—Senator MOYNIHAN's book entitled ''Pandaemonium.'' It is worth, as they say, the read, and is incredibly instructive. I mean it sincerely. It is incredibly insightful, and those of you who have an interest should take a look at it.

I yield the floor and yield the time, and I am ready to vote.

Mr. KYL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from Illinois (Ms. MOSELEY-BRAUN) is necessarily absent.

The PRESIDNG OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 90, nays 9, as follows:

[Rollcall Vote No. 107 Leg.]

YEAS—90

Abraham	Coats	Feingold
Akaka	Cochran	Feinstein
Allard	Collins	Ford
Baucus	Conrad	Frist
Bennett	Coverdell	Glenn
Biden	Craig	Gorton
Bond	D'Amato	Gramm
Boxer	Daschle	Grams
Breaux	DeWine	Grassley
Brownback	Dodd	Gregg
Bryan	Domenici	Hagel
Burns	Dorgan	Harkin
Campbell	Durbin	Hatch
Chafee	Enzi	Helms
Cleland	Faircloth	Hollings
Hutchinson	Levin	Rockefeller
Hutchison	Lieberman	Roth
Inhofe	Lott	Santorum
Inouye	Lugar	Sessions
Jeffords	Mack	Shelby
Johnson	McCain	Smith (OR)
Kempthorne	McConnell	Snowe
Kennedy	Mikulski	Specter
Kerrey	Moynihan	Stevens
Kerry	Murkowski	Thomas
Kohl	Murray	Thompson
Kyl	Nickles	Thurmond
Landrieu	Reed	Torricelli
Lautenberg	Reid	Warner
Leahy	Robb	Wyden

NAYS—9

Ashcroft	Byrd	Sarbanes
Bingaman	Graham	Smith (NH)
Bumpers	Roberts	Wellstone

NOT VOTING—1

Moseley-Braun

The executive amendment (No. 2310), as modified, was agreed to.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. FEINGOLD. Mr. President, I rise today to express my support for Senate ratification of the Protocols to the North Atlantic Treaty on accession of Poland, Hungary, and the Czech Republic. I have been privileged to participate in the historic debate on the enlargement of the North Atlantic Treaty Organization as a member of the Committee on Foreign Relations. Since last October, the committee has held 8 hearings on this issue and heard testimony from 37 witnesses with a variety of opinions on NATO enlargement.

I will take this opportunity to thank the chairman of the committee, the Senator from North Carolina, and the committee's ranking member, Senator BIDEN, for the balanced manner in which these hearings were conducted and for their support for expeditious consideration of this important matter.

As we all know, Mr. President, NATO has been the most important factor in maintaining peace in Europe since the devastation of World War II. As we prepare to mark the alliance's 50th anniversary next year, it is appropriate to look back on its successes and look forward to see what role NATO will play in the next 50 years. The world will be a much different place in 1999 than it was in 1949 when this alliance was formed as a buffer against Soviet aggression and as a means of protection for nations whose people had just emerged from one of the costliest wars, in both human and financial terms, in our history.

But to fully understand and appreciate what the security of NATO represents to the people of Eastern Europe, we must first remember what they have endured in the years since we celebrated V-E Day. At the same time the people of Western Europe were working to found an alliance that would ensure security and were fighting to rebuild their countries and the economies after the fall of the Third Reich, a new threat was emerging on the other side of the continent.

The Soviet Union, which had been our ally against Hitler, was about to become our foe in a cold war that would last almost a half century and result in the sacrifice of lives, traditions, and religious liberty throughout Eastern Europe. The people of Eastern Europe barely had time to recover from the devastation of a world war when they were faced with Soviet tanks. Foreign subjugation was, of course, nothing new for the people of Eastern and Central Europe.

For centuries, Mr. President, this part of the world had been a battleground where people and territory seemed little more than spoils in a seemingly endless series of bloody fights. Bit by bit, the Soviet Union redrew Europe's map until it swallowed up the entire eastern and central region. Under the reign of the Communist Party, people lived in fear that they would be accused of being disloyal to the party. Religion was outlawed, and the myriad beautiful places of worship in the Soviet Union were left vacant; many were destroyed.

In spite of the treatment they were forced to endure at the hands of the Soviet regime, the people of Eastern Europe never lost their will to be free, as demonstrated by events such as the Prague Spring and the Solidarity movement. By the mid-1980s, the Soviet Union was beginning to crumble and the people of Eastern Europe yearned to satisfy their hunger for democracy and freedom. Beginning in 1989, the people of Poland, Hungary, and Czechoslovakia peacefully ousted their Communist governments and replaced them with democracy. It was, in the words of Vaclav Havel, a ''velvet revolution.''

Because of modern technology, the world community has had a front-row seat for the transformation of Eastern Europe. We literally watched the Berlin Wall fall and marveled at cranes dismantling statues of Lenin and laying low the hammer and sickle.

Today, nearly a half a century after World War II, the Iron Curtain is gone and the Soviet regime is no more. The changing face of Europe is marked by newly-independent countries eagerly embracing democracy for the first time in more than two generations. But the people of these former Soviet satellite countries still live in the shadow of the history of Soviet domination. These nations and their people seek to rejoin the West, and seek a means to ensure that they will never again fall victim to a Soviet-style regime.

The lingering memory of Soviet domination was evident at the Winter 1998 Olympic Games, where a player on the Czech Republic's hockey team wore the number 68 to mark the February 25, 1968, invasion of his country by the Soviet Union. When the Czech Republic's hockey team beat the Russian team for the gold medal, many Czechs felt that the victory represented more than athletic excellence. It also symbolized their country's freedom from the Soviet domination of the past.

Now, there is a new, democratic Russia, and the nations of Eastern Europe,

which have become our friends and trading partners, are caught, both literally and figuratively, between this new Russia and the West. This is a critical time for the newly-independent states of Eastern Europe to establish themselves as countries in their own right, finally free of the yoke of Soviet domination.

It is only natural that these Eastern European countries would seek to join NATO, an alliance which shines as a beacon of democracy and security on the European continent. The proposed enlargement of this alliance represents a crossroads in American foreign policy, and, indeed, in the fragile balance of power in Europe. Some opposed to enlarging this alliance have said that it would create a new series of dividing lines in Europe, between NATO, Russia, and those countries which are caught in the middle—neither members of NATO nor under the sphere of Russian influence. Others have argued that all countries meeting the criteria for membership in NATO should be allowed to join. Opponents fear that this would lead to a different dividing line—one between Russia and the rest of Europe.

Many of my constituents, and indeed many people around the world, have a special interest in the debate over NATO enlargement due to their ethnic heritage or their memories of the iron fist of Soviet rule in Eastern Europe. I share their commitment to a Europe which will never again fall victim to such oppression.

The proposed enlargement embodied in the protocols currently before this body leads to many questions: How many countries? How many rounds of enlargement? What about Russia? What about those that may be left out?

It is my view that the newly-independent countries in Europe should not be forever caught between Russia and the West. It is also my strong view that the United States must proceed carefully so that we do not damage our relationship with a democratic Russia. Unfortunately, parts of the debate over NATO enlargement have taken on an ''us versus them'' quality. We must not forget that the Russian Federation is not the Soviet Union, and that we should encourage democracy wherever it takes root. Instead of the ''us versus them'' of the Cold War era, this debate should be about the new landscape of Europe. We must not make Russia feel as if it is being ganged up on by the West. We must encourage democracy there as we do elsewhere on the globe, and we must encourage the newly-independent states to take control of their own futures.

That is why the Administration helped to successfully negotiate the NATO-Russia Founding Act. And that is why the language in the resolution of ratification currently before this body encourages the continuation of a constructive relationship between NATO and Russia.

I support the fundamental goals of NATO enlargement, and believe it is in America's national interest to pursue this first round, as it has. However, I do have some concerns, that I know are shared by many other Members of Congress, about the commitment—financial and otherwise—the United States will undertake as it pursues enlargement of the alliance.

On that point, Mr. President, I would like to speak for a moment on one of my concerns about this debate: the disparity among the various estimates on the financial commitment the United States would be undertaking if NATO enlargement were to proceed. There have been at least three major studies conducted on this subject, each of which has taken a different approach with respect to the basis for their estimates. While I understand that it is impossible to account for all of the different variables that will be included in this endeavor, each study assumes a different set of costs, and thus reaches very different cost projections for the U.S. share of this undertaking—anywhere from $2 billion to $7 billion.

I am pleased that I was able to get clarification on this issue through the hearings we held in the Foreign Relations Committee, and I am pleased that the members of the Committee devoted so much time to this important aspect of NATO enlargement. The Committee based its evaluation of the estimated cost of NATO enlargement on the following four assumptions that can be found in the Department of Defense and NATO studies:

First, because there is no immediate threat to NATO, the alliance will continue to operate in the current strategic environment for the foreseeable future.

Second, NATO will not station substantial forces on the territories of Poland, Hungary, and the Czech Republic.

Third—and this is a key point for me—NATO's standard burdensharing rules will apply to the costs of enlargement.

Fourth, the modernization of the United States military is considered to be a strictly American project that will not be funded through the NATO common budget, and, thus, NATO enlargement will not require the United States to undertake any new force modernization initiatives beyond those already planned.

Mr. President, I believe that these four assumptions are at the heart of the debate over the cost of NATO enlargement. While, in my view, the enlargement of the alliance is in the best interest of the United States, I remain committed to ensuring that the federal government achieves—and maintains—a balanced federal budget. The Committee's careful analysis of the costs involved in NATO enlargement addressed many of my concerns in this regard. I agree with the language included in the Committee Report which states that the Committee ''stresses the importance of all current and future allies to meet their commitments to the common defense. Anything less will result in a hollow strategic commitment.'' At the same time, I will look carefully at any of the amendments before us that seek to control the costs to the U.S. taxpayer of this enlargement.

Because of the necessity of all NATO members to meet their commitments to the common defense, I asked Secretary of State Madeleine Albright, at a February 24, 1998, Foreign Relations Committee hearing, if Poland, Hungary, and the Czech Republic would be prepared to take on these commitments. She told me that ''We are confident that Poland, Hungary and the Czech Republic will take on the financial commitment involved in NATO membership. Indeed, to prepare for this commitment, all three have increased their defense budgets to fund necessary defense reforms, and to bring them in line with the standard outlays of NATO Allies. . . . Moreover, the cost of defense would undoubtedly be higher if these countries did not join NATO.''

In addition, I have been assured by both Secretary Albright and Secretary of Defense William Cohen that the United States share of NATO enlargement costs will not exceed $7 billion over ten years. They have insisted that the wide range of cost estimates can be attributed to the use of varying data and the fact that the original estimates assumed the admission of four new countries into the alliance. I respect the views of the Department of Defense and the General Accounting Office in explaining the differential, and will continue to monitor revised cost estimates as they become available.

The many cost estimates involved in this first round of NATO enlargement also lead me to wonder if we will have a clearer picture of the cost of future rounds, or if we will be faced with the same financial uncertainties that loom before us today. This is an issue the Senate will be looking at closely as the Alliance develops its policies regarding future enlargement. This is also the subject of at least one amendment to the resolution of ratification currently before this body.

I also have concerns about the impact of new U.S. commitments to NATO on America's general military readiness, especially at a time when so many of our forces are deployed around the world in Bosnia, the Persian Gulf, Korea, and other posts. I asked the Chairman of the Joint Chiefs of Staff, General Hugh Shelton, about this concern when he testified before the Committee on Foreign Relations. He said, ''I see nothing in the NATO enlargement concept that will detract from our overall readiness. To the contrary, the additional troops, military equipment and capabilities that the three new countries bring to the Alliance can only reduce the demands on current members.''

I am encouraged by his answer, and I am also encouraged by the willingness

of Poland, Hungary, and the Czech Republic to participate in NATO's Partnership for Peace. All three countries were original members of this program, and all have provided troops and equipment for NATO missions. In my view, the willingness of these three countries to participate in NATO efforts will only strengthen the alliance.

As I stated earlier, I share the Administration's basic views on the merits of enlarging this alliance. The people of Eastern Europe must never again be subjected to the conditions they were forced to endure under Soviet rule. They see NATO membership as a means to ensure their future safety. My concern is about the extent of the commitment the United States will be making, and the uncertainty regarding the price tag that American taxpayers will be asked to pay in this time of fiscal restraint and personal sacrifice. But voting in favor of NATO enlargement should not be considered a blank check for military or other spending in the region. Should the Senate ratify the protocols we are considering today, I and my colleagues in both the House and the Senate will continue to monitor the new U.S. commitments to NATO—financial and otherwise—through the regular congressional budget and appropriations process.

Mr. President, I urge my colleagues to support this resolution of ratification.

I yield the floor.

Mr. INHOFE addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I have been watching with a great deal of interest the debate that is taking place. It has been a very healthy debate. Certainly the Senator from Wisconsin raised some very good points. As I listened to his comments, I can only say that I agree with almost everything he said except for his conclusion. I look at the cost of this, and we do not know what to anticipate should we extend NATO to these countries. I am deeply concerned about the costs that would be incurred. The range has been incredible. You talk about something between $400 million and $120 billion. That range is not one that gives me much comfort.

I would like to remind my colleagues that the same group of people that are giving us their assurances now—that is, the Secretary of Defense, the Secretary of State, and the White House—that it is not going to cost over a certain amount of money, are the same ones that told us in November of 1995 that it would not cost more than $1.2 billion for our participation in Bosnia. We knew better. But, nonetheless, that is what they said. They said that is a guarantee. Yet here we are now. Our direct costs in Bosnia have exceeded $9 billion. I suggest that is less than half of the total direct and indirect costs. So I don't have a very high comfort level when it comes to being able to rely on what it might cost us to extend NATO to these three countries.

The second thing as I read article V, which is the security guarantee, is that I see this as a very expensive security guarantee, and it is open ended. It stipulates that, ''An armed attack against one or more of them in Europe or North America shall be considered as an attack against them all.'' It doesn't say that we would come to the aid of someone who is attacked if we have any national security interests. It doesn't say that if it should impair our Nation, we are going to be in a position to defend them. It is not like many of the situations where we have become involved in helping countries such as Nicaragua and others because we know it is cheaper actually to help them than it is to have to fight these battles ourselves. This just says, ''as an attack against them all.'' That means that if there is an attack, we have to come to their aid. We always take a much greater share of the burden than our partners do.

The third thing is that I have no doubt in my mind that if we do this, this is just the beginning and that we will be extending it to more and more countries.

I would like to remind you, Mr. President, of a quote from Secretary Albright that the door is open, she said, to other countries with democratic governments and free markets. ''The administration is fighting an effort by WARNER and others to place a moratorium on admission of additional countries until it is known how well the first recruits are assimilated.'' After the first three recruits were invited last year, Albright said, ''We must pledge that the first new members will not be the last, and that no European democracy will be excluded because of where it sits on the map.''

So with the increased costs as we make these extensions, we are looking at Romania, Slovenia, Latvia, Estonia, Lithuania, Albania, Bulgaria, Macedonia, and Slovakia, and many others. I don't see where there is an end it to. However, I remind my colleagues that this is not a partisan subject.

I was honored to serve on the Senate Armed Services Committee with the Democrat who is probably more knowledgeable than any Democrat has been—certainly in my recollection—on that committee, Sam Nunn. Sam Nunn was quoted as saying, ''Russian cooperation in avoiding proliferation of weapons of mass destruction is our most important national security objective, and this NATO expansion makes them more suspicious and less cooperative.'' He further said, ''The administration's answer to this and other serious questions are what I consider to be platitudes.''

I agree with Senator Nunn that this is opening the door to something that is very expensive, and also it could impair what progress we have made with Russia.

Just to quote the Duma, on January 23 they passed a resolution—this is in Russia, the Russian Duma—calling NATO expansion the biggest threat to Russia since the end of World War II.

All of these things have been talked about on this floor. One thing that has not been talked about is what I would consider to be the greatest exposure we would be inheriting by making this extension.

I can remember being here on the Senate floor back in November of 1995. We missed passing a resolution of disapproval to keep sending our troops over to Bosnia. We had no national security interest on a very expensive thing that now has caused the decimation of our entire defense system. We did that as a response to the strongest argument; that is, we must continue our commitment and our allegiance to NATO. So NATO is the reason that we are over in Bosnia today. Even though the administration said this would be something that would cost approximately $1.2 billion, it has cost directly $9 billion, and indirectly far more than that.

Mr. President, it wasn't long ago that we were talking about making some strikes on Iraq. We know there are problems there. We know they have not kept their commitment to the United Nations. They have not allowed our inspection teams to see what they had agreed they should be able to see, and it looks like those storm clouds may be there. If that happens, I don't know of one person who has a background in military strategy in the Pentagon or one person in the administration who can tell you that you can go in there and do surgical strikes from the air and not end up having to send in ground troops. Where are we if we should have to do that?

In the case of Iraq, we are talking about a theater that includes Bosnia. We are talking about the 21st COCOM located in Germany that was supposed to be offering the logistical support for any ground movement in any place within the theater. That would include Iraq.

Right now, you go over to the 21st COCOM in Germany, and you will find out that we don't have the capability of supporting any other ground operations in addition to Bosnia because they are at over 100 percent capacity right now trying to support Bosnia. They don't have the spare parts for their equipment. They don't have the equipment. They are using M–115 trucks that have 1 million miles on them. It is something that we can't afford. It is something that we can't afford in terms of using up our military assets and our capability. Yet we are not able to support any ground operation anywhere else in the theater so long as we are offering that support to Bosnia. And the reason we are there is this allegiance that we apparently have to NATO.

It seems to me, Mr. President, that in addition to all the other arguments we have heard, from the cost of the operation to our relationship with Russia and all the rest of them, that there is

another very serious problem we are facing, and that is how many more Bosnians are out there that we are going to be obligated to support as a result of increasing our commitment to NATO.

Mr. President, I would like to say that if you were in a position where most Americans think we are in right now, and that is where we are the superpower, that we are able to defend America on two regional fronts, then I would say maybe we should consider doing this. But right now we have a hollow force. We are in a situation very similar to what we were facing in the 1970s.

Mr. President, I think we can no longer afford the luxury of any more activities such as the Bosnian operation. I think we would be best served not to extend NATO to these three countries.

Mr. ROBERTS addressed the Chair.

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from Kansas.

Mr. ROBERTS. Mr. President, I rise today to join my colleagues to discuss the issue of national security and the vital security interests to the United States and Europe, and obviously I am talking about the proposed expansion of NATO. To borrow a very well-known phrase, now we are engaged in a great debate, or at least a very good discussion, to determine and to test whether that alliance or any alliance so conceived and so successful in the past can meet the challenges of today.

We are in the amendment process, but I do want to offer some general comments and some concerns.

But for NATO and the collective security of Europe and the United States, the time has come. I must say that from the time of news accounts on old newsreels, or what we in my age can recall as the Movietone News or to CNN today, it has been quite a show for NATO. But it is time to turn off the movie projector, sweep up the popcorn, and turn out the lights. The old NATO show is over. Just as in that great 1971 movie, ''The Last Picture Show,'' when the camera pans back from the now-closed movie theater and pictures a deserted small, dusty town in Texas and tumbleweeds blowing down the street, we are not sure what the future holds but we know it will be different from the past.

We now face the uncertainty of NATO either enlarged or with the same 16 members. We don't know what it will be in the future, but we are certain it will be different than in the past and, quite frankly, peace and stability in Europe and throughout the world hang in the balance.

The debate on the addition of three new members will soon be over and the time for the vote will rapidly approach, perhaps as of this week.

The administration assures us that to fundamentally alter the most successful alliance in our history is a good thing. They tell us that we will be more secure with an expanded alliance, that the wrongs of Yalta will be corrected, the candidate countries will now be free to fully develop as democratic and market-driven societies. We are guaranteed that no new dividing lines between the West and the East will result from this or any kind of future enlargement, that the door is open to all, and that further rounds of enlargement are a certainty. The administration also predicts that although the Russians are upset, and they are, with the enlargement of NATO they will simply ''get over it'' and come to understand we have their best interests in mind with enlargement and Russia will also be more secure.

Now, we get all this for the amazing value of about $1.5 billion over the next 10 years. We are reassured that although the cost estimates have varied from $125 billion to $1.5 billion over the next 10 years, NATO's sharp-penciled budgeteers certainly have it right. Much to our relief, the burdensharing problems between our NATO allies that have plagued the alliance in the past will not be a problem now or in the future of an enlarged NATO, so the argument goes. The administration is confident the United States will not have to pick up any unexpected costs, although the allies have said they will refuse to pay one additional mark or franc for enlargement.

Now, I have spent considerable time looking into each of these controversial areas surrounding the enlargement of NATO, and one of the most amazing things about this debate is that in each concern for enlargement, the basis of the arguments, both pro and con, are fundamentally the same but the conclusions are the opposite.

Let me take a few minutes to lay out the pros and cons of NATO enlargement, if I might. First is the issue of cost and also burdensharing. Unfortunately, only time will truly show what the costs for NATO enlargement will be. With such a wide variance in the estimates, there clearly is not a single set of assumptions to gauge the true costs of enlargement. I do not know how we could. I can tell you the final costs will not be $1.5 billion over a 10-year period, but I cannot tell you what the costs will be, and I do not think anybody else can.

The opponents of enlargement say the $1.5 billion number is laughable, and the opponents breathe a sigh of relief that the agreed-to number is so low that no one could suggest we cannot afford the costs of enlargement. We are told the reasons for $1.5 billion being the correct cost include the fact only three countries are being invited as opposed to four or five, and the military infrastructure in the candidate countries is in much better shape than originally thought.

I am a little surprised at the infrastructure point. NATO has been involved in Partnership for Peace exercises and military-to-military contacts with those countries for more than a few years. We have a huge facility at Taszar in Hungary at a former Soviet air base. Didn't anyone in NATO or the United States notice the condition of the infrastructure during any of the exercises, and particularly in the three candidate countries?

Finally, another reason the cost has been reduced is that NATO has shifted some of what some thought to be shared costs to the three candidate countries.

I am concerned, regardless of the public statements by these countries, that they will not be able to fund NATO enlargement or, if they do, they will divert needed resources away from more important domestic issues and into military spending. If they are unable to meet their fiscal obligations for enlargement, will the costs be deferred or will NATO simply pick them up?

I might point out in terms of paying the contribution to NATO there are three accounts. The NATO Security Investment Program, formerly called the NATO Infrastructure Program, comes from the annual military construction appropriation. We do not have the money in that account to pay for this. The NATO civil budget money comes from the annual State Department appropriation ''Contributions to International Organizations,'' and that money is tight. The NATO military budget comes from the Department of Army annual appropriation, and that budget, too, is under very severe pressure.

Let's take up one other subject, if I might, Mr. President. What about the correction of the wrongs of Yalta? The candidate countries are proud, developing democracies and countries wanting very badly to become a part of the West. They have already made some great strides. We all understand they suffered terribly during the many years of Soviet domination. I applaud their efforts. I am confident they would be wonderful allies, capable at some point of carrying out their NATO responsibilities. I have been to Prague. I have been to Budapest. I have listened to the history. I have felt the pride of their accomplishments. A freedom-loving person cannot experience the strength of their conviction without reaching out to help them attain their stated goals of Western integration. But understanding and empathizing with their feelings and their desires are not reasons for the Senate to ratify a change in NATO membership.

The only reason to enlarge NATO is if it is in our vital national interest to simply do so. Proponents of enlargement do not see it that way. For example, General Shalikashvili in a recent Los Angeles Times article said, ''Meanwhile, there are urgencies to expanding NATO. It is nearly 10 years since the fall of the Berlin Wall, and the countries of Eastern Europe—including my native land, Poland—have waited long enough for a place at the table where they have yearned to be for so long.''

That is a common theme for the enlargement proponents, including the

Secretary of State. They have the right to join NATO, and that is good enough to alter the alliance. Others argue that enlarging NATO will show the continued interest and commitment of the United States in a stable and secure Europe. As a matter of fact, I think the distinguished Presiding Officer has made that very cogent argument.

It is still not clear why NATO must enlarge to demonstrate, however, in this Senator's opinion, U.S. resolve or commitment to Europe. There is no question in my mind a secure and stable Europe is in our vital interest, but I fail to see the connection between an enlarged NATO and that end goal.

It is interesting to note that Austria, a Central European country, is not seeking NATO membership. There is no cry of a security vacuum in Austria or a concern for the right to join the primer alliance, which is NATO. In fact, Austria took a good look at NATO and decided it was more important to seek its long-term security within the European Union and the Partnership for Peace and the Organization for Security for Cooperation in Europe, OSCE. This would have been the best approach, in this Senator's view, for security and acceptance into the West for the current candidate nations rather than immediate NATO membership. Unfortunately, that is not now an option. We have come too far. The administration has planted the flag of U.S. commitment and integrity—no small matter.

Let me share with you the results of a survey published in June of 1996 in an issue of The Economist. I am sure some will challenge these results, but I think it is worth reviewing these questions asked of citizens of the three candidate countries.

Would these countries support sending troops to defend another country? Only 26 percent of the people of Hungary, 43 percent of those polled in the Czech Republic, and 55 percent in Poland support sending troops to defend another country. Now, considering this is the best that the support will ever be, since the excitement of joining NATO will soon wear off, I suggest this is not a very good commentary on the weak support to carry out a core requirement of NATO. And that core requirement is the common defense and the commitment to send troops to defend an ally.

Let me ask another question: Would these countries support having NATO troops based on their soil? In The Economist, they reported that only 30 percent of the Czechs and 35 percent of the Hungarians support the notion of allowing NATO troops to be stationed on their soil. Although 56 percent of the people of Poland, obviously, supported the idea, it is still an idea that does not have broad support in any of the three of the candidate countries.

The next question: Would these countries support regular NATO exercises in their country, or regular flights over their country? Less than half of any of the candidate countries supported having NATO exercises on their soil or even allowing flights over their country, and those percentages range from 26 percent to 41 percent, representing, again, little support for the cost of simply joining the alliance.

Would these countries support spending a bigger share of their country's budget on military and social needs? The numbers in support for this question are very low, and it is a crucial question. In the Czech Republic, 8 percent; in Hungary, 9 percent; and 23 percent in Poland support spending a bigger share on defense. Unfortunately, there will be these costs associated with their membership in NATO. I know the agriculture problems they are having in those countries. A great deal of those expenses will have to be committed to the transformation from a collective farm system to a system more in keeping with the rest of Europe.

My only point in presenting these statistics is to show there are concerns in the candidate countries about the commitment to NATO. I am afraid the survey says NATO may no longer be a ''one for all, all for one,'' but rather it may become an ''all for me, but not for you'' alliance.

Let me say, in April of this past year the Roper Starch World Wide poll asked Americans the level of support for using armed forces in certain situations. I hope—and I do not believe that the American public has become so isolationist that they would never risk any American life in defense of freedom. But there is a clearly understandable concern about risking American lives in what some call a political war of gradualism where there is no clear and discernible vital national interest.

Listen to this. If the U.S. were attacked, 84 percent of those polled supported using force. This is in the Roper Starch World Wide poll. I would like to know where the other 16 percent are.

If our forces stationed overseas were attacked, 50 percent supported armed intervention. To safeguard peacekeeping within the framework of the United Nations, the support dropped to 35 percent, which explains a great deal in regards to what happened in the gulf. Finally, to stop invasion of one country by another, the support fell sharply to 15 percent. That is why it took George Bush and Jim Baker and Dick Cheney and others a whole year to rally support among our allies in regards to the gulf war.

One issue we should all be concerned about is the collective security commitment that NATO makes in the post-cold-war environment, and that commitment is contained in article V of the NATO charter. During the cold war, obviously, everybody understood that if the Soviet Union and the Warsaw Pact countries attacked Western Europe, the very survival of the free world was at stake and every NATO member would strike back with all of their military capability. But is that still true today with no threat to the survival of Europe? Would all NATO members automatically strike back if another member was attacked tomorrow?

Article V can be read either way, and in fact the proponents and opponents argue both ways. There is a considerable amount of disagreement on this topic. I believe that if a member of NATO had a vital national interest at risk in the country under attack, they would respond with military force. If there was no threat to their vital interests, I doubt they would automatically respond with the same kind of military force. They would respond with outrage. They might threaten military force if the belligerents did not stop. But I am not sure if they would respond militarily. I am confident, however, that the candidate countries think NATO would respond to an attack on them, just as they would have during the cold war—that is, with all of their military strength.

The construction of article V is such that both interpretations are possible. Some argue—and I believe they have a point—that this ambiguity is good and may be just the right amount of deterrence in the minds of would-be belligerents. This is a serious issue, since it is at the very heart of the commitment and success of NATO during the cold war. We need to fully understand what article V means in today's environment. We just had an amendment on the floor of the Senate to try to spell that out.

The confusion over article V is only one mission concern. There is a more fundamental concern: What is the mission of NATO in the post-cold-war? The distinguished ranking member of the Foreign Relations Committee, Senator BIDEN, and the distinguished Senator from Oregon who was just the Presiding Officer, the distinguished Senator from Virginia, the Senator from Arizona, had a lengthy debate over this and considered the Kyl amendment. Let me share part of former Secretary of Defense Perry's testimony before the Armed Services Committee.

> The original mission of NATO—deterring an attack from the Soviet Union—is obviously no longer relevant. The original geographical area of NATO's responsibility is no longer sufficient. The original military structure of NATO is no longer appropriate. And the way in which NATO relates to Russia must be entirely different from the way it related to the Soviet Union.

One would think, with that array of differences, and before the alliance was changed forever, that some agreed-to long-range strategy would have been developed. Unfortunately, this is not the case. Listening to the discussion on the Senate floor by my colleagues, I believe there are many possibilities for future missions of NATO. Some say the Kyl amendment opened the door to more possible missions, and the Senator from Arizona firmly says that he wants to go back to the original 1991 strategic concept.

Can anyone in the Senate say with certainty what NATO's mission is? Can

anyone articulate what mission, what role, against what threat we are rushing toward enlargement of NATO, to fundamentally alter this great alliance?

Let me say that simply to bring NATO expansion into focus, the President, it seems to me, should become engaged. In Warsaw, St. Petersburg, and in Bucharest, the President did address general European security concerns. But to my way of thinking, despite all of the hard work by the Secretary of State and others, he has not made a personal case to the Congress or the American people.

As a matter of fact, in remarks during the European trip, the President said, in a post-Soviet era—I am paraphrasing here—military matters are no longer primary, that terrorism, illegal drugs, national extremism, regional conflicts due to ethnic, racial, and religious hatreds do matter. I can assure you, using an expanded NATO to address these concerns raises some very important questions.

What means would be used? Warplanes, ground forces, and naval power are of little use in fighting ethnic hatred and racism. If NATO membership reduces the threats of ethnic rivalries, somebody should tell that to the Protestants and Catholics in Northern Ireland, the Basques in Spain, and the Kurds in Turkey.

Do we really want to change the most successful security alliance in history to a European United Nations? With 16 NATO members and 28 other nations inaugurating the Euro-Atlantic Partnership Council, it seems to me the protocol, rituals, and welcoming speeches will leave no time for any serious discussion. Exactly what force requirements are necessary to prevent a power vacuum? What is the strategy to ensure stability and security in Europe?

NATO's leadership understands there is some confusion in this regard and, as I have indicated, has directed a review of its 1991 Strategic Concept to see if it is in line with the changed world and threats—and we had a good debate on the Senate floor just earlier on this very matter.

Now the Secretary of State wants to ''spread NATO's security from the Middle East through Central Africa,'' but several of the current alliance members remain unconvinced of the utility of these so-called out-of-area operations for NATO. Again, let's quote from Dr. Perry's written statement to the Senate Armed Services Committee.

> The geographical area of NATO interests should be anywhere in the world where aggression can threaten the security of NATO members. . . .

Let me repeat that:

> The geographical area of NATO interests should be anywhere in the world where aggression can threaten the security of NATO members—certainly including all of Europe, and certainly including the Persian Gulf.

That is a quote. Just think of that, even with the current membership and the world's global economy, what corner of this universe could not hold interest for NATO members? Are we considering NATO as a global alliance? If we are, are we to consider global membership for NATO? Is this alliance to become the military arm of the United Nations? We should be seriously concerned that we are changing NATO before we are certain of its future mission requirements.

Now, the last but most frequently debated point associated with NATO enlargement is the impact on United States-Russian relations. Here both sides of the argument can list exactly the same points but come up with opposite results. It is a paradox of enormous irony.

Unfortunately, this is the one area that will have the most profound effect on our country in the coming decades. We must be certain of what we are doing.

The proponents argue that Russia understands that NATO is no threat to them. Opponents point out that some 350 Members of the Duma, some of which we have met with in the Senate Armed Services Committee, have formed an anti-NATO group. Let me inform the President there is not one—one—Member of the Duma that is pro-NATO publicly. The proponents say the Russians will get over it—in time. Opponents state enlargement will sour our relations with the moderate Russians. The proponents vigorously point out that in dealing with the Russians, we can't be seen as simply giving in to the ''hard-liners.'' Opponents say if we enlarge NATO, we will play into the hands of the ''hard-liners.''

Let me say, I think I know at least in part what some of the blood pressure and the motives are in regard to expanding NATO and Russia. And I quote an article from the Washington Post from Charles Krauthammer, who I think is an outstanding columnist most of the time due to the fact that he agrees with my prejudice. Obviously, I think he is a very learned columnist, but on this he tells the truth. He says here that:

> . . .NATO expansion nothing more than extending the borders of peace; building new bridges; strengthening an alliance directed against no one in particular, certainly ''not arrayed against Russia. . . .

Then he tells the truth.

> This is all nice and good. It is, however, rubbish. In order not to offend the bear, the administration must understandably pretend that NATO expansion has nothing to do with Russia. Those not constrained by diplomatic niceties, however, can say the obvious: NATO, an alliance founded in that immortal formulation ''to keep America in, Germany down, and Russia out,'' is expanding in the service of its historic and continuing mission. . . .

And that is to contain Russia. We are poking the Russian bear.

So it goes with a host of NATO enlargement topics dealing with Russia-and-United States relations. Keeping or encouraging Russia moving toward a complete system of democratic reforms, I submit, Mr. President, is in our vital national interest and, from a timing perspective, it is more important than the addition of these three candidate countries.

These are the key issues surrounding the debate on NATO enlargement: cost, mission and strategy, and United States-Russia relations. Unfortunately, there are still many unanswered questions remaining on these vital areas. I trust the Senate, with the various amendments we will be considering and the very good debate that we have had, will answer these concerns. The show is over, and we must address this enlargement of NATO on the floor now with the facts we have before us.

I ask unanimous consent to have printed in the RECORD, in closing, Mr. President, an article by John Lewis Gaddis, who is a professor of history at Yale University. The information was provided to me by the granddaughter of Dwight David Eisenhower. Susan Eisenhower has played a very important role in this debate.

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

[From the New York Times on the Web, Apr. 27, 1998]

THE SENATE SHOULD HALT NATO EXPANSION

(By John Lewis Gaddis)

NEW HAVEN—The decision to expand NATO to include Poland, Hungary and the Czech Republic has produced some strange political alignments. There aren't many causes that Bill Clinton and Jesse Helms can both support, or that Phyllis Schlafly and the editors of The Nation can join in opposing.

Even stranger, to a historian, is the consensus that seems to be shaping up within our community. Historians normally don't agree on much, whether it is about the origins of the Peloponnesian War or the end of the cold war. And yet I've had difficulty finding any colleagues who think NATO expansion is a good idea. Indeed, I can recall no other moment when there was less support in our profession for a government policy.

A striking gap has opened, therefore, between those who make grand strategy and those who reflect on it. On this issue, at least, official and accumulated wisdom are pointing in very different directions.

This has happened, I think, because the Clinton Administration has failed to answer a few simple questions:

Why exclude the Russians? One of the few propositions on which historians tend to agree is that peace settlements work best when they include rather than exclude former adversaries. Within three years after the defeat of Napoleon in 1815, the victors had brought France back within the concert of Europe. Within six years of their surrender in 1945, Germany and Japan were firmly within American-designed security alliances. Both settlements survived for decades. The post-World War I settlement, however, excluded Germany. The lessons of history on this point seem obvious.

Who, then, will we include? The Administration has made it clear that expansion will not stop with Poland, Hungary and the Czech Republic. It has mentioned the Baltics and Romania as possible future members. The State Department's Web site claims support for NATO expansion from groups like the Belorussian Congress Committee of America, the Ukrainian National Association and the Armenian Assembly of America.

The State Department assures us, though, that the Russians view this process with equanimity and that we can expect relations with Moscow to proceed normally while we sort out just who the new members of NATO will be. Perhaps it will next try to tell us that pigs can fly.

What will expansion cost? The Administration's estimate for including Poland, Hungary and the Cezch Republic comes to only $1.5 billion over the next 10 years, of which the United States would pay $400 million. That sounds like a bargain, but the estimate assumes no change in the current security environment. Has it occurred to the Administration that the act of expanding NATO, especially if former Soviet states are included, could itself alter the current security environment? It doesn't take a rocket scientist—or even a historian—to figure out that actions have consequences.

What's the objective? Alliances are means to ends, not ends in themselves. NATO served brilliantly as a means of containing the Soviet Union, but the Administration has specified no comparably clear goal that would justify expanding the alliance now that the cold war is over. It speaks vaguely of the need for democratization and stabilization, but if these objectives inform its policy, shouldn't they apply throughout Eastern Europe and in Russia as well?

I heard a very different explanation from influential government and academic figures when I visited one of the proposed new member countries last month. NATO expansion, they boasted, will demonstrate once and for all that the Russians never have been and never will be part of European civilization. Yet Secretary of State Madeleine Albright has told the Senate Foreign Relations Committee that she wants to erase ''the line that once so cruelly and arbitrarily divided Europe.'' It is not at all clear how this policy will produce that result.

Isn't it too late now to change course? Some argue that eve if the decision to expand NATO wasn't the most thoughtful, historically aware way to make policy, the decision has been made and going back on it would be a disaster far greater than the problems NATO expansion itself will bring. This sounds a little like the refusal of the Titanic's captain to cut his ship's speed when told there were icebergs ahead. Consistency is a fine idea most of the time, but there are moments when it's just plain irresponsible.

Only future historians will be able to say whether this is such a moment. But the mood of current historians should not give the Administration—or those senators who plan to vote this week for NATO expansion—very much comfort.

Mr. ROBERTS. Mr. President, I simply close in quoting the last two paragraphs:

Isn't it too late now to change course? Some argue that even if the decision to expand NATO wasn't the most thoughtful, historically aware way to make policy, that the decision has been made and going back on it would be a disaster far greater than the problems NATO expansion itself will bring.

That is a good argument. As a matter of fact, I think that may be a persuasive argument. I have listed a lot of concerns that I have. I think the adjectives and adverbs that I have used and the language I have used would indicate, if somebody is watching, ''Well, Senator ROBERTS, he is going to vote no.'' I am undecided.

Again, what the professor has indicated that ''the decision has been made and going back on it would be a disaster far greater than the problems NATO expansion itself will bring.

Then he goes on to say this:

This sounds a little like the refusal of the Titanic's captain to cut his ship's speed when told there were icebergs ahead. Consistency is a fine idea most of the time, but there are moments when it's just plain irresponsible.

That is the other view.

Only future historians will be able to say whether this is such a moment.

Professor Gaddis goes on to say:

. . .But the mood of current historians should not give the Administration—or those senators who plan to vote this week for NATO expansion—very much comfort.

I thank you, Mr. President, and I thank the indulgence of my colleague from Illinois. I apologize to him for going on a little bit longer than I told him, and I yield the floor.

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER. The Senator from the great State of Illinois.

Mr. DURBIN. Thank you, Mr. President. I thank my colleague from Kansas for his remarks. It is always a great education to listen to his statements on the floor. Though we may not agree on any particulars, I certainly do respect him very much and have enjoyed our service together both in the House and the Senate.

I stand this morning not to give a long speech, even by Senate standards, but I would like to say I hope all Members of the Senate will put this debate into its historical context. This may be one of the most important foreign policy debates of the decade. It is to determine the future of the U.S. relationship with a new Europe, a Europe after the cold war.

Since 1949, the United States understood, particularly through the NATO alliance, our relationship with Europe. We defined that relationship in specific terms and committed not only the United States on paper but, in fact, at one point stationed some 300,000 Americans in Europe, in an effort to make certain that that sector of the world will continue to be safe from any type of aggression or invasion.

When I think back on my own life and all of the concerns of the cold war, it focused primarily on the possibility that the Soviet Union might expand through some manner through its Warsaw Pact nations into the a NATO alliance and force us to respond. It was a concern that cost us lives, it cost us money, and it really was the focus of our foreign policy for many, many decades.

With the tearing down of the Berlin Wall, the end of the Soviet Union, as we knew it, and the emergence of countries in Eastern and Central Europe, formerly part of the Soviet orbit, we now are in a position to redefine the U.S. position in the world. There are some people who naturally tend toward the American tradition of isolationism. We are pretty far away from these countries. ''Perhaps we shouldn't be concerned about them,'' they will say. ''Let them worry about their own future, we have our own concerns here.'' But, we have heard that response many times in our past, and the Americans, by and large, have rejected it. We understand we are part of the world community. In fact, we are viewed by most nations of the world as a major leader, an example, in many instances, of democracy and a country which most nations choose to emulate.

I found it interesting, when the wall came down in Berlin and the Eastern and Central European countries started emerging as democracies, how many of the new leaders made a point of coming not to London, not to Paris, but to Washington, DC, in the hopes that they might address a joint meeting of Congress. To them, it was a validation that the new Czech Republic and the new Poland was going to embark on a democratic experiment, and coming here to this building in Washington, DC, was really shown to be a break from the past; that they would separate themselves from the past and their connection with the Eastern powers, with communism, with the old Soviet Union, and dedicate themselves to democracy.

Now we have the natural evolution of their emergence as democracies and our natural evolution as a leader in today's world. We are debating on the floor of the Senate the question of enlarging the NATO alliance to include newcomers, to include nations which just a few years ago were perceived as potential enemies and now we see as allies. What a refreshing change in this world that a nation like Poland, which we identify with certainty in my home State of Illinois and the city of Chicago very closely, that a nation like Poland now has a chance to join us as close allies.

I listened carefully as some of my colleagues talked about the attitudes in these nations about the possibility of NATO membership. Make no mistake, if you visit these countries, that is all they talk about—the possibility that at some point in time, they will be part of the NATO alliance.

This is an exciting prospect for them, not so much because they anticipate some military invasion or the need for military defense, but rather because they see this alliance with the United States and with other NATO allies as an assurance that they are committed to many things, to democracy, to a free market and, most importantly, to the principles of NATO.

It is interesting, this alliance, in our world's history, is a unique one because for 50 years this was not an aggressive alliance, this was a defensive alliance. We basically said we respect others' boundaries as we expect them to respect ours and we are not setting out to invade and claim territory but merely to protect our own. It was a defensive alliance. It has been throughout history. And that is its future as well.

As other countries come in—Poland, Hungary, the Czech Republic—they accept the premise. The premise is, you are on board as an alliance to protect our borders and to try our best to maintain stability in this new and developing world. I think that is the bottom line here. It is no longer a fight against ideology or even the aggression of some superpower but rather the stability of the region.

Is that stability important to the United States? I think it is critical to the United States. In just a few months we are going to see the creation of the Eurodollar, or the Eurocurrency, which is going to be perhaps one of the more dominant currencies in the world. We will see the European nations by and large coming together as an economic unit as a major competitor to the United States, and at the same time we will see opportunities in Europe for American firms.

If we are going to engender this relationship, this free market economy and this new democracy, it is entirely consistent for us to build an alliance with these countries through NATO.

I hear some of my colleagues arguing against the expansion of NATO, and as I listened carefully, they are actually arguing against the existence of NATO. I hope they are not. To pause on reflection, it has been one of the most successful military alliances in our Nation's history, perhaps in the history of the world. And it is important for us to maintain NATO and to expand it.

I watched carefully the amendment offered by the Senator from Arizona, Mr. KYL, just an hour or two ago. I read it carefully, and I thought, does this amendment, which seeks to spell out the parameters of the expansion of NATO, in any way preclude the possibility that one day Russia would join NATO? Well, it does not, because it speaks in terms of principles and goals and values.

I think when we talk about the nervousness in Russia about the expansion of NATO, we should put it in historical context. The Russians have gone through a major transformation in a very short period of time. Once considered a superpower and a major leader in the world, they are now struggling to redefine themselves in the 21st century.

I know this causes angst and pain among many Russian leaders who can recall, I am sure with fondness, days of empire. But the fact is, it is a new world and a new opportunity, and they have a chance for a new relationship. A new and expanded NATO is no threat to Russia. A new and expanded NATO is an invitation to Russia to join us in the same principles and values. I think that should be our view, our vision of the new world.

When I hear about this Russian concern and nervousness, I really hope they will take the time to consider the history of this alliance, which has been a peaceful alliance, a defensive alliance.

Let me speak for a moment before I close about the Baltic States. I always confess my prejudice when I come to this issue. My mother was born in Lithuania. So when I speak of the Baltic States, it is with some particular personal feeling. I have visited Lithuania on four our five different occasions and have also visited Latvia and Estonia.

I did not believe in my lifetime that I would see the changes that have taken place in those three tiny countries. When I first visited Lithuania back in 1978 or 1979, it was under Soviet domination, and it was a rather sad period in the history of that country. The United States said for decades that we never recognized the Soviet takeover of the Baltic States. We always believed them to be independent nations that were unfortunately invaded and taken over by the Soviets.

When I went to visit them in 1979, I saw the efforts of the Soviet Union to impose upon the people in Lithuania, Latvia and Estonia the Russian culture. They expatriated so many of the local people and sent them off to Siberia and places in the far reaches of Russia; and then they sent their own populations, the Russian cultural population, those speaking the Russian language, into the Baltic States in an effort to try to homogenize them into some entity that was more Russian than it was Baltic.

But it did not work. The people maintained—zealously maintained—their own culture, and they kept their own religion, their own language, and their own literature and their own dreams. I did not imagine in my lifetime that I would ever see these Baltic States once again free, and yet I lived to see that happen.

In fact, at one point I was sent as a member of a delegation by then-Speaker of the House Tom Foley to witness the first democratic election in Lithuania. The Soviets refused to give me a visa. I sat in Berlin day after weary day waiting for a chance to get in. And finally I was only able to be there the day of the election, that evening for the celebration. But I was there for an important moment, and I am glad I saw it.

Today these three nations are trying their best to become mature economies, to watch their democracies flourish. And they have ample evidence of real progress. The fact that they would entertain the possibility of being part of NATO should not be a source of concern to us but one of great hope and great optimism, because as countries like Lithuania, Latvia and Estonia, and so many others that were either part of the Warsaw Pact or even Soviet republics become part of NATO, they really show this transformation and this progression into a democratic form and a new democratic vision in Europe.

One of the resolutions being offered by one of my colleagues wants to single out the Baltic States as if they are the real concern of Russia. If you took a look at a map of the world and saw the huge expanse of Russia today, and then took a look at these three tiny nations, Estonia, Latvia and Lithuania, it is almost laughable that the Russians would look to them as any threat to their future or to their security. They are small nations with very small armies and virtually no sophisticated military forces. What they are asking for is a chance to flourish, and I think they should have that chance.

So I close by saying that I hope my colleagues in the Senate who have followed this debate will understand its historic importance and understand that those of us who are privileged to serve in the Senate and have a chance to vote on this question of NATO enlargement may be casting a vote on foreign policy that is going to be viewed for generations to come as a milestone—the end of the cold war, the new vision of the world, the new definition of an alliance involving the United States and freedom-loving democracies in Europe that led to stability and to growth. That is my vision of the world. That is my vision of NATO enlargement.

I hope that a majority of my colleagues will join me in supporting President Clinton and supporting virtually all of these nations that are asking for NATO to be enlarged to reflect this new vision.

Mr. President, I yield back the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Ms. SNOWE. I rise to express my intention to vote for the admission of the Czech Republic, Hungary and Poland to the North Atlantic Treaty Organization.

In taking up this decision, the Senate takes up one of its basic constitutional mandates. A nation's most sacred obligation is to protect its citizens and its territory from hostile forces. The NATO alliance has been the cornerstone of our efforts to do so on behalf of free citizens for nearly 50 years. It has emerged as the most successful enterprise of common defense in human history. Any changes in the membership of the Alliance that we contemplate must undergo careful consideration.

I have done so and am confident that this enlargement is in our national security interests and will ensure that NATO continues to do in the 21st century what it has done in the latter half of the 20th for the United States, and the people of Europe—guarantee their security, freedom and democratic forms of government.

Mr. President, last year, I was asked by the Senate Majority Leader and the Senate Democratic Leader to join a bipartisan group of 28 Senators to study the issues associated with NATO enlargement. I was honored to join in such a task. The NATO alliance has been for nearly 50 years the greatest force for maintaining peace and security in the world. When it was funded, the United States had just emerged from fighting the most destructive war in history on the European continent and was just beginning to lead the fight against imperial Soviet communism—a Cold War against a totalitarian foe who was committed to imposing another form of tyranny first in Europe and then around the world.

The nations of Czechoslovakia, Hungary, and Poland, therefore, faced the bitter prospect of exchanging one form of tyranny for another. I knew that if NATO was to continue to protect freedom and democracy in Europe, it needed to face the changing circumstances posed by the collapse of the Soviet Union, the Warsaw Pact and communist ideology. The Alliance had to change in form to preserve the principles that it had safeguarded in modern times.

Today, the United States and the other 15 members of the Alliance hope to move the frontiers of NATO eastward at a time when there is not a visible threat to the security of any of its members. When the Alliance expanded between the 1950s and the 1980s to add Greece, Turkey, West Germany and Spain, the grim shadow of Soviet power menaced Europe and the West.

I believe that the parallels with the decision to expand NATO in the 1990s are in some ways similar to those which existed at the end of World War II. At that time, the strategic security situation on the continent of Europe was also in flux. The threat from Nazi Germany had collapsed, but no protective machinery had yet been set up to prevent the emergence of a new tyranny. As the great statesman Winston Churchill noted, ''From Stettin in the Baltic to Trieste in the Adriatic, an iron curtain has descended upon the continent [of Europe].''

Unlike the era beginning at the end of World War I, when we retreated from victory to a fateful isolationism, the United States realized that our own security depended upon the building and maintenance of a free and democratic Europe.

President Harry Truman, with the able leadership of Senator Arthur Vandenberg, began the shaping of what became known as the ''containment'' policy. The United States and its friends in Europe would resist the westward march of communism. Harry Truman and his generation were determined to block the Soviet Union from leveraging the political fate of a continent that had drawn millions of Americans into war by ensuring that its expansion not go any further.

At first it was thought that economic assistance to Europe was sufficient. The Marshall Plan, named for the then Secretary of State George Marshall, was first articulated in 1947 and approved by the Congress in 1948. Just as today some believe that membership in the European Union is enough to ensure the security of Poland, Hungary and the Czech Republic, it was hoped in the 1940s that economic aid alone would suffice in strengthening Europe to resist the designs of the Soviet Union. However, that was not to be the case. Both the Communist coup in Czechoslovakia, and the 1948 Berlin blockade, convinced the United States that more than economic aid was needed to protect freedom and democracy in the Western world.

As a result, on April 4, 1949, the United States and eleven nations of Western Europe signed the North Atlantic Treaty in Washington. NATO was born, and for the first time in history, a military alliance was created for the sole purpose of defending freedom and democracy. And without firing one shot in 40 years, it gave ready firepower to the policy of containing Communism until that system collapsed under its own contradictions.

Our commitment to security in the North Atlantic Treaty is spelled out in Article V. The words ''an armed attack against one or more of them in Europe or North America shall be considered an attack against them all'' signify the commitment of this country to forego isolationism and to play a critical role in helping to guarantee freedom and security in Europe.

Today of course, there is no immediate threat to the security of Western Europe. The United States and the other 15 members of NATO face an incipient Russian democracy. Communism as a system and a power has receded from the tormented heart of Europe. The mighty Red Army of the 1940s is now a force that is in military decline. Today, we live in a different world—but not one without dangers or threats. Today, we face our own set of challenges—and we must create our own set of solutions.

The end of the Cold War has not meant that freedom has suddenly become free-of-charge. While the Soviet Union has disintegrated and the threat of invasion from a much weaker Russia has receded, this development by no means signals that NATO's mission has evaporated. To the contrary, just as NATO protected and guaranteed the freedom of the United States and Western Europe during the latter half of the twentieth century, it can, and must, continue to do so for all of Europe as we prepare to enter the new millennium.

For forty years, NATO could protect only the Western half of Europe—the other half was trapped behind the Iron Curtain of communism. With the collapse of the Soviet Union, three of those nations—the Czech Republic, Hungary and Poland are now poised to enjoy the freedoms that the totalitarians so long withheld and to take fresh responsibility for their political pluralism as members of a voluntary alliance.

I know that some of my colleagues in this chamber, whose opinions I respect, assert that it is more important for Poland, Hungary and the Czech Republic to achieve membership in the European Union and to enjoy the economic benefits that it offers as a prelude to joining NATO. This proposal brings the echoes of history to the Senate if we recall that some advocates of the Marshall Plan thought economic health was sufficient for the protection of freedom and democracy. Unfortunately, it was not true then, and it is not true today.

The European Union is not a substitute for the NATO alliance. If that were the case, then the nations of Western Europe would not need the benefits of NATO membership to ensure their security. They realize that the two entities each serve their purpose and reinforce rather than substitute for each other. The European Union is an economic entity that will shepherd the prosperity of Europe well into the next century. I have little doubt that Poland, Hungary and the Czech Republic will eventually become members. However, membership will only be part of the way they help fulfill their desire—for the first time in over fifty years—to determine for themselves how they will ensure their security.

NATO was and is more than a defensive military alliance. It reflects the civic values underpinning trans-Atlantic security through the cultivation of peaceful ties among governments that rest on the consent of the governed. It is a tangible symbol of the resolve of democratic nations, united in a common purpose, to promote freedom and democracy. While the threat in the Cold War was from a large conventional army led by the Soviet Union that could sweep across Germany, today the threat is far more subtle but just as real. Today we all face threats from terrorism, weapons of mass destruction in the hands of rogue states and nationalistic passions liberated from Cold War restraints. The Gulf War showed that the United States and the European members of NATO face threats far from their borders. Poland, Hungary and the Czech Republic must deal with these same threats, and they can overcome them as members of the NATO alliance.

Already, we have seen a preview of some of the potential security benefits of having these nations—all of which are now strong democracies that have worked to strengthen civilian control of the military—as NATO members:

All three have contributed to the success of the SFOR mission in Bosnia. Hungary's base at Taszar has been host to over 95,000 U.S. military personnel rotating in and out of IFOR and SFOR duty. And if there had been a need to fight Iraq, our new NATO members would have been ready to assist. Poland has chemical weapons experts

ready to support us if necessary. The Czech Republic would also supply chemical weapons experts. Hungary's Foreign Minister would have urged his nation's parliament to open its airspace and airports to U.S. aircraft if military action had been needed.

The spur to all of these actions was prospective membership in NATO, and the assumption of a fair share of responsibilities as full fledged members of the Western community. This enthusiasm should make us realize how important NATO is and how established members often take the Alliance and its benefits for granted.

It would be unjust to deny the Poles, Hungarians and Czechs a role in safeguarding the freedom of the European-American community—a freedom, incidentally, we rhetorically upheld for these nations over the past four decades. It would be morally wrong to create an artificial dividing line in Europe just a decade after another such line was erased.

Mr. President, what would happen if the Senate were to reject NATO expansion? I believe that we would signal the willingness of the West to confuse the tranquility of today with the potential turmoil of tomorrow for which history warns us to prepare. If we reject expansion now, we would also reject the enduring link, shown by our experience in NATO, between democratic institutions and the defense of peace.

The incentive of NATO membership has furthermore stabilized democratic forces in all three candidate nations. Poland instituted civilian control of the military and formed a joint battalion with the Danes and Germans. Hungary and Romania, the latter a possible future member of NATO, signed a treaty respecting the rights of the Hungarian minority in Romania. If NATO membership did not provide the framework for these actions, the Poles, Czechs and Hungarians could still be struggling with the social and military legacies of authoritarianism.

Mr. President, if we were to reject the logical first step of NATO membership for these three states, then the progress made by these nations might be reversed. All three nations could and would be entitled to feel that NATO and the West do not care about them. We in the Senate would be sending a message that while the United States and Western Europe are entitled to the benefits of freedom and the confidence that a military alliance will sustain them that NATO is an exclusive club which will not admit those willing to make it even better. All three nations might then form another military bloc.

Such an organization might turn inward or Eastward to make security arrangements without the participation of the West. But I would rather see Poland, Hungary and the Czech Republic work within the NATO alliance to address the concerns of the Baltic states and other regional parties.

Another aspect of this issue which has concerned me and I know, many Senators, is the cost of this expansion. It is a legitimate concern. The General Accounting Office produced a report just last month concluding that the Defense Department's assessment of the NATO cost of expansion was reasonable if the current environment of a diminished military threat to the continent will continue for years into the future. New members, in turn, will sustain their own internal budgets for critical defense modernization. It is also up to them to meet their formal treaty commitments to the commonly-funded budgets of the Alliance.

The governments of Poland, Hungary, and the Czech Republic have agreed to specific 10-year obligations on payments for the integration of military systems and command structures with existing Alliance members. I commend our prospective new partners and the Defense Department for developing this blueprint for enlargement. They must also expect that NATO as well as Congress will hold them accountable for it.

Mr. President, Secretary Albright summed it up well last year when she said: ''Let us not deceive ourselves. The United States is a European power.'' We fought two world wars because much of Western Europe was threatened, invaded and occupied. The Cold War was fought because some of these nations were again threatened and others forced to endure Communist tyranny.

The enlargement of NATO will mean that more of Europe is part of an alliance designed to protect freedom and democracy. That makes conflict and the defense of our security interests much greater.

NATO will be stronger with the addition of more territory and more armed forces—200,000 in fact—a valuable addition if we account for the reductions in Western military forces since the end of the Cold War. Peace through strength may be a slogan to the cynics, but to me, it summarizes the invaluable lesson that we learned on the post-war ashes of a Europe leveled by aggression.

One of the Senate's most illustrious members, Senator Arthur Vandenberg, said at the time of NATO's founding in 1949 that ''[NATO] is not built to stop a war after it starts . . . It is built to stop wars before they start.''

The admission of these three applicants will strengthen NATO's ability to prevent war. I cannot imagine that the United States and the other members of NATO would do nothing if the territorial integrity of Poland, Hungary and the Czech Republic were threatened—even if they were not a part of NATO. But by having them become members, we would bring into the democratic family a region that has hosted the century's bloodiest conflicts.

Furthermore, by formally extending NATO's territorial jurisdiction further east, the Alliance will be even better placed to prevent any security threat to all of its members. NATO's role has evolved from deterring an invasion of the West by the Soviet Union to preventing armed conflict on the continent of Europe, and admission of Poland, Hungary and the Czech Republic will augment this shift in mission.

Others will argue that NATO expansion will cause problems in relations with Russia; that expansion undercuts efforts to build democracy in Russia; that we are still treating Russia as a Cold War adversary, instead of a nation building a democracy and a free-market economy or that expansion will anger Russia at a time when we need to work together on issues such as Iraq and the danger of weapons proliferation. Mr. President, I do not agree with these arguments.

Even if NATO had never promised to expand, the United States and Russia would continue to have international policy differences. There is also no evidence that the prospect of NATO expansion has hurt efforts to ratify arms control treaties or to address concerns over the need to control nuclear weapons of all varieties.

I also do not believe that enlargement will harm efforts to build a secure and strong democracy across the 11 time zones of Russia. The stability an enlarged NATO will bring to Eastern Europe will provide a more secure environment in which democracy's roots can grow stronger. NATO is furthermore not building a military force which can threaten Russia, as demonstrated by its intention not to station either nuclear weapons or substantial forces in the territories of the new members.

Finally, the United States and NATO have worked hard to address Russian concerns over expansion through the Founding Act and the creation of the NATO-Russia Permanent Joint Council. The Permanent Joint Council allows NATO and Russia to talk directly about ways to promote and enhance Europe's security. It offers a means to discuss matters of concern to either or both parties. If Russia chooses to work with the Permanent Joint Council in a cooperative manner, then this Council can help take NATO-Russia relations to a level of cooperation that benefits all of Europe. The Permanent Joint Council, however, will never substitute for or supersede any NATO policy making organs. Russia does not have a veto over NATO actions and must never be allowed to obtain one.

It is not possible for NATO to remain static and at the same time effective in the post-Cold War environment of Europe. NATO is, and must remain a military alliance that will guarantee the security of its members. However, it does face a different set of challenges as the 21st century approaches. Because the threat to NATO's territorial integrity today is significantly diminished, the Alliance has the opportunity to vanquish the dangers posed by unbridled nationalism and great power policies and to replace them with free-

market democracies that can grow and prosper.

Mr. President, when Secretary of State Madeleine Albright testified before the Foreign Relations Committee, she quoted an individual who appreciates what freedom means and that is not to be taken for granted. Czech President Vaclav Havel stated that ''Even the costliest preventive security is cheaper than the cheapest war.''

By admitting the Czech Republic, Hungary and Poland, NATO will be taking a giant step toward insuring that the freedoms won by Eastern and Central Europe at the end of this century will survive and prosper in the next. By expanding NATO, the West will ensure that the freedoms it preserved through the darkest days of World War II and the Communist threat of the 20th century will survive and prosper through the millennium.

In conclusion, NATO enlargement will enhance our national security and the stability of Europe. As my former Senate colleague and current Defense Secretary Bill Cohen stated, ''a stable Europe is necessary to anchor America's worldwide presence.''

The addition of Poland, Hungary, and the Czech Republic to NATO will mean a stronger NATO, and our approval of this enlargement will show that the United States is ready to do so in the 21st Century what it did for the latter half of this one: be a force, with other democracies, for the protection of freedom today and for the generations to come.

MORNING BUSINESS

Ms. SNOWE. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 5 minutes each.

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

ALCOHOL AWARENESS MONTH

Mr. FORD. Mr. President, as April draws to a close this week I want to remind my colleagues of Alcohol Awareness Month. I think the tireless efforts of many types of groups have raised our awareness about alcohol consumption. This includes efforts made by federal and state governments, citizen action groups, and the beverage alcohol industry itself. More than ever, Americans deplore the devastation of drunk driving. More than ever, Americans understand the consequences of failing to deal responsibly with alcoholic beverages.

Americans also need to understand that alcohol is alcohol. A standard serving of beer, wine, and distilled spirits contain the same amount of alcohol. Some fear that teaching alcohol equivalence would be paramount to promoting alcohol consumption. But I think it can actually have the opposite effect, promoting a rational approach to this topic and encouraging moderation The U.S. Departments of Health and Human Services, Transportation, Agriculture, and Education, as well as the Dietary Guidelines for Americans all define a drink as 12 ounces of beer, 5 ounces of wine, and 1.5 ounces of distilled spirits. And the federal government is not alone is recognizing alcohol equivalence. Many leading organizations involved in this debate do as well.

Yet as recently as 1996, one survey found that only 39% of Americans understand that a 12 ounce can of beer, a 5 ounce glass of wine, and a mixed drink with 1.5 ounces of distilled spirits contain the same amount of alcohol. We owe it to Americans to do a better job of disseminating this information and providing basic facts on this topic. In recognition of Alcohol Awareness Month, it is the very least we can do.

WE THE PEOPLE—THE CITIZEN AND THE CONSTITUTION

Mr. FORD. Mr. President, on May 2–4, while their friends are celebrating the 124th running of the Kentucky Derby, some students from my home state will be answering questions about the Constitution, here in Washington, in a mock Congressional hearing. These students will be competing in the national finals of the We the People . . . The Citizen and the Constitution program. I am proud to announce that the class from Louisville Male High School will represent Kentucky. These young people have worked long and hard to reach the national finals, winning local competitions to get here.

I would like to recognize these students for their achievements. The members of this class representing Kentucky are Angela Adams, Perry Bacon, Katherine Breeding, Will Carle, Eric Coatley, Courtney Coffee, Brian Davis, Mary Fleming, Matt Gilbert, Amanda Holloway, Holly Jessie, Heath Lambert, Gwen Malone, Kristy Martin, Brian Palmer, Lauren Reynolds, Shane Skoner, LaVonda Willis, Bryan Wilson, Darreisha Wilson, Beth Wilson, Janelle Winfree, Treva Winlock, and Jodie Zeller.

I would also like to recognize their teacher, Mrs. Sandy Hoover, who clearly deserves a lot of the credit for the class' success. The district coordinator, Dianne Meredith, and the state coordinators, Deborah Williamson and Jennifer Van Hoose, also contributed their time and effort to help the class reach the national finals.

The We the People . . . The Citizen and the Constitution program is the most extensive educational program in the country developed specifically to educate young people about the Constitution and the Bill of Rights. The three-day national competition simulates a congressional hearing. Students are given the opportunity to demonstrate their knowledge while they evaluate, take, and defend positions on relevant historical and contemporary constitutional issues. The simulated congressional hearing consists of oral presentation by the students before panels of adult judges.

The We the People . . . program is run by the Center for Civic Education. The program has provided teaching materials to upper elementary, middle, and high schools for more than 75,000 teachers and 24 million students across the nation. Members of Congress and staff also contribute by discussing current constitutional issues with program participants.

This special program is designed to help students understand and appreciate the values and principles that unite us as Americans. The program also promotes the notion of citizenship—that the rights and benefits are tempered by the responsibilities of participation in effective government.

I wish these young people the best of luck testing their constitutional knowledge in the upcoming national finals of the We the People . . . program. I also congratulate them on reaching this level of competition.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, April 27, 1998, the federal debt stood at $5,507,607,026,200.10 (Five trillion, five hundred seven billion, six hundred seven million, twenty-six thousand, two hundred dollars and ten cents).

Five years ago, April 27, 1993, the federal debt stood at $4,234,899,000,000 (Four trillion, two hundred thirty-four billion, eight hundred ninety-nine million).

Ten years ago, April 27, 1988, the federal debt stood at $2,500,616,000,000 (Two trillion, five hundred billion, six hundred sixteen million).

Fifteen years ago, April 27, 1983, the federal debt stood at $1,247,506,000,000 (One trillion, two hundred forty-seven billion, five hundred six million).

Twenty-five years ago, April 27, 1973, the federal debt stood at $456,773,000,000 (Four hundred fifty-six billion, seven hundred seventy-three million) which reflects a debt increase of more than $5 trillion—$5,050,834,026,200.10 (Five trillion, fifty billion, eight hundred thirty-four million, twenty-six thousand, two hundred dollars and ten cents) during the past 25 years.

THE MURDER OF BISHOP JUAN JOSE GERARDI

Mr. LEAHY. Mr. President, in one of the most outrageous, cold-blooded killings I can recall in a region where such despicable acts have been commonplace, Guatemalan Bishop Juan Jose Gerardi was murdered this past Sunday when his assailant crushed his skull with a cement block.

The way he died is horrifying enough. But what senators should also be aware of is that Bishop Gerardi had just completed an extraordinarily courageous investigation of the thousands of atrocities committed against Guatemala

citizens during thirty years of civil war. He undertook his inquiry after it became clear that the Guatemalan Clarification Commission would not seek to identify those responsible for even the worst atrocities. Bishop Gerardi's investigation, not surprisingly, attributed the overwhelming majority of human rights violations to the military and the death squads and paramilitary groups allied with them.

Mr. President, the United States bears more than a little responsibility for the slaughter in Guatemala that devastated that country in the years after the CIA-backed coup of 1954. Our government trained the Guatemalan armed forces, remained silent when they tortured and killed thousands of innocent people, withheld information about the atrocities, and justified our complicity as the necessary response to a guerrilla insurgency. In fact, during this period of political violence which is apparently not yet over, the principal victims were Guatemala's Mayan population of rural peasants who have been the target of discrimination and injustice for generations.

According to a statement by the Guatemalan Embassy, the Guatemalan Government ''condemns and repudiates'' this crime and has opened an investigation. Let us hope that this investigation can withstand the inevitable pressure from the forces who would intimidate anyone who seeks real justice in Guatemala. The Arzu Government deserves considerable credit for bringing the peace negotiations to a successful conclusion. But few weeks pass that I do not receive a report of a political crime in Guatemala, most of which go unsolved. Justice remains elusive for those who need it most.

How the Guatemalan government handles this investigation will either embolden or deter those who seek to undermine the peace accords, and, as the Ranking Member of the Foreign Operations Subcommittee I can say that as far as I am concerned it will also be important in determining our future assistance relationship with Guatemala.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Office laid before the Senate message from the President of the United States submitting one treaty and sundry nominations which were referred to Committee on Foreign Relations.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 3:40 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that pursuant to the provisions of 22 U.S.C. 276h, the Speaker appoints the following Members of the House to the Mexico-United States Interparliamentary Group: Mr. KOLBE, Chairman and Mr. GILMAN, Vice Chairman.

The message also announced that pursuant to the provision of 22 U.S.C. 276h, the Speaker appoints the following Member of the House to the Canada-United States Interparliamentary Group: Mr. HOUGHTON, Chairman.

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 Ms. COLLINS (for herself, Mr. CHAFEE, Mr. LEAHY, Mr. JEFFORDS, Mr. FEINGOLD, Mr. DURBIN, Mr. HARKIN, Ms. SNOWE, Mr. REED, Mr. SANTORUM, Mr. TORRICELLI, Mr. LEVIN, Mr. DASCHLE, and Mr. SPECTER):

S. 1993. A bill to amend title XVIII of the Social Security Act to adjust the formula used to determine costs limits for home health agencies under medicare program, and for other purposes; to the Committee on Finance.

By Mr. COATS (for himself, Mr. ABRAHAM, Mr. BROWNBACK, Mr. COVERDELL, and Mr. SANTORUM):

S. 1994. A bill to assist States in providing individuals a credit against State income taxes or a comparable benefit for contributions to charitable organizations working to prevent or reduce poverty and to protect and encourage donations to charitable organizations; to the Committee on Finance.

By Mr. ABRAHAM (for himself, Mr. BROWNBACK, Mr. COATS, Mr. COVERDELL, Mr. HUTCHINSON, and Mr. SANTORUM):

S. 1995. A bill to amend the Internal Revenue Code of 1986 to allow the designation of renewal communities, and for other purposes; to the Committee on Finance.

By Mr. SANTORUM (for himself, Mr. ABRAHAM, Mr. BROWNBACK, Mr. COATS, Mr. COVERDELL, and Mr. HUTCHINSON):

S. 1996. A bill to provide flexibility to certain local educational agencies that develop voluntary public and private parental choice programs under title VI of the Elementary and Secondary Education Act of 1965; to the Committee on Labor and Human Resources.

By Ms. MIKULSKI (for herself and Mr. FAIRCLOTH):

S. 1997. A bill to protect the right of a member of a health maintenance organization to receive continuing care at a facility selected by that member; to the Committee on Labor and Human Resources.

By Mr. HATCH (for himself, Mr. BENNETT, and Mr. BINGAMAN):

S. 1998. A bill to authorize an interpretive center and related visitor facilities within the Four Corners Monument Tribal Park, and for other purposes; to the Committee on Indian Affairs.

By Mrs. HUTCHISON (for herself, Mr. FAIRCLOTH, Mr. ASHCROFT, and Mr. MACK):

S. 1999. A bill to amend the Internal Revenue Code of 1986 to eliminate the marriage penalty by providing that the income tax rate bracket amounts, and the amount of the standard deduction, for joint returns shall be twice the amounts applicable to unmarried individuals; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mr. CHAFEE, Mr. LEAHY, Mr. JEFFORDS, Mr. FEINGOLD, Mr. DURBIN, Mr. HARKIN, Ms. SNOWE, Mr. REED, Mr. SANTORUM, Mr. TORRICELLI, Mr. LEVIN, Mr, DASCHLE, and Mr. SPECTER):

S. 1993. A bill to amend title XVIII of the Social Security Act to adjust the formula used to determine costs limits for home health agencies under medicare program, and for other purposes; to the Committee on Finance.

THE MEDICARE HOME HEALTH EQUITY ACT OF 1998

Ms. COLLINS. Mr. President, America's home health agencies provide invaluable services that have enabled a growing number of our most frail and vulnerable senior citizens to avoid hospitals and nursing homes and stay just where they want to be—in their own homes. Today, home health is the fastest growing component of Medicare spending, and the program grew at an astounding average annual rate of more than 25 percent from 1990 to 1997. As a consequence, the number of Medicare home health beneficiaries has more than doubled, and Medicare home health spending has soared from $2.7 billion in 1989 to $17.1 billion in 1996.

This rapid growth in home health spending understandably prompted Congress and the Health Care Financing Administration, as part of the Balanced Budget Act of 1997, to initiate changes that were intended to make the program more cost-effective and efficient and protect it from fraud and abuse. However, in trying to get a handle on costs, we in Congress and the administration have unintentionally created problems that may restrict some elderly citizens' access to vitally needed home health care.

Critics have long pointed out that Medicare's cost-based payment method for home health care has inherent incentives for home care agencies to provide more services, which has driven up costs. Therefore, the Balanced Budget Act called for the implementation of a prospective payment system for home care by October 1, 1999. Until then, home health agencies will be paid according to what is known as an Interim Payment System.

Under the new IPS, home health agencies will be paid the lesser of: their actual costs; a per-visit cost limit; or a new blended agency-specific per beneficiary annual limit based 75 percent on an agency's own costs per beneficiary and 25 percent on the average cost per beneficiary for agencies in the same region. These costs are to be calculated from cost reports for reporting periods ending in 1994.

I spent some time going over the formula because it is important to understand what the importance of that very

complicated formula is for many of our home health agencies.

At a recent hearing of the Senate Special Committee on Aging, on which I serve, we heard testimony from a number of witnesses who expressed concern that the new Interim Payment System inadvertently penalizes cost-efficient home health agencies by basing 75 percent of the agencies' per patient payment limits on their FY 1994 average cost per patient. This system effectively rewards agencies that provided the most visits and spent the most Medicare dollars in 1994, while it penalizes low-cost, more efficient providers. Let me repeat that point, Mr. President. The agencies, usually the nonprofits, that have provided services at the lowest cost, are penalized by the new payment system.

Home health agencies in the Northeast are among those that have been particularly hard-hit by the formula change. As the Wall Street Journal recently observed,

> If New England had been just a little greedier, its home-health industry would be a lot better off now . . . Ironically, . . . [the region] is getting clobbered by the system because of its tradition of non-profit community service and efficiency.

Moreover, there is no logic to the variance in payment levels. As the same article goes on to point out, the average patient cap in Tennessee is expected to be $2,200 higher than Connecticut's, and the cap for Mississippi is expected to be $2,000 more than Maine's, without any evidence that patients in the Southern states are sicker or that nurses and other home health personnel in this region cost more. Mr. President, I ask unanimous consent that the entire text of this article be printed in the RECORD.

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

Ms. COLLINS. Mr. President, this system also gives a competitive advantage to high-cost agencies over their lower cost neighbors, since agencies in a particular region may have dramatically different reimbursement levels regardless of any differences among their patient populations. And finally, this system may force low-cost agencies to stop accepting patients with more serious health care needs.

That is exactly the opposite of what we should want. I simply do not think that this is what Congress intended. To rectify this problem, today I am pleased to introduce legislation along with Senators CHAFEE, JEFFORDS, LEAHY, FEINGOLD, SNOWE, DURBIN, HARKIN, REED and SANTORUM. The Medicare Home Health Equity Act will level the playing field and make certain that home health agencies that have been prudent in their use of Medicare resources are not unfairly penalized. The legislation will also ensure that home health agencies in the same region are reimbursed similarly for treating similar patients.

Instead of allowing the experience of high-cost agencies to serve as the basis for the new cost limits, the bill we are introducing today sets a new per beneficiary cost limit based on a blend of national and regional average costs per patient. This new formula will be based 75 percent on the national average cost per patient and 25 percent on the regional average cost per patient. Moreover, by eliminating the agency-specific data from the formula, the Medicare Home Health Equity Act will move us more quickly to the national and regional rates which will be the cornerstones of the future prospective payment system, and it will do so in a way that is budget neutral. This is a matter of common sense and fairness. It is also a matter of ensuring that there is a fair system for reimbursing these vitally needed home health agencies that are providing services that are so important to so many of our senior citizens. I urge all of my colleagues to join as cosponsors of the Medicare Home Health Equity Act, and I ask unanimous consent that the text of the bill as well as a section by section summary be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, the items were ordered printed in the RECORD, as follows:

S. 1993

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 ''Medicare Home Health Equity Act of 1998''.

SEC. 2. REVISION OF HOME HEALTH INTERIM PAYMENT FORMULA.

(a) RESTORATION OF COST LIMITS.—Section 1861(v)(1)(L)(i)(IV) of the Social Security Act (42 U.S.C. 1395x(v)(1)(L)(i)(IV)) (as added by section 4602 of the Balanced Budget Act of 1997) is amended—

(1) by striking ''105 percent'' and inserting ''112 percent''; and

(2) by striking ''median'' and inserting ''mean''.

(b) CHANGE IN ADDITIONS TO COST LIMITS.—Section 1861(v)(1)(L)(v) of the Social Security Act (42 U.S.C. 1395x(v)(1)(L)(v)) (as added by section 4602 of the Balanced Budget Act of 1997) is amended to read as follows:

''(v)(I) For services furnished by home health agencies for cost reporting periods beginning on or after October 1, 1997, the Secretary shall provide for an interim system of limits. Payment shall not exceed the costs determined under the preceding provisions of this subparagraph or, if lower, the product of—

''(aa) an agency-specific per beneficiary annual limitation calculated based 75 percent on the reasonable costs (including nonroutine medical supplies) of the standardized national average cost per patient in calendar year 1994, or best estimate thereof, (as published in the Health Care Financing Review Medicare and Medicaid 1997 Statistical Supplement) and based 25 percent on the reasonable costs (including nonroutine medical supplies) of the standardized regional average cost per patient for the agency's census division in calendar year 1995 (as so published), such national and regional costs updated by the home health market basket index and adjusted pursuant to clause (II); and

''(bb) the agency's unduplicated census count of patients (entitled to benefits under this title) for the cost reporting period subject to the limitation.

''(II) The labor-related portion of the updated national and regional costs described in subclause (I)(aa) shall be adjusted by the area wage index applicable under section 1886(d)(3)(E) for the area in which the agency is located (as determined without regard to any reclassification of the area under section 1886(d)(8)(B) or a decision of the Medicare Geographic Classification Review Board or the Secretary under section 1886(d)(10) for cost reporting periods beginning after October 1, 1995).''.

(c) CONFORMING AMENDMENTS.—

(1) Section 1861(v)(1)(L)(vi) of the Social Security Act (42 U.S.C. 1395x(v)(1)(L)(vi)) (as added by section 4602 of the Balanced Budget Act of 1997) is amended to read as follows:

''(vi) In any case in which the Secretary determines that beneficiaries use services furnished by more than 1 home health agency for purposes of circumventing the per beneficiary annual limitation in clause (v), the per beneficiary limitations shall be prorated among the agencies.''.

(2) Section 1861(v)(1)(L)(vii)(I) of the Social Security Act (42 U.S.C. 1395x(v)(1)(L)(vii)(I)) (as added by section 4602 of the Balanced Budget Act of 1997) is amended by striking ''clause (v)(I)'' and inserting ''clause (v)(I)(aa)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply as if included in the enactment of the Balanced Budget Act of 1997.

SEC. 3. CBO ESTIMATE OF HOME HEALTH PAYMENT SAVINGS.

(a) ESTIMATE.—Not later than 60 days after the date of enactment of this Act, and annually thereafter until the prospective payment system for home health agencies established by section 1895 of the Social Security Act (42 U.S.C. 1395fff) is in effect, the Director of the Congressional Budget Office (referred to in this section as the ''Director'') shall estimate the amount of savings to the medicare program under title XVIII of such Act (42 U.S.C. 1395 et seq.) resulting from the interim payment system for home health services established by the amendments to section 1861 of such Act (42 U.S.C. 1395x) made by section 4602 of the Balanced Budget Act of 1997.

(b) CERTIFICATION.—If the Director determines that the amount estimated under subsection (a) exceeds the amount of savings to the medicare program that the Director estimated immediately prior to the enactment of the Balanced Budget Act of 1997 by reason of such interim payment system, then the Director shall certify such excess to the Secretary of Health and Human Services (referred to in this subsection as the ''Secretary'').

(c) ADJUSTMENT.—

(1) IN GENERAL.—If the Director certifies an amount to the Secretary pursuant to subsection (b), the Secretary shall prescribe rules under which appropriate adjustments are made to the amount of payments to home health agencies otherwise made under subparagraph (L) of section 1861(v)(1) of the Social Security Act (42 U.S.C. 1395x(v)(1)(L)) (as amended by section 4602 of the Balanced Budget Act of 1997) in the case of outliers—

(A) where events beyond the home health agency's control or extraordinary circumstances, including the case mix of such agency, create reasonable costs for a payment year which exceed the applicable payment limits; or

(B) in any case not described in subparagraph (A) where the Secretary deems such an adjustment appropriate.

(2) AMOUNT.—The total amount of adjustments made under paragraph (2) for a year may not exceed the amount certified to the Secretary pursuant to subsection (b) for such year. To the extent that such adjustments in

a year would otherwise exceed the amount certified to the Secretary pursuant to subsection (b) for such year, the Secretary shall reduce the payments to home health agencies in a pro rata manner so that the adjustments do not exceed such amount.

MEDICARE HOME HEALTH EQUITY ACT—SECTION-BY-SECTION SUMMARY

CURRENT LAW

The cost-based payment method that has historically been used for Medicare home health services has inherent incentives for home care agencies to provide a higher volume of services. Therefore, the Balanced Budget Act of 1997 (BBA) called for the implementation of a prospective payment system (PPS) for home care by October 1, 1999. In the interim (FYs 1998 and 1999), home health agencies will be paid according to an Interim Payment System (IPS) established by the BBA.

The IPS reimburses home health agencies using the lowest of three cost limits: 1) an agency's actual costs; 2) a per visit cost limit applied to each skilled nursing, physical therapy, or other type of home health visit provided; or 3) an agency-specific aggregate per patient cost limit that is based 75 percent on an agency's average cost per patient in 1994 and 25 percent on a regional average cost per patient in 1994.

The Interim Payment System penalizes cost-efficient home health agencies by basing 75 percent of the agencies' per patient payment limits on their FY 1994 average cost per patient. Giving such a heavy weight to the agency-specific costs per beneficiary effectively rewards agencies that provided the most visits and spent the most Medicare dollars in 1994, while it penalizes low-cost, more efficient providers. As a result, high-cost and inefficient agencies will continue to receive a disproportionate share of Medicare home health dollars.

THE MEDICARE HOME HEALTH EQUITY ACT

Formula change for setting per beneficiary cost limits

The Medicare Home Health Equity Act will level the playing field and make certain that those home health agencies that have been prudent in their use of Medicare resources are not unfairly penalized. Moreover, it will ensure that home health agencies in the same region are reimbursed similarly for treating similar patients. Instead of allowing the experience of high cost agencies to serve as the basis for the cost limits, the bill sets a new per beneficiary cost limit based on a blend of national and regional average costs per patient. This new formula would be based 75 percent on the national average cost per patient in calendar year 1994 ($3,987) and 25 percent on the regional average cost per patient in calendar year 1995.

Restoration of the per-visit cost limit to 112 percent of the national mean

The per visit cost limits essentially place a cap on the amount of costs that can be reimbursed by Medicare for each home health care visit provided. The BBA reduced these cost limits from 112 percent of the mean to 105 percent of the median. This was done to provide additional savings. However, most of the BBA savings (at least 80 percent) came from the per-beneficiary cost limits. According to Price-Waterhouse, changing the formula from an agency-specific to a national/regional average cost per patient blend achieves an additional $5.5 billion in savings. The Medicare Home Health Equity Act of 1998 uses these savings to restore the per-visit cost limit to 112 percent of the national mean.

Most analysts agree that the growth in Medicare home health expenditures is due to the high number of visits provided to patients, not by the cost per visit. In fact, the cost per visit has remained relatively stable in recent years, and CBO confirms that controlling use, not price, is the key to Medicare home health cost containment. It is appropriate to use the savings achieved by rewarding rather than penalizing cost-efficient agencies to re-establish the cost limits that enabled many of those agencies to provide more efficient care over the entire episode of care. The average cost per visit tends to be higher for lower-overall cost, non-profit HHAs which tend to provide care in fewer visits. By keeping visits to the number that are medically necessary, costs per visit may increase slightly, but overall costs per patient decrease.

Modifies Application of Proration of Per Beneficiary Limits Provision

The BBA contained a provision which requires proration of the per beneficiary annual limit where the patient is served by more than one home health agency. The Medicare Home Health Equity Act modifies this provision to clarify that proration only applies where it can be demonstrated that a home health agency is attempting to circumvent the limits by shifting care between agencies.

Establishes an Outlier Provision

The bill instructs the Secretary of HHS to prescribe rules under which adjustments can be made in payments to home health agencies that are ''outliers'' where events beyond their control or extraordinary circumstances, including their case mix, create ''reasonable costs'' that exceed what otherwise would be their payment limits. This is included so that there is some provision for higher payments for home health agencies that treat the sickest Medicare home care patients and does so in a way that is budget neutral.

[From the Wall Street Journal]

REGION'S HOME-CARE FIRMS FACE BEING PUNISHED FOR THEIR EFFICIENCY

(By Carol Gentry)

If New England had been just a little greedier, its home-health industry would be a lot better off now.

In a rush to cut Medicare spending, Congress has set up a home-health payment system that punishes low-cost agencies and states, while it rewards big spenders and regions where audits have found widespread fraud and abuse. Ironically, New England is getting clobbered by the system because of its tradition of non-profit community service and efficiency.

And patients are feeling the effects. In the past two weeks, about 30 complaints have come into the Boston office of the federal agency that must implement the change, the Health Care Financing Administration. The agency says the complaints are coming from patients who need frequent, long-term nursing visits, but say they are being turned away or cut off.

''I fear we're now looking at home health agencies dumping (expensive) patients,'' says Margaret Leoni-Lugo, chief of the HCFA quality-improvement branch for New England. Such discrimination violates state and federal regulations.

Ms. Leoni-Lugo says she sympathizes with the difficult situation confronting New England agencies, but cannot condone patient dumping. Today she is expected to hold a telephone conference with health-department officials in the six New England states, warning them to watch for evidence that agencies are cutting care too much.

''We want to keep the beneficiaries safe,'' says Ms. Leoni-Lugo.

THE NEW FORMULA

The new system rolls back payments to 1993–94 levels minus 2%, regardless of whether an agency's budget was low or grossly inflated during those years. Under the system, home-health agencies' Medicare payments will be affected not only by their own budget history, but also by their location. If a company is in a penny-pinching region, its payments will be lower than if it comes from an area of big spenders. The agencies that come out best under this formula are those that spent money willy-nilly five years ago and were surrounded by companies that did the same thing. The biggest winners will be states in the South.

Meanwhile, frugal agencies in regions with moderate costs—especially New England, the Midwest and the Mountain states—are reeling. Vermont, New Hampshire and Maine will be among the hardest-hit states in the nation. Massachusetts, Connecticut and Rhode Island fare only marginally better.

Advocates for the elderly and the region's home-health agencies say such a system gives a competitive advantage to the worst players in the industry. ''This is not in the best interest of taxpayers,'' says Susan Young, executive director of the Home Care Association of New Hampshire.

Adds Margaret Gilmour, president and chief executive officer of Home Health & Hospice Care, a home-care agency in Nashua, N.H.: ''This is going to be a tidal wave of disaster for elder care.''

Layoffs are already under way in New Hampshire, Ms. Young says, where the industry is among the leanest in the nation.

The congressional delegation from Massachusetts hopes to derail the new system before it can do massive damage. ''This defies common sense.'' says Rep. James P. McGovern, a Democrat from Worcester. ''This is a big, fat mistake.''

TAKING CARE OF THE HOMEBOUND

In late November, Rep. McGovern and 11 other members of the state's congressional delegation sent a letter of concern to HCFA. The group hopes to meet with top agency officials in Washington soon.

Home-health agencies send nurses, aides, and physical and speech therapists to the homes of patients who are so physically or mentally disabled that they cannot easily go or be taken to a medical clinic.

While most private insurers and health-maintenance organizations cover home health care, the main money pipeline is Medicare. All homebound elderly and disabled beneficiaries of the program are eligible for free unlimited visits, as long as the visits are part of a treatment plan that is authorized by a physician and is updated every two months.

There are several types of home-health agencies, including the community-based nonprofits, such as the Visiting Nurses Associations of America; the newer for-profit companies; and hospital-affiliated agencies. Medicare's costs have been higher for patients who go through one of the hospital or for-profit companies.

Hospital-affiliated agencies tend to have higher per-visit costs than independent ones because they can legally transfer some of the hospital's overhead to the home-health books and have Medicare pay for it. For-profit agencies tend to generate higher Medicare payments by billing for a greater number of visits per patient.

Patients recuperating from surgery or a short-term illness may need only a few visits, but home-health agencies are a lifeline for patients with long-term conditions—multiple sclerosis. Alzheimer's disease, heart failure, severe diabetes—who are trying to stay out of nursing homes.

The new system sets an annual limit on the amount that Medicare will spend on any given patient. While that cap is different for every agency, it averages out to 75 visits a year in Massachusetts. Patient advocates say this gives agencies an incentive to take only those clients who are going to get better or die in a short time.

To make matters worse, agencies must reduce expenses without knowing just how deep the cuts will be. The details of the payments formula won't be determined until April 1, but will be retroactive to Oct. 1.

SEEKING FORMULA CHANGE

In the letter to HCFA, the Massachusetts delegation asked administrators to alter the new formula to ''lessen the blow'' to low-cost, efficient home-health agencies. The letter says it is unfair to tag payments to a 1994 average per-patient cost of $4,328 in Massachusetts, when Tennessee was getting $6,508 and Louisiana $6,700.

Rep. McGovern says he hopes to repeal the payment-system provision when Congress convenes later this month, but he knows that may not be easy. Many of the leaders of Congress are from the South, where payment rates are projected to be double those in much of New England.

Massachusetts has a lot at stake. In 1995, the last year for which Medicare has complete data, the program spent more than $1 billion in New England to provide home health to 246,000 beneficiaries. Of that money, Massachusetts absorbed more than half for 119,000 homebound patients. More than 14% of the state's Medicare beneficiaries were served by home care, while the rate was about 10% nationwide.

Under the new payment system, members of the Massachusetts delegation say, their state stands to lose $95 million and at least 1.5 million patient visits in the first year.

Why will the system affect Massachusetts so much? The state's home-health agencies deliver care at a more moderate cost per visit than most other states, federal data show, but also perform more visits per patient, on average. Pat Kelleher. executive director of the Home Health Care Association of Massachusetts, says one reason is that the state has deliberately pushed home care to save state tax money. Federally paid Medicare home-health visits keep patients out of nursing homes, which draw most of their revenue from the state Medicaid program.

ROUGH TIME AHEAD FOR VERMONT

If the other New England states affected, Vermont, the only state that legally requires home-health companies to be non-profit, especially faces troubled times. After consistently providing home care at the lowest cost per patient in the nation. Vermont's 13 agencies stand to lose more than $2 million this year and estimate they will have to reduce service by 10%.

The Vermont Assembly of Home Health Agencies estimates the average per person payments in the state this year will be $2,600 a year, less than half what they payout is expected to be in, say, Alabama.

''The system was supposed to limit the high rollers'' says the association's director, Peter Cobb but instead ''Congress rewarded excess.''

The rule changes stem from the passage last August of the Balanced Budget Act, which cuts $115 billion from Medicare by 2002. The home-care portion of the act slices $16.2 billion from the budget.

Home care seemed a logical place to look for cuts, since it's the fastest-growing segment of the health industry. Between 1990 and 1995, while the number of Medicare beneficiaries rose 10%, the number of home-health visits grew 255% and spending went up 316%.

Some of that increase accompanied the rise of managed-care companies that try to keep patients out of the hospital to save money and, if they must go, keep the visits as brief as possible. However, much of the inflation in home care was a predictable response to a payment system that offered no incentive to be frugal.

PROBE FINDS WASTE, FRAUD

Massive fraud, waste and ineptitude in Medicare billings were reported last summer by the Office of the Inspector General of the U.S. Department of Health and Human Services following a two-year investigation called Operation Restore Trust. The study covered five states that account for 40% of Medicare payments: California, New York, Florida, Texas and Illinois.

The report said one-fourth of home-health agencies in those states received nearly half the Medicare dollars spent on home-health care. According to the report, the ''problem'' agencies tended to be for-profit, closely held corporations with owners that were involved in a tangle of interlocking, self-referring businesses. Texas was cited as the biggest home-health spender of the states studied. (An HCFA audit conducted in Massachusetts and Connecticut last year found a few overpayments, but no cases of fraud.)

It just so happened that the revelations of Operation Restore Trust occurred at the same time that Congress was looking for ways to cut Medicare spending.

Congress wanted to change the home-health payment system so that it would reward efficiency, by switching to a flat rate by diagnosis. This ''prospective payment system'' would be similar to the one that Medicare uses to pay hospitals.

But HCFA said it needed more time to develop the complex formula to set prospective payment in motion. So Congress created an interim system that will run until Oct. 1, 1999. It freezes spending at the rates there were in place in 1993–94—before Operation Restore Trust began.

VARYING PAYMENTS

Now payments vary illogically. The average patient cap in Tennessee is expected to be $2,200 higher than that in Connecticut, and the cap for Mississippi $2,000 more than Maine, without any evidence that patients in the Southern states are sicker or that nurses cost more there.

But those who think the Southern states are pleased at getting a patient cap double that of New England are mistaken. Officials at the Texas Association for Home Care say they need bigger payment rates because they have a high rate of poor elderly who have never had proper health care, and the state Medicaid program hasn't taken care of them because it's stingy.

''Congress has cut into the bone,'' says Sara Speights, director of government and public relations for the Texas group.

Inequities exist even within the same region. Ms. Gilmour of the Nashua, N.H., home-care agency says a competitor in northern Massachusetts could end up with a payment cap twice as high as her own as a result of her staff's efforts to keep costs down. Because patients are free to choose either agency, she worries they will gravitate to the one that has a bigger budget.

Joan Hull, chief executive of the nearby competitor, the Home Health Visiting Nurses Association of Haverhill, Mass., says her agency is a product of a merger between agencies that had different payment rates, so she doesn't know whether the Medicare cap will be $3,400 or $4,600 per patient. Unfortunately for her agency, services it has delivered since the beginning of its fiscal year in October will be on the new payment rate, but the agency won't know what the rate is until April.

''It's crazy, isn't it?'' Ms. Hull says with a laugh.

YANKEE THRIFT

Home health agencies in the New England states have delivered care for less money than the national average, both in Medicare payments per visit and per patient. (Data shown here are from 1995.)

	No. of patients (in thousands)	Avg. payment per visit	Pct. above or below national avg.	Avg. payment per patient	Pct. above or below national avg.
Connecticut	57	$60	−30	$4,770	6.6
Massachusetts	119	50	−19.0	4,730	−5.7
Rhode Island	19	64	3.0	4,037	−9.7
Maine	22	53	−15.0	3,717	−16.9
New Hampshire	17	50	−19.0	3.057	−31.7
Vermont	12	45	−28.0	3,030	−32.3
New England	246	53	−15.0	4,400	−1.6
U.S.	3,430	62	.....	4,473	.....

Sources: Health Care Financing Administration and The Wall Street Journal

BIG SPENDERS

While Medicare costs for home health services have gone up nationwide, Sunbelt states led the spending spree. The new payment system rewards states where payments were far above average, as shown below (Data are for 1995.)

	No. of visits per patient	Avg. payment per patient	Pct. above national avg.
Louisiana	144	$7,867	75.9
Oklahoma	127	7,358	64.5
Texas	117	7,217	61.3
Tennessee	121	6,886	53.9
Utah	106	6,283	40.5
Mississippi	128	6,205	38.7
THE SOUTH	95	5,488	22.7
U.S.	72	4,473	.....

Sources: Health Care Financing Administration and The Wall Street Journal

Mr. FEINGOLD. Mr. President, I rise today to join my colleagues, Senators COLLINS, CHAFEE, JEFFORDS, LEAHY, REID and others in introducing the Home Health Medical Equity Act of 1998. I especially want to compliment the Senator from Maine, who has taken the lead on this issue. It is a matter of enormous concern in her State and also in mine. I think it is worth taking a moment just to acknowledge how useful the Senate Aging Committee is, to be able to highlight an issue like this. I wonder whether this issue would have gotten the attention it deserves had it not been for that forum, where we were able to have an excellent hearing and hear from Senators all over the country whose States are very negatively affected by the rules that were put into place. I congratulate the Senator from Maine for taking the initiative out of that hearing to introduce legislation.

This legislation is a crucial step in ensuring that the Medicare Home Health Care program's Interim Payment System does not penalize regions of the country that have been providing home health services efficiently.

Mr. President, I have been working to promote the availability of home care and other long-term care options for my entire public life because I believe strongly in the importance of enabling people to stay in their own homes. For seniors who are homebound and have skilled nursing needs, having access to home health services through

the Medicare program is the difference between staying in their own home and being moved into a nursing facility. Home care offers feelings of security, dignity and hope. Where there is a choice, we should do our best to allow patients to choose home health care.

Mr. President, I recognize that there are situations when one's ability to conduct the activities of daily living are so limited, and the medical needs are so great, that the patient would be better served, in some cases, in a skilled nursing facility. I also want to recognize that my State of Wisconsin has a very, very good network of caring and high-quality nursing homes. Without a doubt, there is a need for these services. But, Mr. President, as I travel throughout Wisconsin's 72 counties every year, what seniors tell me again and again is that, to the extent possible, and as long as it is medically appropriate for them to do so, they would like to remain in their own homes. I think seniors need and deserve that choice.

Mr. President, seniors clearly prefer to remain in their own homes rather than be moved to a nursing home. Their medical needs can often be met through home health services. Despite these facts, the implementation of the Medicare Home Health Interim Payment System as passed in last year's budget could create serious access problems for seniors in States like Wisconsin and Maine when they seek the home health benefit. The cuts to the Medicare Home Health program imposed by the Interim Payment System are so severe that home health agencies will have no choice but to reduce dramatically the amount of services provided. Some home care agencies may get out of the home care business altogether. But, Mr. President, the real impact of the Interim Payment System will not be simply to reduce payments to home care providers and force some out of business, what it will really do and what really concerns me is it will drastically reduce the options that homebound seniors now have today with respect to whether they will remain in their home in the community or whether they will be forced into a nursing home situation that is not necessarily the best place for them.

As of right now, Mr. President, the Interim Payment System for Medicare home health care is a system that pays agencies the lowest of the following three measures: (1) actual costs; (2) a per visit limit of 105% of the national median; or (3) a per beneficiary annual limit, derived from a blend of 75% an agency's costs and 25% regional costs. Now, these measures are pretty technical and I will not go into any more of the specifics about them. But suffice it to say that the net effect of the Interim Payment System will be to penalize severely agencies who have been operating efficiently all these years. Since the Interim Payment System will pay the agency the lowest of the three measures that I mentioned, agencies in areas where costs have been kept lower will be disproportionately and unfairly affected.

Mr. President, according to the Health Care Financing Administration, just in Wisconsin alone, there are currently 181 home health care agencies that participate in Medicare. Of these, two-thirds of them are operated as nonprofit entities. These nonprofit home health care providers are often county health departments and visiting nurse organizations; these are not entities out to make a fast buck on the backs of homebound seniors. According to administrators of Valley Visiting Nurse Association in Neenah, WI, the average, per patient Medicare home care cost in Wisconsin is $2,586, compared to $5,000 in other parts of the country. Let me repeat that, the statistics, because it is really quite striking. The average, per patient Medicare home care cost in Wisconsin is only $2,586, compared to often over $5,000 or more in other places in the country. These nonprofit providers in Wisconsin are already as lean as they can be. I am fairly convinced they don't have any ''fat'' to cut from their programs. The Visiting Nurse Association Home Health of Wausau showed me some figures demonstrating that, over the past 5 years, their services have averaged 30 percent below limits imposed by the Health Care Financing Administration, with 36 percent fewer visits per beneficiary than the national average.

Mr. President, the effect of the deep reductions imposed by the Interim Payment System will be, quite simply, a devastating blow to these types of agencies, and, in turn, will seriously impact the availability of home health care services to many people in Wisconsin. This devastating blow is dealt not because Wisconsin has been providing too many services too expensively. It is just to the contrary. States like Wisconsin and others are being penalized more precisely because they have always operated efficiently. Moreover, on a national level, with a reduced per-patient limit, home health agencies have a disincentive to take more seriously ill patients onto their rolls.

Mr. President, the legislation my colleagues and I introduce today will change the Interim Payment System to bring about greater payment equity for Medicare home health providers in different parts of the country. The bill, as the Senator from Maine outlined, would create a new formula for the per-patient limit that reflects a higher percentage of national data rather than relying solely on regional and local data. The change in payment calculation would enable high-efficiency, low-cost home health agencies to continue providing services efficiently and cost-effectively. But, Mr. President, the most important impact of the Medicare Home Health Equity Act will be to make sure that seniors who are homebound and have skilled nursing needs will retain for as long as possible the right to decide to stay in their own homes.

Mr. President, I thank the Chair and yield the floor.

Ms. COLLINS. Mr. President, I thank the Senator from Wisconsin for his cosponsorship of this important legislation and for his leadership in this issue.

Mr. CHAFEE. Mr. President, I am pleased to sponsor the Medicare Home Health Equity Act of 1998 with my distinguished colleague from Maine. I want to applaud Senator COLLINS' efforts to correct a provision in the Balanced Budget Act (BBA) of 1997 which has had the effect of penalizing those home health agencies that have taken the lead in becoming more cost-efficient over the last several years.

The Medicare Home Health Equity Act of 1998 will help avert the potentially devastating effect of the Interim Payment System (IPS), established by the Balanced Budget Act, on many home health agencies in Rhode Island, and throughout the country.

The IPS for Medicare home health services that was established by the BBA bases its reimbursement in large part on agency-specific costs during fiscal year 1994. Consequently, home health agencies that had already been implementing cost-efficient practices at that time, like many agencies in Rhode Island were doing, are now finding their reimbursements greatly reduced.

Home health agencies in my home state have told me that this decreased reimbursement, in addition to being unfair, might lead to reductions in critical health services that currently enable elderly patients to maintain their dignity and quality of life. These agencies also have pointed out that this interim payment system may well result in a loss of jobs in the home health industry.

I am greatly troubled by the thought that the IPS now in effect may well put into financial jeopardy those Rhode Island home health agencies that have been working diligently to heed our appeal to deliver cost-efficient services. The impact of this payment system on one of Rhode Island's most vulnerable populations, the infirm elderly, is unpredictable and potentially devastating.

The Medicare Home Health Equity Act of 1998 bases Medicare reimbursement for home health services primarily on national costs during the baseline year rather than agency-specific costs. Consequently, the most efficient home health agencies will not be placed at financial disadvantage. This is a matter of economic necessity—we will never be able to maintain the financial security of the Medicare program unless we encourage everyone involved in the system to help make it work.

This bill is budget-neutral and will not increase overall Medicare expenditures. The legislation is a big step forward in our goal of a cost-efficient and reliable health care system for our older citizens.

Mr. President, I encourage my colleagues to join me in supporting the

Medicare Home Health Equity Act of 1998.

Mr. JEFFORDS. Mr. President, Vermont's home health agencies are a model of efficiency for the nation. For the past seven consecutive years, the average Medicare expenditure for home health care in Vermont has been the lowest in the nation. This efficiency was achieved by exclusive reliance on 13 nonprofit agencies which provide care without sacrificing quality, and which adhere strictly to Medicare requirements and guidelines. Today, I am cosponsoring The Medicare Home Health Equity Act of 1998, with my good friend Senator COLLINS, in order to preserve this high-quality, low-cost home health system from possible insolvency.

At this moment, Vermont is facing an unprecedented crisis in its home health care system. This is not a crisis of their own making, and the home health agencies had little, if any, advance warning that disaster was imminent. The crisis that befalls Vermont's home health care agencies, and many others throughout the country, arose from the decision made by Congress, as a part of the Balanced Budget Act of 1997 (BBA), to adopt a Medicare prospective payment system for home health care.

There is compelling rationale and general agreement for moving Medicare to a prospective payment system (PPS) in the home health care sector. Under a national, prospective payment system, low-cost agencies will fare well, as they have already learned how to manage their resources wisely. However, the interim system created by the BBA for the transition to a PPS is fundamentally flawed and rewards high-cost agencies. Under the Interim Payment System, reimbursement limits for home health care are heavily weighted toward an agency's historical costs. This means that until a prospective payment system can be designed and implemented, the lowest cost agencies will face the most significant caps on their Medicare payments.

Where a prospective payment system aims to level the playing field for agencies that care for similarly situated patients, the interim system preserves and reinforces significant disparities across agencies. Although high-cost agencies will face reductions in payments under the interim system, these will be the agencies in the best position to make those cuts. Low-cost agencies with budgets that are already lean have no place to turn. It would be a national tragedy if those low-cost agencies cannot survive the transition to a prospective system.

I commend the efforts of my good friend Senator COLLINS for bringing this bill forward. it was a difficult task to craft a remedy that allows committed and responsible home health agencies to survive and also maintain budget neutrality. The Medicare Home Health Equity Act of 1998 would alter the interim payment formula by basing payment caps on a blend of national and regional averages. In this way, we can move toward a more uniform level of reimbursement and allow home health care agencies in the same locale to operate under the same constraints. Furthermore, this legislation can be implemented quickly. This is important, because the regulations defining the interim payment system were not published until January of this year—nearly four months after the payment system was in force.

The situation is serious. We must provide relief to home health agencies and peace of mind to the clients who are under their care. Last August, I voted in support of the Balanced Budget Act of 1997. I was proud of the changes we made to preserve Medicare benefits for the present and for future generations. Today, I urge my colleagues to enact The Medicare Home Health Equity Act of 1998 and correct the unintended consequences of the BBA's interim payment system reimbursement limits on low-cost home health agencies.

Mr. HARKIN. Mr. President, I am pleased to join today with my distinguished colleague, Senator SUSAN COLLINS, in the introduction of the ''Medicare Home Health Equity Act of 1998.'' This bill tries to fix what we believe to be an unintended injustice in the Balanced Budget Act of 1997.

As many of you know, home health agencies have historically been reimbursed on the basis of costs. The Health Care Financing Administration paid each agency to cover the cost of providing care. This arrangement has been widely criticized because of offers no incentive for agencies to control their costs.

In order to correct this, we in Congress agreed that Medicare should move to a prospective payment system to control costs and ensure quality and access to care. The Balanced Budget Act establishes this system for home health, effective as of October 1, 1999. In the mean time, an interim payment system has been put in place. These changes were needed in order to rein in the incredible growth—some due to inappropriate payments—in the industry in the last seven years. In 1990, Medicare spent $3.7 billion on home health care. In 1996, $16.7 billion was spent. In addition, the average number of visits per beneficiary soared from 26 in 1990 to 76 in 1996.

I believe the change to the prospective payment system had to be done. However, the interim payment system will reward high-cost, inefficient home health provides at the expense of those home health agencies that have historically kept their costs low. I don't believe this was the intent of Congress, and that is why I am cosponsoring Senator COLLINS' bill to correct this injustice.

As co-chair of the Senate Rural Health Caucus, I've been working for a long time to change the big city, urban bias in Medicare's reimbursement payments. It penalizes more conservative cost-effective approaches to health care, and that hurts rural areas like Iowa. We went a long way towards fixing that bias in Balanced Budget Act by equalizing Medicare's reimbursement payments for managed care services.

But unbeknownst to me and, I believe, most of my colleagues, while we provided rural equity in one area, we took it away in another. It is just common sense that we should reward those who provide quality care in a cost-effective, efficient manner. We did this when we changed the Medicare managed care rates. It doesn't seem right that in the same Act, we created an interim payment system for home health services that rewards the high cost, wasteful agencies and leaves those that have successfully kept their costs low struggling to survive.

The system's reliance on a provider's historical costs in determining their reimbursement amounts has produced an uneven playing field. Many of the newer agencies, who got started during a period of high growth, now have a competitive advantage. They will now be reimbursed at a higher rate than their lower cost competitors.

Senator COLLINS' bill does the right thing—it rewards those agencies who have done the most to save Medicare money. These include many visiting nurse associations, non-profit free standing agencies and most non-profit hospital based programs.

The Home Health Equity Act will revise the current system of reimbursement based on 75 percent of agency cost blended with 25 percent of national costs. The legislation would create a 75 percent national rate blended with 25 percent regional rate to level payments to providers in a given geographic area. In addition, this bill continues the cost savings that the interim payment system was intended to achieve. Price Waterhouse has analyzed the bill and found it to be budget neutral.

If we don't fix the interim payment system, I am afraid we risk a reduction in access to and quality of health care for Iowa seniors. Iowa home health care agencies have historically provided efficient, quality service and they ought to be rewarded, not punished for this. Most importantly, rural patients and their families deserve continued access to the best possible care.

Mr. DASCHLE. Mr. President, today I join my colleagues in introducing the Medicare Home Health Equity Act of 1998.

The Balanced Budget Act (BBA) included numerous changes to Medicare that were necessary to extend the solvency of the trust fund and increase the program's integrity. It was extremely important legislation that I strongly supported, but there was no way to know the impact of every provision it included.

One provision of the BBA in particular, the interim payment system for

home health care, locks in place inequities between regions of the country, efficient and inefficient providers, and new and older agencies. I am concerned about the impact of that provision on my state of South Dakota.

In South Dakota, the interim payment system has raised significant concern. The interim payment system bases each agency's per patient cost limit largely on its per beneficiary cost in 1994. My concern is that South Dakota's cost per beneficiary and number of visits per patient were well below the national average in 1994. Many of the home health agencies in the state have expanded the geographic area they serve since 1994 and have added services that formerly were not available in the more rural parts of the state. Some of these agencies are the sole providers in our most rural counties.

I have heard from Hand County Home Health Agency which primarily serves women, age 85 and older, with little family nearby and with difficult health conditions. Since 1994, the Hand County Home Health Agency has kept its costs down, but has added new services such as physical therapy and has expanded the geographic area to serve areas that no other provider covers. The agency has told me that they have to consider discontinuing the new services they cover or decreasing the geographic area they serve. Neither of these options seems acceptable to me.

The interim payment system also creates problems between new and older agencies. In the same geographic area, where there is a new provider and an old agency, the new provider's limit will be based on the national median reimbursement. This results in significant discrepancies in reimbursement and ultimately the services that agencies can afford to deliver within the same area and market.

Ultimately the impact of this payment system falls on beneficiaries, and this must be foremost in our minds. Senator COLLINS' bill would go a long way to addressing the access, quality, and equity issues that have been raised by the interim payment system in South Dakota. I am pleased to join her in beginning the dialogue on this issue that I hope will lead to construction changes for home health care patients in South Dakota and across the nation.

By Mr. COATS (for himself, Mr. ABRAHAM, Mr. BROWNBACK, Mr. COVERDELL, and Mr. SANTORUM):

S. 1994. A bill to assist States in providing individuals a credit against State income taxes or a comparable benefit for contributions to charitable organizations working to prevent or reduce poverty and to protect and encourage donations to charitable organizations; to the Committee on Finance.

By Mr. ABRAHAM (for himself, Mr. BROWNBACK, Mr. COATS, Mr. COVERDELL, Mr. HUTCHINSON, Mr. SANTORUM, and Mr. LIEBERMAN):

S. 1995. A bill to amend the Internal Revenue Code of 1986 to allow the designation of renewal communities, and for other purposes; to the Committee on Finance.

By Mr. SANTORUM (for himself, Mr. ABRAHAM, Mr. BROWNBACK, Mr. COATS, Mr. COVERDELL, and Mr. HUTCHINSON):

S. 1996. A bill to provide flexibility to certain local educational agencies that develop voluntary public and private parental choice programs under title VI of the Elementary and Secondary Education Act of 1965; to the Committee on Labor and Human Resources.

RENEWAL ALLIANCE LEGISLATION

Mr. COATS. Mr. President, I am here today to announce, along with several Members—in fact, a coalition of 30 Republican Members from both the House and the Senate called the Renewal Alliance, which has been in business now for a considerable amount of time—more than a year—will be jointly introducing new initiatives to help restore hard-pressed urban neighborhoods of our country to reach out to families and communities and neighbors that are dealing with some of the most difficult and intractable social problems that affect our society.

This package, called REAL Life—renewal, empowerment, achievement, and learning for life—contains what we believe are essential elements to help bring improvements and restore hope to impoverished communities and to bring self-sufficiency to low-income individuals and families. REAL Life seeks to address the critical deficits facing neighborhoods and communities, families, those communities and neighborhoods who lie behind the gleaming skyscrapers, the neighborhoods where some of the most difficult problems in our society—homelessness, drug abuse, teen pregnancy, poverty, and violence—are found in some of the most complex and intractable forms in the neighborhoods, however, where groups of individuals and private community organizations and leaders are already at work defeating the poverty and dysfunction that have defied our well-intentioned and lavishly funded Federal efforts.

Before I begin to make specific comments about the legislation that we will be introducing, let me take a moment to read from a letter given to me by Light of Life Ministries, a rescue mission operating in Pittsburgh, PA. I think this letter communicates in a very compelling and clear way both the problems that we face today in our low-income areas and particularly in our cities—although these are no respecters of income or persons, but it seems that the problems are particularly acute in some of our urban areas—but also addresses some of the solutions that even today are within our grasp.

This letter is from a fellow named Benjamin Primis, a young man who, after a promising start in life, fell on hard times. He was a graphic artist working in the television industry, and he began using drugs and became addicted to crack cocaine. Soon he was homeless and desperate.

Benjamin writes:

> I found myself homeless in Pittsburgh. It seemed as though the world had turned its back on me. . . . When there was nowhere else to run, the Light of Life Ministry in Pittsburgh opened their doors of unconditional love. . . . Instantly I was comforted with three hot meals a day, clean linens, drug and alcohol therapy. . . . They fed me when I was hungry. They clothed me when I had nothing else to wear. [Most importantly,] they cared for me when I didn't care for myself.

Benjamin Primis's story is one of thousands, maybe tens of thousands, of stories of hope and restoration and healing that bring us together here on this floor, the Senate floor, this morning. Ben Primis was failed by both the dogmas and initiatives of Republicans and Democrats, conservatives and liberals. A booming economy did not prevent his fall into poverty. And the Government safety net proved to be an illusion. Instead, Ben was rescued by one of the thousands of neighborhood-based, privately run, often faith-based religious charities that operate in poor neighborhoods across our country.

Let me give another example, Mr. President. For years, officials in the District of Columbia and Members of Congress have wrestled with the problem of violence in this city that has plagued this city. A lot of programs have been tried, and the police department has been strengthened and reorganized and redeployed on several occasions to almost no effect. It seemed that none of the often very expensive initiatives had any fruition.

Last year, a group of African American men called the Alliance of Concerned Men began brokering peace treaties among the gangs that inhabit, and frequently dominate, some of the city's public housing complexes. Benning Terrace in southeast Washington, known to the D.C. police department as perhaps the most dangerous area of the city, has not had a single murder since the Alliance's peace treaty went into effect early last year. This movement is now spreading across the city.

These are community healers who are saving lives where all other Government efforts have failed. I have met with these individuals. I have listened to their stories and some of the most remarkable stories of transformation of individual lives and reconciliation that anyone could ever encounter.

The Light of Life Mission in Pittsburgh, the Alliance of Concerned Men in Washington, DC, Gospel Rescue Mission of Washington, these are the kinds of organizations that the Renewal Alliance REAL Life initiative wants to place at the center of our Nation's welfare and social policies.

REAL Life is not a handout, it is an opportunity agenda for America's poor,

and it is concentrated on those who live on America's meanest streets. It does acknowledge a role for Government programs, but it makes that role one of a junior partner—not a CEO, not a director, but a junior partner, a junior partner with those organizations that, without Government help, without Government rules and regulations, are reaching out and actually bringing hope and bringing restoration to some of the most desperate situations that our country encounters. This whole array of community-based organizations, faith-based organizations, social institutions, help restore individual lives and rebuilds neighborhoods.

Finally, REAL Life is a vision that starts with a belief that real and lasting social reform begins among the families, the churches, the schools, the businesses, that are the heart and the soul of local communities.

We have three central components in REAL Life. We have a community renewal component, which I will talk a little bit more in a moment, which incorporates a State-based voluntary charity tax credit, charity donations protection, liability reform. We have an economic empowerment component, which incorporates a number of empowerment initiatives that have been discussed and talked about over the years. These will be discussed by other members of the Renewal Alliance. We have educational opportunity for low-income families. This real-life initiative by the Renewal Alliance has narrowed its scope to three essential components as a means of demonstrating the effectiveness of these initiatives.

Before I yield to other members of the Renewal Alliance—and I note that Senator ABRAHAM, a key member of our Alliance, is here and ready to speak—let me briefly discuss the community renewal portion of the package we are introducing today.

The REAL Life Community Renewal Act begins with the belief that social capital, the invisible elements of trust, cooperation, and mutual support that undergird communities life, have been severely damaged by 30 years of misguided Government programs. The traditional networks of community action and caring anchored in churches, schools, and volunteer programs have been displaced by Government programs. Too much money and too little wisdom have combined to wreak havoc in urban neighborhoods. We seek to repair that damage done by the Great Society by shifting authority and resources out of Government and into the private, religious, and voluntary groups that know the deepest needs of local neighborhoods. We achieve this through State-based charity tax credit.

We tap a wide range of existing Federal welfare block grants as a funding source for these charity tax credits. The credit is entirely voluntary. It builds up on efforts in the States to find innovative approaches for the delivery of welfare services. Already, Arizona and Pennsylvania and Indiana have either incorporated or are in the process of incorporating charity tax credits as a way to provide incentives for contributions to these organizations.

As I said, we also contain provisions which will strengthen charities through enhanced liability protections and also to prevent IRS actions against these organizations to allow them to better do their mission. Others here this morning will speak in greater detail about the economic empowerment and educational opportunities sessions of our proposal.

The bottom line is this: After 30 years of experiments with top-down Federal poverty strategies and an enormous expenditure of money, the returns are in. The Great Society approach, the Government-knows-all approach, the Government-can solve-all-your-problems approach, has failed. It has been a failure that has been widespread across this country. Many of the initiatives were well motivated, but the results are in. It is time now for us to look at a new approach, a new approach that makes local leadership, community-based institutions, and neighborhood center reform efforts the heart of our welfare strategy.

I trust that my colleagues will join us in this effort to bring real life to those in greatest need in our society. I could spend the day discussing and talking about initiatives that have taken place in communities across this country where individuals, inspired by nothing more than a dream or a vision, often severely and desperately underfunded, have opened their arms and opened their hearts and opened their doors to provide real support and real help for real people in need. They have done so in a remarkable way.

The Center for the Homeless in South Bend, IN, has combined the efforts of 300 churches spanning the spectrum of denominations and religions. They have utilized the services of the University of Notre Dame, the hospital community of St. Joseph County, and help from volunteers from all walks of life, and put together a model homeless shelter which has a six-part, 2-year strategy of taking homeless individuals and turning them into homeowners, restoring their lives, and, in the process, restoring neighborhoods and restoring communities. It is one of the most remarkably efficient and effective efforts that I have witnessed.

But the story is repeated all across the State of Indiana in initiative after initiative. The Matthew 25 clinic in Fort Wayne, IN, a combination of doctors, dentists, and nurses, on a volunteer basis, is reaching out and established a clinic, providing medical care and help to low-income individuals who are not insured and don't have opportunities for medical treatment in the normal course of things. They have made a remarkable difference in our community. It is not a Federal program; it has nothing to do with a Federal program; there are no Federal funds. It is voluntary efforts by the community of medical personnel in our city. Whether it is a maternity home, a home for girls, a spouse abuse shelter, any of a number of programs, they are duplicated and replicated in virtually every city in America. Yet, they are struggling, struggling because, as I said, after 30 years of Federal initiatives, their efforts have been almost overwhelmed by the well-intended, well-meaning, extraordinarily expensive, and incredibly low-result efforts of the Federal Government. It is this problem that we are trying to address.

This doesn't have to be a partisan issue. This is something Republicans and Democrats can come together on. I believe liberals, who have been well-motivated and well-intended, have seen the dismal results of their efforts and are looking for an alternative. And those conservatives who say, ''Let this sort itself out; after all, it is an issue of personal responsibility and there is nothing Government should be involved in,'' I think are ignoring the fact that some of these institutions that are so essential to helping in this process need support and need to be rebuilt.

This is not a new, massive Federal program, this is simply some startup initiatives to point the way and, hopefully, to encourage the support and development of these non-Government institutions.

My colleague from Michigan is on the floor, Senator ABRAHAM, who has been instrumental in helping to develop the REAL Life initiative. I am pleased to yield time to him to explain another component of this particular package.

The PRESIDING OFFICER. The distinguished Senator from Michigan is recognized.

Mr. ABRAHAM. Mr. President, I would like to begin by thanking Senator COATS for the leadership he has provided. Even before there was such a thing as the Renewal Alliance, Senator COATS was, in a variety of contexts, bringing forth the arguments in the case that he has begun to present here today. I think the existence of his efforts and the various projects he has worked on was really the basis upon which a lot of us thought it made sense to begin working on a joint venture, the Renewal Alliance agenda that we are presenting today.

I would like to discuss a piece of legislation that has to do with an important part of the Renewal Alliance agenda. This is a bill which provides economic empowerment in economically distressed areas. It is part of an effort by a number of us who wish to bring about the revitalization of economically and socially distressed areas in our country, especially in our cities.

Traditional responses to persistent poverty have not been particularly effective. Frankly, even in the best of economic times, we find that certain parts of our communities still don't see significant change and feel that they are left behind—and indeed they are,

economically. On the other hand, at the other end of the spectrum there has been the Government solution approach that we have seen over the last several decades, more than $5 trillion in Government programs. Yet, we have seen very little change in the level of poverty in the country. The fact is that the debate that has occurred over the past 30 years between, on the one hand, the argument that all we need is a strong economy and, on the other hand, all we need are more Government programs, leaves us still short of the mark.

So what the Renewal Alliance has attempted to do is look beyond those traditional responses, believing that across America people have an abundance of desire to help the less fortunate to rebuild our cities and stop moral decay; also believing that too often the Federal Government impedes or fails to promote the community renewal that we need.

We must encourage families, churches, small businesses, and community organizations to take on the hard work of social renewal. How? By reducing Government barriers that are making it difficult for economically distressed areas to improve the quality and conditions of life there and, at the same time, providing incentives so that the culture and the private sector can assist the Government in achieving this objective. Yes, we do need a social safety net for the truly deserving, but that will never give people the opportunity to get out the economically distressed conditions they find themselves in. We must go further.

So what I would like to talk about specifically now is the economic empowerment component of the Renewal Alliance agenda. What we need are new approaches to our urban problems and problems of any community in the country that suffers from economic disadvantage because, as I say, despite the War on Poverty, our cities still face an array of problems.

Illegitimacy in our inner cities is at a record high level, in some areas exceeding 80 percent.

Harvard's Lee Rainwater estimates that by 2000, 40 percent of all American births will occur out of wedlock. And our cities are losing population, as well.

Since the mid-1960s, our largest 25 cities have lost approximately 4 million residents. Too often, the people left behind are the poor.

Half the people in our distressed inner cities lived below the poverty line in 1993.

To address this tragic situation, we propose the ''REAL Life Economic Empowerment Act.'' This legislation would target America's 100 poorest communities and offer pro-growth incentives to create jobs and spur entrepreneurship where it is needed most.

In order to become a renewal community, a community must meet several criteria. First, it must need the assistance. That means people in the area must be experiencing abnormally high rates of poverty and unemployment.

Second, State and local governments must enter into a written contract with neighborhood organizations to reduce taxes and fees, increase the efficiency of local services, formulate and implement crime reduction strategies, and make it easier for charities to operate.

Third, the community must agree not to enforce a number of restrictions on entry into business or occupations, including unnecessary licensing and zoning requirements.

In exchange, the community would receive a number of benefits from the Federal level. Our legislation would zero out capital gains taxes within these empowerment areas, it would increase business expensing, it would give a 20 percent wage credit to businesses hiring qualified workers who were still employed after 6 months, and it would provide tax incentives for entrepreneurs who clean up environmentally contaminated ''brownfield'' sites.

Unlike the administration's current ''empowerment zones,'' our incentives recognize that it is the private sector, not the Federal Government, that must be part of any effort to revitalize our communities.

Mr. President, there will be no boards established to dole out Government patronage, and our legislation will not include the onerous conditions and bureaucratic requirements of current programs. What is more, States and localities will be joining the Federal Government in reducing the burden of Government so that local small businesses can start and grow in distressed areas.

We know that it is these small businesses, from barber shops to local grocery stores, that often serve as the glue holding communities together. Not only do these small businesses provide jobs, they also provide places where people can meet one another to exchange news and keep in touch with local events and other job opportunities. It is crucial that we seed our distressed areas with businesses like these so that residents can pull their communities together and work toward a better life.

Mr. President, in short, what we hope to do with our legislation is to provide the incentives so that small entrepreneurial enterprises can develop in areas where there is currently significant economic distress. Therefore, the jobs being created will be created where the people are who don't have jobs. Right now, the biggest impediment to creating jobs is to create conditions in which entrepreneurship can exist. That means cleaning up contaminated brownfield sites, it means providing access to capital so small businesses can begin and flourish, it means making sure that Government regulations and rules aren't so burdensome and onerous that even the best-intentioned small business person can't even open their enterprise. The only way that is going to happen is if we have State, local, and Federal teams working together in the fashion that our legislation suggests.

The suggestion that this can work is, I think, abundantly clear if one looks to just existing examples of this going on in the country today. In our State of Michigan, under Governor John Engler, we have launched several extraordinarily interesting initiatives along these lines—one called the Renaissance Zone Concept, which essentially does the same thing we are proposing in this legislation; it just doesn't have the Federal component. Obviously, the State could not include us in the mix. But what the State has done is to say that, within a certain number of zones in the State, in economically distressed areas—and they range from inner-cities to rural areas, Mr. President—we will dramatically reduce the burdens of taxes and regulations in order to try to stimulate economic development. And we are doing that with tremendous results.

Another approach that is somewhat similar is being done in an effort to get people off of the welfare rolls and onto the job rolls. In fact, we have a country in Michigan which, because of this kind of State and local cooperative effort, the county of over 200,000 people has virtually nobody left on the welfare rolls because of the innovative approach that is being taken.

It is time to learn from these ''laboratories,'' these experiences at the State level. We believe this legislation moves us in that direction. So as we proceed forward with this Renewal Alliance agenda, I intend to work very hard on that component of it to find us economic empowerment. We want to give the Members of the Senate a chance to decide whether or not the business-as-usual approach is the way we want to enter the 21st century, or whether we want to augment what we do in Federal programs, as well as private sector initiatives, by providing, through the legislation we will offer, an opportunity to reduce the impediments to starting new business opportunities in our economically distressed areas, as well as providing incentives to create more of those businesses that obviously provide more people with a chance to get on the first rung of the economic ladder.

Mr. President, let me conclude, because other members of the Alliance are here. I thank Senator COATS for his leadership on this. I look forward to working with all of our colleagues as we try to move this agenda forward this year.

Mr. COATS. Mr. President, I thank the Senator from Michigan for his invaluable contributions to this effort. I now turn to another key member of our Renewal Alliance, someone who has offered additional invaluable contributions, for further explanation of the package we are introducing, Senator SANTORUM of Pennsylvania.

The PRESIDING OFFICER. The distinguished Senator from Pennsylvania is recognized.

Mr. SANTORUM. I thank the distinguished Presiding Officer for his recognition.

Mr. President, let me thank Senator COATS for his tremendous leadership on what is, really, a new paradigm. Those listening to the debate on the Senate floor and the discussion of the Renewal Alliance agenda—renewal, empowerment, achievement learning for life—may be hearing some things for the first time, as to a different approach.

One of the things that I know Senator COATS talked about and, in a sense, schooled many of us in here on this side of the aisle and on the other side of the aisle, I might add, is the importance of understanding the problems of this country, the real intractable problems, the ones that we sort of don't believe that there are any quick fixes to and are not going to be fixed in Washington. In fact, many of us would argue that many were exacerbated by attempts by Washington to fix those problems.

As a result of Senator COATS' urgings, the more I have gotten out into the neighborhoods in the last few years—poor neighborhoods, in particular, in Pennsylvania—to see what works and what doesn't: What are people doing at the local level that is making a difference in people's lives, that is taking absolute hopelessness and despair and turning it into productivity and optimism?

What I see is that, almost without exception, they are not Government programs and, almost without exception, they don't take Government dollars because, in so doing, it would corrupt what works for them because the Government would have some way of dictating to them how this program must work or what hoops they must jump through. And they have designed a program that meets the needs of the people in that community, designed by people in that community who have, in many, if not most, cases experienced the same kind of hopelessness and despair before they arrived where they are today—in a state of now helping those come out of the problems they have.

So what I have learned from my discussions with those very people is that we need to look here in Washington as to how we can help them, help them do the mission—and it is a mission, it is not a job. I don't know of anybody I have met in these communities who is making any money, who is getting a good night's sleep at night, who is profiting in any real financial way from, or any tangible way from, their work, but profiting enormously in the intangibles that are, frankly, the most satisfying.

It is a true labor of love for people in these communities, whether they are in the economic development area, or in the community development area, or in dealing with homelessness, or abused women, or doing a charter school, or running a small parochial school. Whatever the case may be, these are people who are convicted, who care deeply—not about education, not about homelessness, not about drug abuse; they care about that person sitting across the table from them. It is not a macroissue. It is a one-to-one, person-to-person challenge to save someone's life. They do it because they care. They do it because they love that person. That is the magic that no Government program can provide.

What DAN COATS, SPENCER ABRAHAM, and SAM BROWNBACK—those of us who are members of the alliance having looked into the eyes of those who care, not those who appropriate money here in Washington who say we care, but those who are there across the table shedding the tears, holding the hands, embracing those in real pain, those people who care—how can we help them? How can we help the world ministries, the real healing agents of our society to solve those intractable problems that, believe it or not, they solve, and do so so well? How did we help them do it better? How can we help them turn more lives around and replicate the great accomplishments they have made to so many neighborhoods? There isn't a neighborhood in America where there is not at least one person or one organization—whether it is a school or whether it is a rehab center or whether it is a homeless shelter or a soup kitchen—that isn't touching and changing people.

We have come forward with this agenda that is not, as the speaker said before, a Washington-based solution to the problem. But it is, in fact, a way that Washington can, one, get out of the way; two, maybe help with some of the things in a legal sense to get out of the way; three, give financial resources to those organizations that need those resources to either help the community or help the economy; and, next, give resources to the hands of parents and children so they can have the opportunity to hope through an education that gives them the tools to be able to be successful in our society.

But I am going to focus my couple of minutes more to talk in the area of education. I cannot tell you the number of employers I talked to just within the southeastern Pennsylvania area the other day, Philadelphia. Employer after employer, factory or industry, they told me how they desperately need skilled people. They desperately need people who are even semiskilled who can be trained. There are such shortages in the workplace today. Then I asked—the unemployment rate in the city of Philadelphia, the center city, or in Chester, or in Levittown, or places like that is very high, and there is available work? They say, ''Yes, there is. We have job fares. We ask people to apply, and they don't.'' I said, ''Why don't they?'' They said, ''Well, by and large, they don't have the education. They can't, in many cases, fill out applications, or they just simply don't have the education necessary to even meet what is a minimal skilled job.''

The jobs are there. But we just do not have people who are educated enough to take advantage of those opportunities. That is, in fact, a shame, and, as a result of a variety of factors, a breakdown in the family, the breakdown in the community, and, yes, the breakdown of the educational structure.

There are lots of things we can do to solve the first two problems that have been talked about. I am going to talk about the third, which is the breakdown of the education structure. I am not going to profess to you I have the answer—the silver bullet to make public education work in America's poor neighborhoods. I do not have a silver bullet. I can sit up here and suggest a variety of things that may or may not work to solve that intractable problem in educating poor students in poor schools. I do not have that answer off the top of my head. What I do have is a solution that will give children and families the opportunity to send their child to school where they can get a good education tomorrow. We have to step back and say, ''Well, is that good enough?'' Some may say, ''Senator, you are not solving the big problem tomorrow in public education in the poor neighborhoods of our country.'' I will answer, You are right. I am not. I am not going to solve that problem tomorrow. But what I am going to start to do today is to give that young person who may have a dream, or that mother or father who sees the spark in that young child's eye and believes that spark can lead them to somewhere in life if given the educational tools. I am going to give them the chance to get that child a chance. That is all we can do right now—to give them a scholarship, to send them to a school where they will have the opportunity to see that spark catch fire, to feed them what they need to take on the world.

Our program, called Educational Opportunities for Low-Income Families, is to provide scholarships through existing block grants that go to the States right now. We would allow that block grant to be used for scholarships to go to low-income children and 185 percent of poverty and below in the poorest neighborhoods in our country so that it will give low-income kids in poor neighborhoods the opportunity to have a scholarship that pays up to 60 percent of the cost of their tuition and would give them the opportunity to go to school and learn. I think it is a great opportunity for us to help one child at a time. I believe that in the long run helping one child at a time and giving that choice will, in fact, cause dramatic reforms in the whole educational system in those communities.

I have been given the high sign here. I will follow my chairman's lead. Again, I thank Senator COATS for his tremendous leadership on this.

Mr. COATS. Mr. President, it is very difficult to ask the Senator from Pennsylvania to wrap up his remarks because he, obviously, has such a deep-felt and heartfelt passion for these issues. I appreciate his work with us. We are under some time constraint.

I now turn the floor over to the Senator from Kansas, Senator BROWNBACK, who has also been a very key instrumental member of the development of this package.

The PRESIDING OFFICER. The distinguished Senator from Kansas is recognized.

Mr. BROWNBACK. Thank you very much. Mr. President, I am delighted to be able to work with the distinguished Senator from Kansas, who is presiding today, and also the distinguished Senator from Indiana, who has put forth this new alliance. It is a cadre of members who are putting forth these points that we think have not been sufficiently debated nor brought forward in the overall debate in America about what we should do about the crying issues of poverty that has so hit and harmed our Nation in so many places, both urban and rural.

More than 30 years after the United States first declared the War on Poverty, most signs point to failure. The United States has spent hundreds of billions of dollars—by some accounts we have spent nearly $4 trillion—to fight poverty only to find poverty in America has grown more widespread, more entrenched, and more pathological. The solution is not to expand more Government but rather to go a different way, and to say, ''Look, we have tried that route. We have spent nearly $4 trillion trying that route. We have tried every program you possibly can with that route. Maybe there is another way that we should be going.''

This is what the Renewal Alliance, this program, is about—about rewarding self-help and not Government help. It is about encouraging charity rather than encouraging Government. It is about encouraging volunteerism rather than putting more people on the taxpayer rolls to solve problems that we have failed to be able to solve. Family breakdown, crime, poor education performance, and a lack of opportunity in the inner cities, and many other areas, including many rural areas, are now national problems. But many of the solutions are to be found on a local level and not in Washington, through personal contacts that people can make between individuals and the dedicated involvement of families, churches, schools, and neighborhood associations. These small groups, not big Government, but rather small groups, often referred to as the ''little platoons'' in a civil society, can often accomplish what no Government program could dream of or ever been able to do. They have the soft hearts and the willing hands to be able to reach out and touch people directly in a community where they are in there with the families working with them.

Last December, I had the chance to visit several of these small, private charities in my home State of Kansas. To me, they are living proof of the amazing effectiveness of small, local charities that lead with heart, that lead with love.

Mr. President, in this very body, in this very room, as you enter into the main doorway coming in here, there is a sign above the door mantle which reads ''In God We Trust.'' As I visited these small charities in Kansas, I was reminded at that time and was thinking about how many people say that versus how many people do that. These are charities, which ''In God We Trust'' they live every day.

I visited Good Samaritan Clinic in Wichita, which serves around 300 patients a month from Wichita's poorest neighborhood. This tiny clinic operates on less than a shoestring budget. With the exception of a fax machine and one piece of furniture, everything in the clinic is donated. The clinic's staff, a dedicated and accomplished group of doctors, are mostly volunteers. They are reaching out and touching people, and helping and healing people with their skills and with their hearts.

I visited the Topeka Rescue Mission and the Union Rescue Mission of Wichita, both of which serve thousands of people each year.

These missions are not merely assigning people to bunks, but they challenge them personally and spiritually, and they are challenged to change their hearts and their souls along with helping them out in their lives.

I visited the Crisis Pregnancy Outreach Program in Topeka and a maternity home in Wichita and saw firsthand the love and personal attention devoted to each woman who passes through those doors.

Contrast that with the large Government solution that we have tried for the past 30 years that gets millions of people flowing through the door but constantly keeps them flowing back out the door and never really changes things in a person's life, continues to hand them something but doesn't put arms around them and hug them, doesn't put arms around them and give them heart and soul and say, ''Here is my phone number; call anytime.''

It is not that we don't have a lot of good and dedicated servants; we do, but they are limited in what they can do. This is a mission for them. They must not see the number of people who are walking through; they must see a soul at a time. They must see another and another, to reach out and touch and help them. We need to encourage these groups and not discourage them.

As the past 35 years of our history has shown, the Federal Government is limited in its capacity to solve the problems of poverty and pathology, But it can eliminate perverse incentives that reward irresponsibility and fuel the flight of capital from the inner cities, and it can encourage entrepreneurialism, charitable giving and investment in the inner cities and its inhabitants, investment in the inhabitants of those areas and rural areas as well. It can do these things and it should. And through the renewal alliance REAL Life legislation, it will.

That is why I am delighted to be associated with the Senator from Indiana in this package that we have put forward. It is a different way. It is a way that people every day are proving can and is working, and we need to encourage it and lift it up and move it forward. I am delighted to be a part of this legislation.

Mr. COATS. Mr. President, I thank the Senator from Kansas for his invaluable support and effort in helping craft this legislation.

Mr. President, I know the time allocated to us is just about up.

I send to the desk three pieces of legislation, one that I am introducing, another that Senator ABRAHAM is introducing, and a third that Senator SANTORUM is introducing, all of which encompass the three major components of the renewal alliance package. I would ask for its immediate referral.

Mr. President, I also ask unanimous consent if it is possible—a qualified unanimous consent request—to have these numbered sequentially since these three pieces of legislation are part of a package. If it is possible, we would like to have them numbered consecutively.

The PRESIDING OFFICER. Is there an objection? The Chair hears none, and the bills will be so numbered. They will be received and appropriately referred.

Mr. COATS. Mr. President, I believe that wraps up our time. I think the Senator from Iowa is in the Chamber prepared to speak within a moment or two. Let me ask unanimous consent for 2 additional minutes to wrap up.

The PRESIDING OFFICER. The Senator has 2 additional remaining on his time.

Mr. COATS. That is propitious then. The Senator will take all 2 of those minutes. I thank the Chair.

Mr. President, in summary, let me state that what we are attempting to accomplish here is a third alternative. We believe that the well-intentioned, well-motivated programs of the past, at great cost to the taxpayers, have failed to successfully address some of the most difficult social problems facing our Nation, and particularly problems facing low-income urban communities where in many situations nothing but crime and drugs are the prevalent activities of those organizations. By the same token, the argument that no Federal policy is the best policy to address these problems is something that we as a group cannot accept.

We think this third alternative, providing REAL Life meaningful solutions to the areas of community renewal, economic empowerment and educational opportunities for low-income families offers real hope. It does so not through Government organizations,

Government structures or even significant Government funding. It does so by encouraging those community volunteer, nonprofit, often faith-based organizations that already exist and should exist in greater numbers to take a much greater role in addressing these problems. We want to make the Federal Government not the dominant partner but a junior partner, an entity that can assist through the provision of Tax Code changes, primarily tax credits and other incentives, to encourage individuals and other organizations to contribute to these nonprofit groups to allow them to do a better job. They have demonstrated success at an efficiency rate and at a cost-effectiveness that far exceeds those current programs in place.

Are we calling for a dismantling of the safety net? No, we are not. We are calling for a better use of dollars, a better commitment, stronger commitment to organizations which have demonstrated real success in providing hope to individuals, transformation and renewal of communities.

Mr. President, I believe the time is probably expired, and with that I yield the floor and encourage my colleagues to take a look at the REAL Life Renewal Alliance initiative which we are happy to provide and discuss with our colleagues.

By Ms. MIKULSKI (for herself and Mr. FAIRCLOTH):

S. 1997. A bill to protect the right of a member of a health maintenance organization to receive continuing care at a facility selected by that member; to the Committee on Labor and Human Resources.

THE ''SENIORS' ACCESS TO CONTINUING CARE ACT OF 1998''

Ms. MIKULSKI. Mr. President, I rise today to introduce the ''Seniors' Access to Continuing Care Act of 1998'', a bill to protect seniors' access to treatment in the setting of their choice and to ensure that seniors who reside in continuing care communities, and nursing and other facilities have the right to return to that facility after a hospitalization.

As our population ages, more and more elderly will become residents of various long term care facilities. These include independent living, assisted living and nursing facilities, as well as continuing care retirement communities, which provide the entire continuum of care. In Maryland alone, there are over 12,000 residents in 32 continuing care retirement communities and 24,000 residents in over 200 licenced nursing facilities.

I have visited many of these facilities and have heard from both residents and operators. They have told me about a serious and unexpected problem encountered with returning to their facility after a hospitalization. Many individuals have little choice when entering a nursing facility. They do so because it is medically necessary, because they need a high level of care that they can no longer receive in their homes or in a more independent setting, such as assisted living. But residents are still able to form relationships with other residents and staff and consider the facility their ''home''.

More and more individuals and couples are choosing to enter continuing care communities because of the community environment they provide. CCRC's provide independent living, assisted living and nursing care, usually on the same campus—the Continuum of Care. Residents find safety, security and peace of mind. They often prepay for the continuum of care. Couples can stay together, and if one spouse needs additional care, it can be provided right there, where the other spouse can remain close by.

But hospitalization presents other challenges. Hospitalization is traumatic for anyone, but particularly for our vulnerable seniors. We know that having comfortable surroundings and familiar faces can aid dramatically in the recovery process. So, we should do everything we can to make sure that recovery process is not hindered.

Today, more and more seniors are joining managed care plans. This trend is likely to accelerate given the expansion of managed care choices under the 1997 Balanced Budget Act. As more and more decisions are made based on financial considerations, choice often gets lost. Currently, a resident of a continuing care retirement community or a nursing facility who goes to the hospital has no guarantee that he or she will be allowed by the MCO to return to the CCRC or nursing facility for post acute follow up care.

The MCO can dictate that the resident go to a different facility that is in the MCO network for that follow up care, even if the home facility is qualified and able to provide the needed care.

Let me give you a few examples:

In the fall of 1996, a resident of Applewood Estates in Freehold, New Jersey was admitted to the hospital. Upon discharge, her HMO would not permit her to return to Applewood and sent her to another facility in Jackson. The following year, the same thing happened, but after strong protest, the HMO finally relented and permitted her to return to Applewood. She should not have had to protest, and many seniors are unable to assert themselves.

A Florida couple in their mid-80's were separated by a distance of 20 miles after the wife was discharged from a hospital to an HMO-participating nursing home located on the opposite side of the county. This was a hardship for the husband who had difficulty driving and for the wife who longed to return to her home, a CCRC. The CCRC had room in its skilled nursing facility on campus. Despite pleas from all those involved, the HMO would not allow the wife to recuperate in a familiar setting, close to her husband and friends. She later died at the HMO nursing facility, without the benefit of frequent visits by her husband and friends.

An elderly couple in Riverside, California encountered the same problem when the husband was discharged from the hospital and retained against her will at the HMO skilled nursing facility instead of the couple's community. At 25 miles apart, it was impossible for his wife and friends to visit at a time when he needed the tenderness and compassion of loved ones.

Another Florida woman, a resident of a CCRC fractured her hip. Her HMO wanted her to move into a nursing home for treatment. She refused to abandon her home and received the treatment at the CCRC. Her HMO refused to pay for the treatment, so she had to pay out of her pocket.

Collington Episcopal Life Care Community, in my home state of Maryland, reports ongoing problems with its frail elderly having to obtain psychiatric services, including medication monitoring, off campus, even though the services are available at Collington—how disruptive to good patient care!

On a brighter note, an Ohio woman's husband was in a nursing facility. When she was hospitalized, and then discharged, she was able to be admitted to the same nursing facility because of the Ohio law that protected that right.

Seniors coming out of the hospital should not be passed around like a baton. Their care should be decided based on what is clinically appropriate, not what is financially mandated. Why is that important? What are the consequences?

Residents consider their retirement community or long term care facility as their home. And being away from home for any reason can be very difficult. The trauma of being in unfamiliar surroundings can increase recovery time. The staff of the resident's ''home'' facility often knows best about the person's chronic care and service needs. Being away from ''home'' separates the resident from his or her emotional support system.

Refusal to allow a resident to return to his or her home takes away the person's choice. All of this leads to greater recovery time and unnecessary trauma for the patient.

And should a woman's husband have to hitch a ride or catch a cab in order to see his recovering spouse if the facility where they live can provide the care? No. Retirement communities and other long term care facilities are not just health care facilities. They provide an entire living environment for their residents, in other words, a home. We need to protect the choice of our seniors to return to their ''home'' after a hospitalization. And that is what my bill does.

It protects residents of CCRC's and nursing facilities by: enabling them to return to their facility after a hospitalization; and requiring the resident's insurer or managed care organization (MCO) to cover the cost of the care, even if the insurer does not have a contract with the resident's facility.

In order for the resident to return to the facility and have the services covered by the insurer or MCO: 1. The service to be provided must be a service that the insurer covers; 2. The resident must have resided at the facility before hospitalization, have a right to return, and choose to return; 3. The facility must have the capacity to provide the necessary service and meet applicable licensing and certification requirements of the state; 4. The facility must be willing to accept substantially similar payment as a facility under contract with the insurer or MCO.

My bill also requires an insurer or MCO to pay for a service to one of its beneficiaries, without a prior hospital stay, if the service is necessary to prevent a hospitalization of the beneficiary and the service is provided as an additional benefit. Lastly, the bill requires an insurer or MCO to provide coverage to a beneficiary for services provided at a facility in which the beneficiary's spouse already resides, even if the facility is not under contract with the MCO, provided the other requirements are met.

In conclusion, Mr. President, I am committed to providing a safety net for our seniors—this bill is part of that safety net. Seniors deserve quality, affordable health care and they deserve choice. This bill offers those residing in retirement communities and long term care facilities assurance to have their choices respected, to have where they reside recognized as their ''home'', and to be permitted to return to that ''home'' after a hospitalization. It ensures that spouses can be together as long as possible. And it ensures access to care in order to prevent a hospitalization. I urge my colleagues to join me in passing this important measure to protect the rights of seniors and their access to continuing care.

By Mr. HATCH (for himself, Mr. BENNETT, and Mr. BINGAMAN):

S. 1998. A bill to authorize an interpretive center and related visitor facilities within the Four Corners Monument Tribal Park, and for other purposes; to the Committee on Indian Affairs.

THE FOUR CORNERS INTERPRETIVE CENTER ACT

Mr. HATCH. Mr. President, I rise today to introduce legislation that would authorize an interpretive center and visitor facilities at the Four Corners National Monument. As my colleagues know, Four Corners is the only place in our country where four state boundaries meet. Over a quarter of a million people visit this monument every year.

The Four Corners area is also unique for reasons other than the political boundaries of four states. Once inhabited by the earliest Americans, the Anaxazi, this area is rich in historical, archaeological,and cultural significance as well as natural beauty.

Currently, however, there is nothing at Four Corners that would help visitors to fully appreciate and learn about the area. And, at a national monument that has 250,000 visitors a year, one would expect certain basic facilities to exist—restrooms, for example. But, there is no electricity, running water, telephone, or permanent structure at Four Corners.

The bill I am introducing today is simple: We propose a Federal matching grant to build an interpretive center and visitor facilities within the boundaries of Four Corners Monument Tribal Park.

We are not suggesting a museum the size of the Guggenheim. But, exhibits on the history, geography, culture, and ecology of the region would significantly enhance the area and Americans' appreciation of this unique part of their country and their heritage. And, I daresay that some very basic guest amenities would enhance their enjoyment of it.

There is, as you can imagine, a great deal of excitement and enthusiasm for this project from many fronts. Currently, the Monument is operated as one of the units of the Navajo Nation Parks and Recreation Department. And, since there has been so much debate about ''monuments'' recently, I should clarify that the Four Corners ''Monument'' is merely a slightly elevated concrete slab at the juncture of our four states.

The Navajo Nation owns the land in the Arizona, New Mexico, and Utah quarters and the Ute Mountain Ute Tribe owns the quarter in Colorado. Although the Navajo Nation and the Ute Mountain Ute Tribe are fully supportive of the project and have entered into an agreement with one another in order to facilitate planning and development at the Four Corners Monument, neither Tribe has the necessary resources to improve the facilities and create an interpretive center at the Monument.

The bill, however, does not contemplate federal government giveaway. The bill requires matching funds from nonfederal sources and for the two tribes to work collaboratively toward the development of a financial management plan. It is intended that the Interpretive Center become fully self-sufficient within five years.

The bill requires that proposals meeting the stated criteria be submitted to the Secretary of the Interior. These criteria include, among other things, compliance with the existing agreements between the Navajo and Ute Mountain Ute Tribes, a sound financing plan, and the commitment of nonfederal matching funds. The federal contribution would not exceed $2.25 million over a 5 year period.

Over the past several years, the Navajo Nation has met with many of the local residents of the area and has found overwhelming support to improve the quality of the services provided at the Four Corners Monument. The local area suffers an unemployment rate of over 50 percent and any development which would create employment opportunities and would encourage visitors to stay longer in the area would be welcomed.

Another important participant in the development of this proposal is the Four Corners Heritage Council. This Council, which was established in 1992 by the governors of the four states, is a coalition of private, tribal, federal, state, and local government interests committed to finding ways to make the economy of the Four Corners region sustainable into the future. The mission of the Heritage Council is to guide the region toward a balance of the sometimes competing interests of economic development, resource preservation, and maintenance of traditional life ways.

Back in 1949, nearly 50 years ago, the governors of the states of Arizona, Colorado, New Mexico, and Utah assembled at the Four Corners in a historic meeting. Each governor sat in their respective state and had what is probably the most unusual picnic lunch in history. They pledged to meet often at the Four Corners Monument to reaffirm their commitment to working together. Clearly, the governors understood that they shared stewardship of a unique piece of western real estate.

Mr. President, the heritage of this area belongs to all Americans. The small investment requested in this legislation will help bring it to life.

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. 1998

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 ''Four Corners Interpretive Center Act''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Four Corners Monument is nationally significant as the only geographic location in the United States where 4 State boundaries meet;

(2) the States with boundaries that meet at the Four Corners area are Arizona, Colorado, New Mexico, and Utah;

(3) between 1868 and 1875 the boundary lines that created the Four Corners were drawn, and in 1899 a monument was erected at the site;

(4) a United States postal stamp will be issued in 1999 to commemorate the centennial of the original boundary marker;

(5) the Four Corners area is distinct in character and possesses important historical, cultural, and prehistoric values and resources within the surrounding cultural landscape;

(6) although there are no permanent facilities or utilities at the Four Corners Monument Tribal Park, each year the park attracts approximately 250,000 visitors;

(7) the area of the Four Corners Monument Tribal Park falls entirely within the Navajo Nation or Ute Mountain Ute Tribe reservations;

(8) the Navajo Nation and the Ute Mountain Ute Tribe have entered into a Memorandum of Understanding governing the planning and future development of the Four Corners Monument Tribal Park;

(9) in 1992 through agreements executed by the governors of Arizona, Colorado, New Mexico, and Utah, the Four Corners Heritage Council was established as a coalition of State, Federal, tribal, and private interests;

(10) the State of Arizona has obligated $45,000 for planning efforts and $250,000 for construction of an interpretive center at the Four Corners Monument Tribal Park;

(11) numerous studies and extensive consultation with American Indians have demonstrated that development at the Four Corners Monument Tribal Park would greatly benefit the people of the Navajo Nation and the Ute Mountain Ute Tribe;

(12) the Arizona Department of Transportation has completed preliminary cost estimates that are based on field experience with rest-area development for the construction of a Four Corners Monument Interpretive Center and surrounding infrastructure, including restrooms, roadways, parking, water, electrical, telephone, and sewage facilities;

(13) an interpretive center would provide important education and enrichment opportunities for all Americans.

(14) Federal financial assistance and technical expertise are needed for the construction of an interpretive center.

(b) PURPOSES.—The purposes of this Act are—

(1) to recognize the importance of the Four Corners Monument and surrounding landscape as a distinct area in the heritage of the United States that is worthy of interpretation and preservation;

(2) To assist the Navajo Nation and the Ute Mountain Ute Tribe in establishing the Four Corners Interpretive Center and related facilities to meet the needs of the general public;

(3) To highlight and showcase the collaborative resource stewardship of private individuals, Indian tribes, universities, Federal agencies, and the governments of States and political subdivisions thereof (including counties);

(4) to promote knowledge of the life, art, culture, politics, and history of the culturally diverse groups of the Four Corners region.

SEC. 3. DEFINITIONS.

As used in this Act—

(1) CENTER.—The term ''Center'' means the Four Corners Interpretive Center established under section 4, including restrooms, parking areas, vendor facilities, sidewalks, utilities, exhibits, and other visitor facilities.

(2) FOUR CORNERS HERITAGE COUNCIL.—The term ''Four Corners Heritage Council'' means the nonprofit coalition of Federal, State, and tribal entities established in 1992 by agreements of the Governors of the States of Arizona, Colorado, New Mexico, and Utah.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) RECIPIENT.—The term ''Recipient'' means the State of Arizona, Colorado, New Mexico, or Utah, or any consortium of two or more of these states.

(5) FOUR CORNERS MONUMENT.—The term ''Four Corners Monument'' means the physical monument where the boundaries of the states of Arizona, Colorado, New Mexico and Utah meet.

(6) FOUR CORNERS MONUMENT TRIBAL PARK.—The term ''Four Corners Monument Tribal Park'' means lands within the legally defined boundary of the Four Corners Monument Tribal Park.

SEC. 4. FOUR CORNERS MONUMENT INTERPRETIVE CENTER.

(a) ESTABLISHMENT.—Subject to the availability of appropriations, the Secretary is authorized to establish within the boundaries of the Four Corners Monument Tribal Park a center for the interpretation and commemoration of the Four Corners Monument, to be known as the ''Four Corners Interpretive Center.''

(b) Land for the Center shall be designated and made available by the Navajo Nation or the Ute Mountain Ute Tribe within the boundary of the Four Corners Monument Tribal Park in consultation with the Four Corners Heritage Council and in accordance with—

(1) the memorandum of understanding between the Navajo Nation and the Ute Mountain Ute Tribe that was entered into on October 22, 1996; and

(2) applicable supplemental agreements with the Bureau of Land Management, the National Park Service, the United States Forest Service.

(c) CONCURRENCE.—Notwithstanding any other provision of this Act, no such center shall be established without the consent of the Navajo Nation and the Ute Mountain Ute Tribe.

(d) COMPONENTS OF CENTER.—The Center shall include—

(1) a location for permanent and temporary exhibits depicting the archaeological, cultural, and natural heritage of the Four Corners region;

(2) a venue for public education programs;

(3) a location to highlight the importance of efforts to preserve southwestern archaeological sites and museum collections;

(4) a location to provide information to the general public about cultural and natural resources, parks, museums, and travel in the Four Corners region; and

(5) visitor amenities including restrooms, public telephones, and other basic facilities.

SEC. 5. CONSTRUCTION GRANT.

(a) GRANT.—The Secretary is authorized to award a Federal grant to the Recipient described in section 3(4) for up to 50 percent of the cost to construct the Center. To be eligible for the grant, the Recipient shall provide assurances that—

(1) The non-Federal share of the costs of construction is paid from non-Federal sources. The non-Federal sources may include contributions made by States, private sources, the Navajo Nation and the Ute Mountain Ute Tribe for planning, design, construction, furnishing, startup, and operational expenses.

(2) The aggregate amount of non-Federal funds contributed by the States used to carry out the activities specified in subparagraph (A) will not be less than $2,000,000, of which each of the states that is party to the grant will contribute equally in cash or in kind.

(3) States may use private funds to meet the requirements of paragraph (2).

(4) The State of Arizona may apply $45,000 authorized by the State of Arizona during fiscal year 1998 for planning and $250,000 that is held in reserve by that State for construction towards the Arizona share.

(b) GRANT REQUIREMENTS.—In order to receive a grant under this Act, the Recipient shall—

(1) submit to the Secretary a proposal that meets all applicable—

(A) laws, including building codes and regulations;

(B) requirements under the Memorandum of Understanding described in paragraph (2) of this subsection; and

(C) provides such information and assurances as the Secretary may require.

(2) The Recipient shall enter into a Memorandum of Understanding (MOU) with the Secretary providing—

(A) a timetable for completion of construction and opening of the Center;

(B) assurances that design, architectural and construction contracts will be competitively awarded;

(C) specifications meeting all applicable Federal, State, and local building codes and laws;

(D) arrangements for operations and maintenance upon completion of construction;

(E) a description of center collections and educational programming;

(F) a plan for design of exhibits including, but not limited to, collections to be exhibited, security, preservation, protection, environmental controls, and presentations in accordance with professional museum standards;

(G) an agreement with the Navajo Nation and the Ute Mountain Ute Tribe relative to site selection and public access to the facilities;

(H) a financing plan developed jointly by the Navajo Nation and the Ute Mountain Ute Tribe outlining the long-term management of the Center, including but not limited to—

(i) the acceptance and use of funds derived from public and private sources to minimize the use of appropriated or borrowed funds;

(ii) the payment of the operating costs of the Center through the assessment of fees or other income generated by the Center;

(iii) a strategy for achieving financial self-sufficiency with respect to the Center by not later than 5 years after the date of enactment of this Act; and

(iv) defining appropriate vendor standards and business activities at the Four Corners Monument Tribal Park.

SEC. 6. SELECTION OF GRANT RECIPIENT.

The Secretary is authorized to award a grant in accordance with the provisions of this Act. The Four Corners Heritage Council may make recommendations to the Secretary on grant proposals regarding the design of facilities at the Four Corners Monument Tribal Park.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

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

(1) $2,000,000 for fiscal year 1999;

(2) $50,000 for each of fiscal years 2000–2004 for maintenance and operation of the Center, program development, or staffing in a manner consistent with the requirements of section 5(b).

(b) CARRYOVER.—Any funds made available under this section that are unexpended at the end of the fiscal year for which those funds are appropriated may be used by the Secretary through fiscal year 2001 for the purposes for which those funds were made available.

(c) RESERVATION OF FUNDS.—The Secretary may reserve funds appropriated pursuant to this Act until a proposal meeting the requirements of this Act is submitted, but no later than September 30, 2000.

SEC. 8. DONATIONS.

Notwithstanding any other provision of law, for purposes of the planning, construction, and operation of the Center, the Secretary may accept, retain, and expend donations of funds, and use property or services donated from private persons and entities or from public entities.

SEC. 9. STATUTORY CONSTRUCTION.

Nothing in this Act is intended to abrogate, modify, or impair any right or claim of the Navajo Nation or the Ute Mountain Ute Tribe, that is based on any law (including any treaty, Executive order, agreement, or Act of Congress).

Mr. BINGAMAN. Mr. President, I am pleased to rise today to co-sponsor this important legislation introduced by my friend from Utah, Senator HATCH. The bill authorizes the construction of an interpretive visitor center at the Four Corners Monument. As I am sure

all senators know, the Four Corners is the only place in America where the boundaries of four states meet in one spot. The monument is located on the Navajo and Ute Mountain Ute Reservations and operated as a Tribal Park. Nearly a quarter of a million people visit this unique site every year. However, currently there are no facilities for tourists at the park and nothing that explains the very special features of the Four Corners region. The bill authorizes the Department of the Interior to contribute $2 million toward the construction of a much needed interpretive center for visitors.

Mr. President, the Four Corners Monument is more than a geographic curiosity. It also serves as a focal point for some of the most beautiful landscape and significant cultural attractions in our country. An interpretive center will help visitors appreciate the many special features of the region. For example, within a short distance of the monument are the cliff dwellings of Mesa Verde, Colorado; the Red Rock and Natural Bridges areas of Utah; and in Arizona, Monument Valley and Canyon de Chelly. The beautiful San Juan River, one of the top trout streams in the Southwest, flows through Colorado, New Mexico, and Utah.

In my state of New Mexico, both the legendary mountain known as Shiprock and the Chaco Canyon Culture National Historical Park are a short distance from the Four Corners.

Mr. President, Shiprock is one of the best known and most beautiful landmarks in New Mexico. The giant volcanic monolith rises nearly 2,000 feet straight up from the surrounding plain. Ancient legend tells us the mountain was created when a giant bird settled to earth and turned to stone. In the Navajo language, the mountain is named Tse' bi t'ai or the Winged Rock. Early Anglo settlers saw the mountain's soaring spires and thought they resembled the sails of a huge ship, so they named it Shiprock.

The Four Corners is also the site of Chaco Canyon. Chaco was an important Anasazi cultural center from about 900 through 1130 A.D. Pre-Columbian civilization in the Southwest reached its greatest development there. The massive stone ruins, containing hundreds of rooms, attest to Chaco's cultural importance. As many as 7,000 people may have lived at Chaco at one time. Some of the structures are thought to house ancient astronomical observatories to mark the passage of the seasons. The discovery of jewelry from Mexico and California and a vast network of roads is evidence of the advanced trading carried on at Chaco. Perhaps, the most spectacular accomplishment at Chaco was in architecture. Pueblo Bonito, the largest structure, contains more than 800 rooms and 32 kivas. Some parts are more than five stories high. The masonry work is truly exquisite. Stones were so finely worked and fitted together that no mortar was needed. Remarkably all this was accomplished without metal tools or the wheel.

Mr. President, 1999 marks the centennial year of the first monument at the Four Corners. An interpretive center is urgently needed today to showcase the history, culture, and scenery of this very special place. New facilities at the monument will attract visitors and help stimulate economic development throughout the region. I am pleased to co-sponsor this bill with Senator HATCH, and I thank him for his efforts.

ADDITIONAL COSPONSORS

S. 1021

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 1021, a bill to amend title 5, United States Code, to provide that consideration may not be denied to preference eligibles applying for certain positions in the competitive service, and for other purposes.

S. 1180

At the request of Mr. KEMPTHORNE, the name of the Senator from Florida [Mr. MACK] was added as a cosponsor of S. 1180, a bill to reauthorize the Endangered Species Act.

S. 1334

At the request of Mr. BOND, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 1334, a bill to amend title 10, United States Code, to establish a demonstration project to evaluate the feasibility of using the Federal Employees Health Benefits program to ensure the availability of adequate health care for Medicare-eligible beneficiaries under the military health care system.

S. 1413

At the request of Mr. LUGAR, the name of the Senator from Alaska [Mr. MURKOWSKI] was added as a cosponsor of S. 1413, a bill to provide a framework for consideration by the legislative and executive branches of unilateral economic sanctions.

S. 1427

At the request of Mr. FORD, the name of the Senator from Michigan [Mr. ABRAHAM] was added as a cosponsor of S. 1427, a bill to amend the Communications Act of 1934 to require the Federal Communications Commission to preserve lowpower television stations that provide community broadcasting, and for other purposes.

S. 1578

At the request of Mr. MCCAIN, the name of the Senator from Mississippi [Mr. LOTT] was added as a cosponsor of S. 1578, a bill to make available on the Internet, for purposes of access and retrieval by the public, certain information available through the Congressional Research Service web site.

S. 1645

At the request of Mr. ABRAHAM, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of S. 1645, a bill to amend title 18, United States Code, to prohibit taking minors across State lines to avoid laws requiring the involvement of parents in abortion decisions.

S. 1677

At the request of Mr. CHAFEE, the names of the Senator from Kansas [Mr. ROBERTS], the Senator from Georgia [Mr. COVERDELL], the Senator from Iowa [Mr. GRASSLEY], and the Senator from South Carolina [Mr. THURMOND] were added as cosponsors of S. 1677, a bill to reauthorize the North American Wetlands Conservation Act and the Partnerships for Wildlife Act.

S. 1862

At the request of Mr. DEWINE, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 1862, a bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers.

S. 1917

At the request of Mr. DURBIN, the names of the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Illinois [Ms. MOSELEY-BRAUN] were added as cosponsors of S. 1917, a bill to prevent children from injuring themselves and others with firearms.

S. 1963

At the request of Mr. THURMOND, the name of the Senator from South Carolina [Mr. HOLLINGS] was added as a cosponsor of S. 1963, a bill to amend title 10, United States Code, to permit certain beneficiaries of the military health care system to enroll in Federal employees health benefits plans.

SENATE CONCURRENT RESOLUTION 30

At the request of Mr. HELMS, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of Senate Concurrent Resolution 30, a concurrent resolution expressing the sense of the Congress that the Republic of China should be admitted to multilateral economic institutions, including the International Monetary Fund and the International Bank for Reconstruction and Development.

SENATE CONCURRENT RESOLUTION 80

At the request of Ms. MOSELEY-BRAUN, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of Senate Concurrent Resolution 80, a concurrent resolution urging that the railroad industry, including rail labor, management and retiree organization, open discussions for adequately funding an amendment to the Railroad Retirement Act of 1974 to modify the guaranteed minimum benefit for widows and widowers whose annuities are converted from a spouse to a widow or widower annuity.

SENATE CONCURRENT RESOLUTION 83

At the request of Mr. WARNER, the names of the Senator from Indiana [Mr. LUGAR], the Senator from New York [Mr. D'AMATO], the Senator from Georgia [Mr. COVERDELL], the Senator from Alabama [Mr. SHELBY], the Senator from Connecticut [Mr. DODD], the Senator from Wisconsin [Mr. KOHL], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Michigan [Mr. LEVIN], the Senator from New York [Mr. MOYNIHAN], the Senator from Illinois [Ms. MOSELEY-BRAUN], the

Senator from North Carolina [Mr. HELMS], the Senator from Nebraska [Mr. HAGEL], the Senator from Georgia [Mr. CLELAND], the Senator from North Dakota [Mr. DORGAN], the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from Washington [Mr. GORTON], and the Senator from Iowa [Mr. GRASSLEY] were added as cosponsors of Senate Concurrent Resolution 83, a concurrent resolution remembering the life of George Washington and his contributions to the Nation.

SENATE RESOLUTION 193

At the request of Mr. REID, the names of the Senator from Ohio [Mr. DEWINE], the Senator from Maryland [Mr. SARBANES], the Senator from Illinois [Mr. DURBIN], the Senator from California [Mrs. BOXER], the Senator from Utah [Mr. HATCH], and the Senator from Arkansas [Mr. HUTCHINSON] were added as cosponsors of Senate Resolution 193, a resolution designating December 13, 1998, as ''National Children's Memorial Day.''

SENATE RESOLUTION 197

At the request of Mr. REID, the name of the Senator from Minnesota [Mr. WELLSTONE] was added as a cosponsor of Senate Resolution 197, a resolution designating May 6, 1998, as ''National Eating Disorders Awareness Day'' to heighten awareness and stress prevention of eating disorders.

AMENDMENT NO. 1678

At the request of Mr. WARNER the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of amendment No. 1678 intended to be proposed to Treaty No. 105–36, Protocols to the North Atlantic Treaty of 1949 on the accession of Poland, Hungary, and the Czech Republic. These protocols were opened for signature at Brussels on December 16, 1997, and signed on behalf of the United States of America and other parties to the North Atlantic Treaty.

AMENDMENT NO. 1755

At the request of Mr. REED the name of the Senator from Massachusetts [Mr. KENNEDY] was added as a cosponsor of amendment No. 1755 intended to be proposed to S. 1173, a bill to authorize funds for construction of highways, for highway safety programs, and for mass transit programs, and for other purposes.

AMENDMENT NO. 2310

At the request of Mr. KYL the names of the Senator from North Carolina [Mr. HELMS], the Senator from Delaware [Mr. ROTH], the Senator from Oregon [Mr. SMITH], and the Senator from Delaware [Mr. BIDEN] were added as cosponsors of amendment No. 2310 intended to be proposed to Treaty No. 105–36, Protocols to the North Atlantic Treaty of 1949 on the accession of Poland, Hungary, and the Czech Republic. These protocols were opened for signature at Brussels on December 16, 1997, and signed on behalf of the United States of America and other parties to the North Atlantic Treaty.

AMENDMENTS SUBMITTED

PROTOCOLS TO THE NORTH ATLANTIC TREATY OF 1949 ON ACCESSION OF POLAND, HUNGARY, AND THE CZECH REPUBLIC

HARKIN EXECUTIVE AMENDMENT NO. 2312

Mr. HARKIN proposed an amendment to the resolution of ratification for the treaty (Treaty Doc. No. 105–36) protocols to the North Atlantic Treaty of 1949 on the accession of Poland, Hungary, and the Czech Republic. These protocols were opened for signature at Brussels on December 16, 1997, and signed on behalf of the United States of America and other parties to the North Atlantic Treaty; as follows:

In section 3(2)(A), strike ''and'' at the end of clause (ii).

In section 3(2)(A), strike ''(iii)'' and insert ''(iv)''.

In section 3(2)(A), insert after clause (ii) the following:

(iii) any future United States subsidy of the national expenses of Poland, Hungary, or the Czech Republic to meet its NATO commitments, including the assistance described in subparagraph (C), may not exceed 25 percent of all assistance provided to that country by all NATO members.

At the end of section 3(2), insert the following new subparagraph:

(C) ADDITIONAL UNITED STATES ASSISTANCE DESCRIBED.—The assistance referred to in subparagraph (A)(iii) includes—

(i) Foreign Military Financing under the Arms Export Control Act;

(ii) transfers of excess defense articles under section 516 of the Foreign Assistance Act of 1961;

(iii) Emergency Drawdowns;

(iv) no-cost leases of United States equipment;

(v) the subsidy cost of loan guarantees and other contingent liabilities under subchapter VI of chapter 148 of title 10, United States Code; and

(vi) international military education and training under chapter 5 of part II of the Foreign Assistance Act of 1961.

CONRAD (AND BINGAMAN) EXECUTIVE AMENDMENT NO. 2313

(Ordered to lie on the table.)

Mr. CONRAD (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by them to the resolution of ratification for the treaty (Treaty Doc. No. 105–36) protocols to the North Atlantic Treaty of 1949 on the accession of Poland, Hungary, and the Czech Republic. These protocols were opened for signature at Brussels on December 16, 1997, and signed on behalf of the United States of America and other parties to the North Atlantic Treaty; as follows:

At the appropriate place in section 3 of the resolution, insert the following:

( ) NON-STRATEGIC NUCLEAR WEAPONS.—

(A) FINDINGS.—The Senate finds that

(i) the United States Strategic Command has estimated that the Russian Federation has between 7,000 and 12,000 non-strategic nuclear warheads, weapons that—unlike strategic systems—are not covered by any arms control accord;

(ii) the thousands of tactical nuclear warheads inside Russia present the greatest threat of sale or theft of a nuclear weapon in the world today;

(iii) with the number of deployed strategic warheads in the Russian and United States arsenals likely to be reduced to around 2,250 warheads under a START III accord, Russia's vast superiority in tactical nuclear warheads becomes a strategic concern;

(iv) the Commander in Chief of the United States Strategic Command has stated that future nuclear arms control agreements should include tactical nuclear weapons;

(v) statements from Russian officials that NATO enlargement would force Russia to rely more heavily on its nuclear arsenal have caused concern to be expressed that NATO expansion could be an impediment to progress on tactical nuclear arms control; and

(vi) the danger of theft or sale of a tactical nuclear warhead, and the destabilizing strategic implications of Russia's enormous lead in tactical nuclear weapons creates an urgent need for progress on increasing the security of Russia's tactical nuclear arsenal and working toward conclusion of a US-Russian agreement on tactical nuclear arms in Europe.

(B) SENSE OF THE SENATE.—It is the Sense of the Senate that

(i) it would be advisable for future nuclear arms control agreements with the Russian Federation to address non-strategic nuclear weapons in Europe; and

(ii) the Administration should work with the Russian Federation to increase transparency, exchange data, increase warhead security, and facilitate weapon dismantlement.

(C) CERTIFICATION.—Prior to the deposit of the instruments of ratification, the Administration shall certify to the Senate that with regard to non-strategic nuclear weapons

(i) it is the policy of the United States to work with the Russian Federation to increase transparency, exchange data, increase warhead security, and facilitate weapon dismantlement; and,

(ii) that discussions toward these ends have been initiated with the Russian Federation.

(D) REPORT.—Not later than 180 days after the deposit of the instruments of ratification, the President shall submit a report to the Senate on the Russian Federation's non-strategic nuclear arsenal. This report shall include

(i) current data and estimates regarding the current numbers, types, yields, and locations of Russia's non-strategic nuclear weapons;

(ii) an assessment of the extent of the current threat of theft, sale, or unauthorized use of such warheads;

(iii) a plan to work with the Russian Federation to increase transparency, exchange data, increase warhead security, and facilitate weapon dismantlement; and,

(iv) an assessment of the strategic implications of the Russian Federation's non-strategic arsenal.

SMITH (AND) HUTCHISON EXECUTIVE AMENDMENT NO. 2314

Mr. SMITH of New Hampshire (for himself and Mrs. HUTCHISON) proposed an amendment to the resolution of ratification for the treaty (Treaty Doc. No. 105–36) protocols to the North Atlantic Treaty of 1949 on the accession of Poland, Hungary, and the Czech Republic. These protocols were opened for signature at Brussels on December 16, 1997, and signed on behalf of the United States of America and other parties to

the North Atlantic Treaty; as follows: At the appropriate place in section 3 of the resolution, insert the following:

( ) REQUIREMENT OF FULL COOPERATION WITH UNITED STATES EFFORTS TO OBTAIN THE FULLEST POSSIBLE ACCOUNTING OF CAPTURED AND MISSING UNITED STATES PERSONNEL FROM PAST MILITARY CONFLICTS OR COLD WAR INCIDENTS.—Prior to the deposit of the United States instrument of ratification, the President shall certify to Congress that each of the governments of Poland, Hungary, and the Czech Republic are fully cooperating with United States efforts to obtain the fullest possible accounting of captured and missing United States personnel from past military conflicts or Cold War incidents, to include the following:

(A) facilitating full access to relevant archival material; and

(B) identifying individuals who may possess knowledge relative to captured and missing United States personnel, and encouraging such individuals to speak with United States Government officials.

SPECTER (AND TORRICELLI) EXECUTIVE AMENDMENT NO. 2315

(Ordered to lie on the table.)

Mr. SPECTER (for himself and Mr. TORRICELLI) submitted an amendment intended to be proposed by them to the resolution of ratification for the treaty (Treaty Doc. No. 105–36) protocols to the North Atlantic Treaty of 1949 on the accession of Poland, Hungary, and the Czech Republic. These protocols were opened for signature at Brussels on December 16, 1997, and signed on behalf of the United States of America and other parties to the North Atlantic Treaty; as follows:

At the appropriate place in section 2 of the resolution, insert the following:

( ) UNDERSTANDING OF THE SENATE REGARDING PAYMENTS OWED BY POLAND, HUNGARY, AND THE CZECH REPUBLIC TO VICTIMS OF THE NAZIS.—

(A) UNDERSTANDING OF THE SENATE.—It is the understanding of the Senate that in future meetings and correspondence with the governments of Poland, Hungary, and the Czech Republic, the Secretary of State should—

(i) raise the issue of insurance benefits owed to victims of the Nazis (and their beneficiaries and heirs) by these countries as a result of the actions taken by their communist predecessor regimes in nationalizing foreign insurance companies and confiscating their assets in the aftermath of World War II;

(ii) seek to secure a commitment from the governments of these countries to provide a full accounting of the total value of insurance company assets that were seized by their communist predecessors and to share all documents relevant to unpaid insurance claims that are in their possession; and

(iii) seek to secure a commitment from the governments of these countries to contribute to the payment of these unpaid insurance claims in an amount that reflects the present value of the assets seized by the communist governments (and for which no compensation had previously been paid).

(B) DEFINITION.—As used in this paragraph, the term ''victims of the Nazis'' means persons persecuted during the period beginning on March 23, 1933 and ending on May 8, 1945, by, under the direction of, on behalf of, or under authority granted by the Nazi government of Germany or any nation allied with that government.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SMITH of Oregon. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, April 28, 1998, at 9:30 a.m. on year 2000 problem.

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

COMMITTEE ON FINANCE

Mr. SMITH of Oregon. Mr. President, the Finance Committee requests unanimous consent to conduct a hearing on Tuesday, April 28, 1998 beginning at 9:00 a.m. in room 215 Dirksen.

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

COMMITTEE ON THE JUDICIARY

Mr. SMITH of Oregon. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Tuesday, April 28, 1998 at 2:00 p.m. in room 226 of the Senate Dirksen Office Building to hold a hearing on ''S.J. Res. 44, a proposed constitutional amendment to protect crime victims.''

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. SMITH of Oregon. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on Reading and Literacy Initiatives during the session of the Senate on Tuesday, April 28, 1998, at 10:00 a.m.

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

COMMITTEE ON SMALL BUSINESS

Mr. SMITH of Oregon. Mr. President, I ask unanimous consent that the Committee on Small Business be authorized to meet during the session of the Senate for a hearing entitled ''Environmental Compliance Tools for Small Business.'' The hearing will begin at 10:00 a.m. on Tuesday, April 28, 1998, in room 428A Russell Senate Office Building.

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

SUBCOMMITTEE ON FORESTS AND PUBLIC LAND MANAGEMENT

Mr. SMITH of Oregon. Mr. President, I ask unanimous consent that the Subcommittee on Forests and Public Land Management of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Tuesday, April 28, for purposes of conducting a subcommittee hearing which is scheduled to begin at 2:30 p.m. The purpose of this hearing is to receive testimony on S. 326, the Abandoned Hardrock Mines Reclamation Act of 1997; S. 327, the Hardrock Mining Royalty Act of 1997; and S. 1102, the Mining Law Reform Act of 1997.

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

SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE

Mr. SMITH of Oregon. Mr. President, I ask unanimous consent that the Science, Technology, and Space Subcommittee of the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, April 28, 1998, at 2:30 p.m. on Federal research and development.

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

ADDITIONAL STATEMENTS

THE CHALLENGE OF PUBLIC SERVICE

● Mr. JOHNSON. Mr. President, over the past year, some remarkable developments have taken place at the University of South Dakota (USD) involving the advancement of public service. The South Dakota Board of Regents has designated the University as a public service center of excellence,'' the Farber Fund which is committed to assisting students with experiences helpful to a future in public service has continued to grow, and the University's political science program has prospered.

There are a great many people responsible for these positive developments, but undoubtedly the person who has contributed the most, both in terms of effort and vision, has been Dr. W.O. Farber. I have a special fondness for Bill Farber because he was chairman of the USD political science department (then referred to as the government department'') when I was completing my undergraduate work there, and later Dr. Farber was instrumental in assisting me with my graduate studies. But beyond personal friendship, Dr. Farber has become an unequaled institution in our state—a voice for reason, progress and integrity respected by all.

Dr. Farber presented an important lecture this past year at the dedication of Farber Hall in the beautifully restored Old Main on the USD campus. I believe that all Americans would benefit from Dr. Farber's wisdom shared with us at that time and also by the Farber Testament'' which dates to our nation's bicentennial in 1976.

Mr. President, I ask that excerpts of Dr. Farber's speech, ''The Challenge of Public Service'' and the Farber Testament be printed in the RECORD.

Mr. President, I appreciate the opportunity to recognize the contributions Dr. Farber has made to the advancement of public service and I encourage all of my colleagues to take the time to read these important observations.

The material follows:

EXCERPTS OF THE CHALLENGE OF PUBLIC SERVICE

(By Dr. William O. Farber, Professor Emeritus (Political Science), University of South Dakota)

Note.—This lecture, presented August 1, 1997, was the first to be given in the newly dedicated Farber Hall in Old Main. Dr. Farber was introduced by President James Abbott.

USD Alumni and Friends: As you may well imagine, this moment has been on my mind for a long time. H.G. Wells, the fabled historian of my generation, once described the

eternal tragedy of a teacher to be that a teacher is a sower of ''unseen harvests.''

Today, I have the greatest of good fortune. For I am able to witness a ''seen harvest.'' In my wildest fantasy I never thought that some day, on a single spot, I would witness such an assembly of those who, during a sixty-year period, would have brought me such inspiration, challenge, and satisfaction. It is a great day, in this building, in this hall, for us to celebrate.

This is certainly a special event for me for more than one reason. There had been a rumor that there had never been a Farber family, that I had appeared out of nowhere. Here this afternoon are seven Farbers, including two brothers, my special critics. I am especially happy they are here.

The presence of all of you makes me realize the extraordinary nature of USD. The credentials of a university are its alumni and, as I survey this audience, I appreciate that the University of South Dakota has much of which to be proud.

There are those who think that ''politics'' is a dirty word and ''government'' is synonymous with incompetence. But you know and I know better, that ''politics'' is determining the problems facing the world and deciding what can be done to improve humankind's lot, and ''government'' is the agency through which, when individual efforts fail, we collectively make our nation and world a better place in which to live. And that is what democracy and public service are all about.

While you were a student and, even now, I think of us as partners in a goal to improve government and the world. We know that if government is bad, all other human endeavors will fail. We subscribe to the Athenian oath that we will seek to transmit our community to the next generation greater, better, and more beautiful than it was transmitted to us.

We are here today then as partners in an especially important enterprise, as contributors, indispensable contributors, who have made this renovation of Old Main and this event possible. Many of you, like myself, have great memories of this building. I believe a superior restoration job has been done. I am especially proud of the Governors' Balcony. The idea came to me in June 1996, when, on the retirement of Bob Dole from the Senate, the decision was made to designate a Senate Balcony as the Dole Balcony. USD has had ten of its alumni serve as Governor of South Dakota—Norbeck, Gunderson, Jensen, Sharpe, the two Mickelsons, Anderson, Foss, Farrar, and Janklow. I have been fortunate in knowing six of them. They serve as models of what can be done. Students of the future can receive their inspiration in this room as well as this building. We owe much to many.

Fortunately, USD now is at the threshold of what can be a great future. It reminds me of Shakespeare's ''tide in the affairs of men, which taken at the flood leads on to fortune.'' We are now lucky to have a USD graduate as president. I was tempted to say a ''coyote'' for president but somehow that didn't seem quite right. Jim Abbott was a political science major and is a member of the Farber Fund Executive Board. One wonders why we didn't place more emphasis on selecting one of our own sooner. Jim knows the territory.

There are three other developments which bode well for USD in achieving its goals. The Farber Fund is now approaching $1 million in assets and it takes only my death to put it there. (This is not a suggestion.)

The Fund has done much to stimulate ambition among our students and cause them to heighten their goals. The second development, thanks to Ray Aldrich, is the Chiesman Fund for Civic Education, which has over $400,000 to promote civic education through research and public forums. The third is the selection, by the Board of Regents of the Political Science Department's proposal, for a Leadership Training program as a Center of Excellence providing some $340,000 annually, including the recruitment of new staff.

Thus the Political Science Department and the University as a whole have some unusual opportunities in the near future. Already planned for next year is a lecture program, which involves some of you. The initial response from alumni has been excellent. Old Main is to be the center of student activity, an emphasis much to my liking.

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THE BACKGROUND TO KNOW

What is this business about? It's about preparing ourselves and others. There is an awful lot of garbage out there being passed around as information, on the tube, on the web, on the newsstand, and, indeed, in the classroom. We need to ask the right questions. We need to determine priorities. We need to help others to take little for granted.

I had a jolting experience with respect to the background to know. I took a minor in education at Northwestern where I received my BA and MA. To complete the minor, I took ''practice teaching'' and had the luck to do my ''practicing'' at New Trier High School in Winnetka, Illinois. I was an understudy to Laura Ullrich. Although she was a high school teacher, she had a Ph.D. In my evaluation session with her, she was very laudatory, said I had good command of the class, etc. But then she said, ''You have one fault. You don't know your subject.'' That stinging rebuke I have never forgotten. You do need to know your subject. The need for the background to know is imperative. As part of the background to know, you must learn and love to read and write.

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My favorite quote is from Elizabeth Barrett Browning: ''Every common bush is afire with God, but only he who knows, takes off his shoes. The rest sit round it and eat blackberries.'' The point is that it is possible to see in every situation intriguing and challenging forces. But you need to see. And that is what education is all about.

In addition to giving a stimulating lecture for all to hear collectively, the teacher must provide individual recognition. If a student calls for an appointment, I do my best to say, ''Can you come over now.'' The student calls when the problem is disturbing him. I like to go to class early, walking down the aisle in large classes, to invite access.

I came from a family with a strong work ethic. My dad, for some 50 years, owned and worked in a grocery store. . . . I worked in the store on Saturdays and summer during high school and during summers through seven years of college.

The experiences in the grocery store taught me many things. the first is the constant need to be a salesman, including of yourself. When Mrs. Peterson came in the store with her list of needs, I always thought, what does she really need that is not on her list, and I made the applicable suggestion. Now, when a student comes into my purview, I think what is a potential career he or she has not thought about, which might be even better than present goals?

In attaining goals it is important to give encouragement. Some time ago, I was going to Pierre by plane from Sioux Falls. A good looking fellow sat down beside me and said, ''Do you remember me?'' I fumbled and said ''Your face is familiar, but I do not recall your name.'' He identified himself and then said, ''I want to tell you what you did for me. Inside the cover of a bluebook, a test I had taken, you wrote 'It begins to look as though you are getting the hang of it.' You have no idea how encouraged I felt at a time I felt discouraged. I have gone on, graduated, and have a successful business in Sioux Falls and Denver.'' I was happy with the compliment, but then I thought of all the other bluebooks that had deserved a similar statement. The position of a teacher is a delicate one.

One of the things I have done at graduation time has been to encourage students by rewarding them with a token gift. Originally, it was a marble owl from Italy, later an onyx turtle from Mexico, and more recently a Dedo gargoyle from Notre Dame. This past year a former student called me from Boston. ''Doc,'' he said, ''when you gave me a turtle, you said, like the turtle you will only make progress when you stick out your neck. Doc, I've made it, and I want you to know I have kept that turtle in sight for twenty years.''

The background to know, fortunately is now easier to acquire, but at the same time there is much more to know. Thanks to technology we have greatly expanded our ability to know. We have access to global knowledge almost instantly. The shortcuts in acquiring knowledge are many and in this fast world the shortcuts are necessary. If you wanted to, you could get up from your seat, walk out on me here and read parts of my speech later on the Farber Fund web page. In the background to know, you must learn and love to read and write and cherish the value of both. As educators and public servants, we must not only acquire and dispense information, but also develop in ourselves and in others the inner hunger and imagination to use information meaningfully. Thus research in all areas including political science is a must and thankfully the USD Governmental Research Bureau, established in 1939, still exists and continues to provide needed studies in government. The Chiesman grant will make it possible to expand our research activities. It is a wonderful opportunity also for USD to promote civic education through public forums not only in Vermillion but throughout the state.

THE VISION TO SEE

The second important point is for one to have the vision to see. The background to know provides the pieces of the puzzle; as with a jigsaw puzzle, the vision to see puts the pieces in their rightful places.

Vision often comes easily. There are obvious reforms that should be made. In the early thirties Jane Addams, the founder of Hull House in Chicago, pointed out the ridiculousness of the American policy of killing little pigs to decrease supply when we had a nation of 12,000,000 unemployed and people starving. Justice Brandeis used to plead for ''education in the obvious.''

I have been enchanted with how the devil took Jesus to the top of a mountain to show him the kingdoms of the earth.

Thus from time to time we need to get to the mountaintops and examine our own problems. Look at South Dakota. The single most important political fact is our population size, only a bit over 700,000, less than the population of cities like Indianapolis, Phoenix, or San Antonio. Yet here we are to govern the 700,000 saddled with 66 counties, 300 municipalities, 900 township governments, and an increasing number of special districts. It is just plain nuts. Compared to Arizona with 16 counties, we should have 10 at most. Cities with populations of under 500 should be disincorporated. And townships have long since lost their reason for being.

E.A. Ross, a prominent University of Wisconsin sociologist, once said, ''Rural Wisconsin resembles a dried up fish pond with nothing but the bullheads and the suckers left behind.'' I wouldn't put rural South Dakota in

the same category as Wisconsin, but there is no doubt that the drain out of population with two-thirds of our counties losing population every census for the past thirty years has caused a loss of leaders.

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It doesn't take too much vision to see that on the national level we should make certain that every child up to age 18 has adequate medical attention. And the tuition costs of college students are a national disgrace. Even our best and brightest are graduating with debts in many cases of more than $50,000. If China and Cuba can provide free educational and health costs, we, at least, could drastically reduce tuition costs.

In 1935, when I came to South Dakota, I was impressed by the vision of many of the local leaders. Governor Peter Norbeck was still alive and his record of accomplishment and his belief in what government could do was still remembered. In Vermillion, in the midst of a depression, the town could boast of a recently completed municipal swimming poll, a new Union Building, and a new hospital.

I had the good fortune to know Doane Robinson quite well. His vision of South Dakota included the building of the Missouri River dams, widespread irrigation including much of the land east of the Missouri and west of the Jim, extensive electrical power almost certain to attract a Henry Ford plant, and the use of the Missouri for transportation.

Many of these dreams have not been realized, but some have been. I am impressed with the great potential South Dakota has today. Look at Vermillion. The bridge to the south will open up new economic possibilities along the river itself. The example of Gateway stands out as an example for other industries to emulate. The caliber of our labor supply, the low crime rates, the quality of our labor supply, the low crime rates, the quality of living, the educational system, all make the state and its cities attractive places in which to live. Now is the opportune time to set up think tanks in South Dakota. Some of you have expressed a willingness to serve.

What we need for many of our problems is thus the vision to see. It is absurd to think that the governmental structure the founding fathers created in 1787 in Philadelphia, scared by a pending French revolution, is the best possible for the year 2000. And that much of state and local government should remain, two centuries later, relatively unchanged.

But there is another important ingredient to the vision to see. It is to secure human rights and equality of opportunity. One of the memorable events in my life was sitting beside Phil LaFollette at a graduate political science student session. We were considering at length First Amendment rights. He turned to me and said, ''We are discussing the wrong rights. More important than these are the right to feel secure, have a decent job with just compensation, the right to an education, a home and a family.''

Thus, I think we can conclude that while education is the basis of what we need to know and see, there is another important ingredient, to think of human values and the need to be caring. Life is not worth living if there is not a constant concern for others. I am reminded of one of Senator Karl Mundt's favorite quotes: ''The hermit of God who shuts himself in, shuts out more of God, than he shuts in.''

One of the best ways to provide a new dimension to one's vision to see is to be acquainted with a different culture. That is why the encouragement given to students to travel with funds from the Farber Fund has been so significant. One of my favorite quotes, an inscription on the old Pennsylvania Station in Washington, DC, is: ''He who would bring back the wealth of the Indies must first take the wealth of the Indies with him.'' The requirement of a report upon the student's return has helped to implement that advice.

THE WILL TO DO

This brings me to my third and final point, the will to do. Without action, without implementation, all else becomes pointless. But most of us, burdened by needs of everyday life, are reluctant to do more than will make our own life more comfortable. The lesson from Toynbee is the need to insure that our civilization, our government, reflects citizen involvement, so that future developments of the Hitler type can be and will be resisted. That demands participation of a high order, the lack of which even now threatens our government.

What I am pleading for is a will to do, not only for one's own self but as well for one's community, one's state, one's nation, and indeed, the world. None of us attains his fullest potential. We can be more than we are. We should sacrifice what we are for what we can become.

Winston Churchill said, ''we shall never surrender, never, never, never.'' And, ''There are no hopeless situations, only people hopeless about them.'' There is a need for all of us to continuously explore alternatives. There are many ways to skin the proverbial cat.

George Bernard Shaw's famous quotation provides an important clue: ''You see things as they are, and ask 'Why?' But I dream things that never were and ask 'Why not?' '' I am confident that most of you present here today are ''Why not'' leaders. Part of the will to do is to accomplish through others. I have always believed, as you know, that a college education is a partnership between teachers and students and the success of much of life depends on partnerships. And as Pat O'Brien has noted in his essay in *Dig Your Well Before You Are Thirsty*, Farber Fund contributors have been an amazingly successful network.

An essential ingredient of leadership is enthusiasm. A teacher not sold on the importance of the subject is doomed to be a poor stimulator of students. The key to Nelson Rockefeller's success as New York governor was described as his ''exuberance.'' I like Eisenhower's statement: ''It is not the size of the dog in a fight that counts, it is the size of the fight in the dog.''

The will to do involves leadership. I feel this afternoon that I am surrounded by leaders. The challenge today for professors and students has changed mightily since 1935. The complexity of modern problems demands a higher degree of expertise. Computers have opened up vast areas of information heretofore not available. In some ways, we are swamped. Leadership with guidance is increasingly important. In this world we need to speak out. In politics, if you don't blow your own horn, there is no music.

I have great confidence in South Dakota's potential. But I am equally convinced that without governmental changes of the sort outlined in the Vision to See, that potential will not be realized. I know that the conventional wisdom dictates that it is difficult to make changes in South Dakota. But we have, in my opinion, a population that can be sold. Remember, in 1936 the size of South Dakota legislature was reduced by public vote from 180 to 105 with the loss of 75 legislative seats—an astounding public victory.

I was a participant in the constitutional revision effort from 1969–1975. From a governmental point of view, the reorganizations of the executive and judicial branches of government were remarkable events that received popular approval. It is amazing what little things can help to bring about reform. Ted Muenster recalls that it was a letter from the State Snake Exterminator, who held office with no other employees, asking for a new pickup that made him realize the stupidity of a state administrative organization with over 100 reporting units. Action followed.

In 1982, I had the good fortune to head the successful drive, using the initiative, which changed the basis of our system, of electing legislators, abolishing the block system. It took time and effort but we did the job. What is needed is leadership. I am convinced that we have the ability to change our outmoded method of taxation. There are those in this room who could do it.

This emphasis on leadership is why, as we look to the future, the opportunities now open to USD and especially in political science are indeed attractive. Key to this program is the recruitment of a core group of superior students whose leadership has been demonstrated in high school. As you can readily appreciate this is why scholarship money is a critical need.

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With rising tuition costs, few superior students can afford university training without scholarship aid. South Dakota can well afford the investment in such aid. At the present time this state, of its total revenue, devotes 6.5 percent to higher education, the lowest of any state in the region. North Dakota provides 10 percent, Iowa 8.4, Minnesota 6.8 and Nebraska 8.3. As a consequence, compared to surrounding states, our in-state tuition is the highest with the exception of Minnesota.

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And thanks to many of you, the support of the Farber Internship and Travel Fund has made possible funding that has enabled more than 500 eager political science students to receive internships, attend state national conferences, and study overseas. It has raised their sights, stimulated their study, and attracted many to careers of public service.

THE FUTURE

It is my hope that here in Farber Hall past traditions will guide future activities to motivate students to become involved and reap the many rewards of public service.

In the evening, I often walk to the Shakespeare garden and then pause at the Quirk carillon. There I am encouraged as I read from Longfellow's Psalm of Life:

Let us then be up and doing,
With a heart for any fate,
Still achieving, still pursuing,
Learn to labor and to wait.

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One final thought: It is my hope that in that wonderful and exciting twenty-first century in which you will have an important role, that sometime when the merry feast is on, you may reflect on what we did here on August 1, 1997, and celebrate by imbibing a strawberry daiquiri!

God bless you all and thanks much for attending.

THE FARBER TESTAMENT

To My Students: I believe that dedicated public service is the noblest of the professions. To enter it, whether as academic or as practitioner, is the greatest of good fortune. Thus, I have sought to encourage all in my purview to share the joys and rewards of this commitment.

You who came to me with some inner flame, it has been my mission to nurture, to

feed that flame, and at all costs never to kill it. With all the world's contemporary challenges, the chance to motivate, to stimulate, to kindle, remain the high calling, and ever to remind that in catastrophe there is opportunity, out of weakness can come strength. My hope has been that none of you has left my presence feeling the worse for the encounter.

The keys to a happy, acceptable, and productive life are participation, involvement and concern for others. I have hoped, by example, to inspire you to be change agents. Often your intellect, I know, has been superior to my own; only my experience has been greater and that I have tried to permit by association ''to rub off on you.''

To broaden one's horizons, travel, experimentation, and bold thinking must be the goals. I have sought to teach the importance of the background to know, the vision to see, the will to do. Like others before me I have often learned more from you than you from me. But always, for more than 40 years, has the joint educational venture been intensely human, exciting, and worthwhile. (May 8, 1976).●

NEW STUDY SHOWS HOW MINNESOTA'S CARGILL AND 3M COMPANIES BOOST THE U.S. STANDARD OF LIVING THROUGH THEIR GLOBAL ACTIVITIES

● Mr. GRAMS. Mr. President, last week, a Washington-based trade association, the Emergency Committee for American Trade (ECAT), released an important new study on how American companies with global operations increase the U.S. standard of living and strengthen the domestic economy. The study is entitled ''Global Investments, American Returns'' and I highly recommend it to every Member of the Senate

I am proud that two of my state's most successful companies have contributed case studies to this compelling report. Cargill, Incorporated and 3M Company are examples of why America's economic future and an improved standard of living for all Americans depend upon our ability to operate, sell, invest and compete in the global marketplace.

Cargill, Incorporated operates in some 72 countries as a marketer, processor and distributor of agricultural goods and services. The company has been so successful in selling to foreign markets that some of Cargill's fertilizer facilities operate 24 hours a day, 365 days a year. This allows the plants to achieve lower unit operating costs and thereby allows Cargill to deliver a more competitively priced product. If these plants served only the U.S. market, they would sit idle most of the year because fertilizers are required only during very short periods of growing seasons. Cargill's global presence helps generate demand for its fertilizers all year round by serving different parts of the world during different growing seasons.

3M Company produces a large and continually evolving range of technologies and products. For example, the company currently offers more than 900 varieties of tapes alone. More than 53 percent of the company's total sales are from outside the United States. 3M Company's success in operating abroad has meant growth here at home. Efficient foreign distribution, sales, and technical support, and research and development generate increased U.S. production and research and development here at home. For example, 3M's $2.6 billion in Asian-Pacific sales contributes more than $182 million to the company's annual research and development budget of $1 billion—much of which is spent in Minnesota. In addition, finished and semi-finished goods that are manufactured in the United States and then exported help support overseas sales.

Cargill and 3M Company are just two of the American companies profiled in Global Investments, American Returns. The study uses data and business cases to illustrate the importance of operating globally. For example, the study shows that:

Global activities by American companies actually increase investments here at home rather than substitute for them.

The global presence of U.S. firms helps to increase export sales and create additional purchases from U.S. suppliers.

American companies with global operations account for most of the nation's research and development capital investments, and export sales.

American companies with global operations also rely heavily upon U.S. suppliers. These companies purchase more than 90 percent of their supplies—amounting to $2.4 trillion annually—from American companies.

American manufacturers with global operations pay higher wages than do purely domestically-focused firms. For production or blue-collar workers, the difference is 15 percent higher earnings.

I urge all of my colleagues to review carefully ''Global Investments, American Returns.'' It is an important study that should guide America's tax and trade policies. I am especially pleased to learn that ECAT—and companies like Cargill and 3M that contributed to the report—will launch a trade education campaign to help spread the facts and dispel the misconceptions about trade and investment. I am proud that these Minnesota companies are a part of this effort.

I ask that the Executive Summary of the study be printed in the RECORD.

The Executive Summary follows:

EXECUTIVE SUMMARY

In public and private-sector debates over U.S. trade and investment policies, the role in the U.S. economy of Americans companies with global operations[1] has often been misunderstood. Although there is no doubt that the United States plays an important role in the world economy, most Americans are unaware of the critical contributions that trade and foreign direct investment (FDI) of American companies with global operations make to the U.S. economy.

To broaden public understanding of the positive role of these companies, this study expands upon the research in ECAT's previous Mainstay studies in two important ways. First, it focuses on the key issue of the U.S. standard of living. Second, it broadens the scope of the study to include all three major sectors of the economy: manufacturing, agriculture, and services.

There are two key points in Mainstay III. First, by raising U.S. worker productivity, American companies with global operations help raise the U.S. standard of living. Second, because the U.S. and foreign activities of these companies tend to complement each other, the ability of these companies to help raise the U.S. standard of living depends crucially on their ability to undertake foreign direct investment abroad.

Mainstay III is based upon analysis of the investments, research and development, exports, imports, and purchases from suppliers of American companies with global operations and many other data from 1977 through 1994. The primary data source is surveys of such companies conducted by the Bureau of Economic Analysis (BEA) within the U.S. Department of Commerce.

The following sections summarize the major findings and conclusions of the study:

1. SETTING THE STAGE: THE WORLD ECONOMY IN WHICH AMERICAN COMPANIES WITH GLOBAL OPERATIONS COMPETE

American companies today operate in a world economy that is increasingly concentrated outside the United States and that is rapidly expanding its international linkages through FDI and international trade.

The U.S. share of the global economy is shrinking. For decades, the U.S. economy has been growing more slowly than the rest of the world, such that the U.S. share of total world output has been declining. This share was approximately 50 percent in 1945, but is down to only 20 percent today.

FDI and trade help U.S. integration into the global economy. American companies with global operations have helped integrate the United States more closely into the growing world economy. Average annual outflows of FDI from the United States quadrupled from the 1960s through the 1980s, and total trade as a share of U.S. output rose from 5.6 percent in 1945 to 24.7 percent in 1995.

By participating in the world economy, American companies with global operations maintain a significant presence in the United States.

Most employment is in the United States, not abroad. In 1977, U.S. parent companies accounted for 72.8 percent of total worldwide employment of American companies with global operations and by 1994, they accounted for 74.3 percent of the total.

Profits earned by foreign affiliates are mostly repatriated. In 1989 (the most recent year for which these data are available), U.S. parents repatriated 72.8 percent of their foreign affiliates' net income.

Most intermediate inputs are purchased from domestic suppliers, not foreign suppliers. From 1977 through 1994, more than 90 percent of all intermediate inputs purchased by U.S. parents came from American suppliers, not foreign suppliers.

Overseas, American companies with global operations are located primarily in developed countries, and the sales from these operations are overwhelmingly in local markets.

Most affiliate activity abroad is in developed—not developing—countries. In 1994, developed countries hosted nearly two-thirds of U.S. foreign affiliate employment and accounted for more than three-quarters of foreign affiliate assets and sales.

Foreign affiliate sales are mostly abroad, not back to the United States. In 1994, only 10 percent of total U.S. affiliate sales went to

the United States. The other 90 percent stayed abroad, and fully 67 percent of all sales were within the host countries of the foreign affiliates.

II. THE IMPORTANCE OF AMERICAN COMPANIES WITH GLOBAL OPERATIONS TO THE U.S. STANDARD OF LIVING: GENERATING HIGH PRODUCTIVITY

American companies with global operations contribute in several important ways to the U.S. standard of living, and this contribution is larger than that of purely domestic firms.

Investment in Physical Capital. American companies with global operations undertake the majority—57 percent in most years—of total U.S. investment in physical capital in the manufacturing sector.

Research and Development. American companies with global operations perform the majority—between 50 percent and 60 percent—of total U.S. research and development.

Exports. American companies with global operations ship the large majority—between 60 percent and 75 percent—of total U.S. exports. Their foreign affiliates are important recipients of these exports; their share has increased to over 40 percent today.

Imports. American companies with global operations also receive a sizable share of U.S. imports—roughly 30 percent. These imports benefit the U.S. economy in many ways, including giving U.S. companies access to foreign-produced capital goods and technologies.

All these activities help increase U.S. productivity and thereby enhance the U.S. standard of living.

III. THE IMPORTANCE OF AMERICAN COMPANIES WITH GLOBAL OPERATIONS TO THE U.S. STANDARD OF LIVING: PAYING HIGHER WAGES

American companies with global operations pay their workers higher wages than those paid by comparable American companies without global operations.

A study of 115,000 U.S. manufacturing plants indicated that U.S. parent plants pay comparable workers higher wages than purely domestic plants. Production workers receive an average of 6.9 percent less at comparable domestic plants employing more than 500 employees and 15.2 percent less at comparable domestic plants employing fewer than 500 employees.

Non-production workers receive an average of 5.0 percent less at comparable domestic plants employing more than 500 employees and 9.5 percent less at comparable domestic plants employing fewer than 500 employees. These results control for possible wage differences attributable to variations across plants in age, industry, location, and size. In light of all these controls, it seems likely that these wage differences are attributable to workers at U.S. parents being more productive than workers at comparable domestic plants.

IV. THE IMPORTANCE OF AMERICAN COMPANIES WITH GLOBAL OPERATIONS TO THE U.S. STANDARD OF LIVING: LINKAGES TO AMERICAN SUPPLIERS

In addition to directly raising the U.S. standard of living themselves, American companies with global operations may also raise the U.S. standard of living through their interactions with domestic U.S. suppliers.

Evidence exists that companies benefit from being exposed to other dynamic, successful firms. Exposure to ''worldwide best practices''—whether those best practices are in the same country or abroad—tends to foster innovation, cost control, and other improvements that boost firm productivity.

The very large amount of purchases of intermediate inputs from domestic suppliers by U.S. parents of American companies with global operations suggests the possibility that U.S. domestic suppliers have sufficient exposure to these high-productivity parents to realize some productivity gains. For the past 20 years, U.S. parents have purchased over 90 percent of their intermediate inputs—$2.4 trillion in 1994—from domestic, not foreign, suppliers.

V. HOW FOREIGN DIRECT INVESTMENT ABROAD COMPLEMENTS U.S PARENT ACTIVITY AND CONTRIBUTES TO A HIGH STANDARD OF LIVING IN THE UNITED STATES

Because the U.S. and foreign activities of American companies with global operations tend to complement each other, the ability of these companies to raise the U.S. standard of living depends crucially upon their ability to undertake FDI abroad.

Analysis of BEA data, academic research, and case studies of 10 major American companies demonstrates that U.S. FDI generally complements rather than substitutes for U.S. parent activity. Within American companies with global operations, affiliate expansion generally triggers in U.S. parents additional investment, research and development, trade, and input purchases from domestic suppliers. As stated earlier, these activities are key determinants of the U.S. standard of living.

Restrictions on FDI that prevent U.S. companies from expanding abroad generally will reduce U.S. parent activity and thus, lower the U.S. standard of living.

VI. CONCLUSIONS AND POLICY RECOMMENDATIONS

The United States must continue to strengthen the open system of global trade and investment in order to maximize the contributions of American companies with global operations to an improved standard of living for all Americans. To that end, U.S. trade and investment policies should take into account the following recommendations based on the research and findings in this study:

The U.S. government should maintain its open trade and investment policies. Moreover, these policies should recognize the ways in which trade and foreign direct investment benefit the U.S. economy.

The U.S. government should continue to negotiate aggressively for more open foreign markets and should persuade foreign governments to end restrictions on trade and investment. Removing these restrictions will create a ''win-win'' situation that benefits both foreign countries and the United States.

The U.S. government should strive to continue to harmonize its international trade, investment, and tax policies. In the case of American companies with global operations, this harmonization should take into account the many ways that their foreign operations tend to complement their U.S. activities.

Given that most services are inherently nontradable, firms in these industries must invest abroad to serve global markets. Accordingly, efforts to liberalize trade and investment should focus special attention on the unique needs of U.S. services industries.●

HARRY M. CLOR PROFESSORSHIP

● Mr. GLENN. Mr. President, I rise to congratulate Professor Harry M. Clor of Kenyon College in Gambier, Ohio, on the establishment of the Harry M. Clor Professorship in Political Science. This coming weekend, Professor Clor's colleagues and students will gather in Gambier to honor him upon his retirement for his many years as an outstanding professor of political philosophy and constitutional law.

In addition to his many years as one of Ohio's exceptionally dedicated teachers, Professor Clor is also a distinguished scholar and author of books and numerous articles on constitutional law and public morality.

Ohio has always been fortunate to be the home for many outstanding colleges and universities. I am pleased to recognize Kenyon College and its Department of Political Science as they honor the distinguished service and teaching career of Professor Harry M. Clor. ●

TRIBUTE TO VFW POST #5245 ON THEIR FIFTIETH ANNIVERSARY

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to the North Haverhill, New Hampshire, Post #5245 of the Veterans of Foreign Wars (VFW) on the occasion of their fiftieth anniversary. As a veteran and member of the VFW myself, I honor these men for their selfless commitment to their country and to their community.

Since 1948, the original membership of 30 World War Two veterans has grown to 160 veterans of World Wars One and Two, the Korean War, the Vietnam War and the Gulf War. I would like to specially recognize the charter members that have been there from the beginning—William Fortier, Leo Fortier, Fred Robinson, Paul LaMott, Everett Jessman, Maurice Bigelow, Willis Applebee, Ernest Hartley, William Harris, Laurent Fournier, Clifford Sawyer and Leon Dargie. All have served our country valiantly, and now tirelessly serve the Upper Valley, devoting endless hours to their community.

The extent of the Post's involvement is endless, helping not only veterans, but anyone to whom they can lend a helping hand. They are especially involved with the youth of the Upper Valley. Their youth programs projects stretch from donating American flags to schools and teaching proper flag etiquette, to sponsoring essay contests and awarding college scholarships. They also sponsor Cub Scout and Girl Scout troops and instruct youth on bicycle safety. In addition, members host meals at a local soup kitchen, visit nursing homes and the VA Hospital and also visit shut-ins. They transport the elderly to appointments, donate wheelchairs and walkers and distribute food baskets on Thanksgiving.

For half of a century, these members have exemplified goodwill and concern for their neighbors, and their efforts will no doubt continue for the next fifty years. I congratulate Post #5245 for their steadfast service to the Upper Valley. New Hampshire and the United States are truly indebted to the North Haverhill Post #5245 of the Veterans of Foreign Wars, and I am proud to represent them in the U.S. Senate. ●

RETIREMENT OF RABBI JACK ROSOFF

● Mr. LAUTENBERG. Mr. President, I rise today to congratulate an esteemed New Jerseyan, Rabbi Jack M. Rosoff, on the occasion of his retirement after 34 years of service at Congregations B'nai Israel in Rumson, New Jersey.

I really got to know Rabbi Rosoff when he organized a community-wide response to acts of vandalism committed against B'nai Israel and the neighboring Catholic church in Rumson. I spoke at the rally that Rabbi Rosoff put together condemning the desecration, and was very moved by his dedication to fighting bigotry.

Rabbi Rosoff's accomplishments during his tenure at B'nai Israel, for which he has just been elevated to Rabbi Emeritus status, are almost too numerous to mention. He has multiplied the membership of his congregation by hundreds and provided Sunday school opportunities for over 300 students. He developed the Israel Scholarship Program there, enabling all students in their junior year to spend six weeks in Israel.

Beyond those achievements, Jack has been a counselor and friend to the members of his synagogue. He has rejoiced with them in times of happiness and has been a comfort in times of grief.

Rabbi Rosoff has served on the boards of various organizations in Monmouth County, including Riverview Hospital, the Mental Health Association, the Day Care Center, the Clergy Advisory Council of the local Planned Parenthood, as well as being the founding member of the Greater Red Bank Interfaith Council.

Rabbi Rosoff should be honored by all of us not only for his 34 years of service to B'nai Israel, but for his community-wide leadership and civic involvement. I am pleased to congratulate him again on his retirement, and wish him well in this next chapter of his life. ●

ISRAEL'S 50TH BIRTHDAY

● Mr. BOND. Mr. President, on Thursday, April 30, 1998, the St. Louis Jewish Community will be celebrating Israel's 50th Birthday. My home State of Missouri is especially excited for the event since President Harry S. Truman played a large role in the formation of the State of Israel.

The 50th anniversary is very significant because it marks the reestablishment of Jewish Sovereignty in the ancient Jewish homeland, the reasserting of Jewish peoplehood after the devastation of the Holocaust, the fulfillment of the Zionist vision, the blossoming of Jewish creativity and community. The Jewish Federation of St. Louis is the central planning and fundraising agency of the St. Louis Jewish Community. This outstanding organization has coordinated the St. Louis Israel 50th anniversary celebration congregation.

I congratulate the State of Israel and the Jewish community for 50 years of democracy. Additionally, I commend the Jewish Federation of St. Louis for its leadership during this exciting time. I wish them continued success in future years of Statehood.●

NATIONAL PRAYER BREAKFAST 1998 TRANSCRIPT

Mr. AKAKA. Mr. President, I had the privilege of chairing the 46th Annual National Prayer Breakfast held here in Washington, D.C., on February 5, 1998. This annual gathering in our Nation's Capital is hosted by Members of the United States Senate and House of Representatives weekly prayer breakfast groups.

Once again, we were honored by the attendance and participation of the President and the First Lady, as well as the Vice President and Mrs. Gore. Our colleague, Senator CONNIE MACK, inspired and encouraged us with his remarks, and we were challenged by the prayer offered by Dr. Billy Graham.

This year we welcomed over 3,600 individuals from all walks of life, and from all 50 states and U.S. territories and many countries around the world. So that all may benefit from this special gathering, I request that the text of the program and a transcript of the 1998 proceedings be printed in the RECORD.

I understand that the Government Printing Office estimates that it will cost approximately $1,426 to print this transcript in the RECORD.

The material follows:

NATIONAL PRAYER BREAKFAST

Chairman: The Honorable Daniel K. Akaka

Pre-Breakfast Prayer
Mr. Robert L. Parker, Businessman, Oklahoma

Opening Prayer
General Hugh Shelton, Chairman of the Joint Chiefs of Staff

BREAKFAST

Welcome
The Honorable Daniel K. Akaka, U.S. Senate, Hawaii

Remarks—Senate and House Breakfast Groups
The Honorable Bobby Scott, U.S. House of Representatives, Virginia

Old Testament Reading
The Honorable Don Gevirtz, Former Ambassador to Fiji

Duet
Randy and Gae Hongo

New Testament Reading
Dr. Dorothy I. Height, National Council of Negro Women

Prayer for National Leaders
The Vice President of the United States

Message
The Honorable Connie Mack, U.S. Senate, Florida

THE PRESIDENT OF THE UNITED STATES

Closing Song
The Honorable Daniel K. Akaka, Randy and Gae Hongo (all join in)

Closing Prayer
Dr. Billy Graham

[Audience, please remain in place until the President, Mrs. Clinton and other Heads of State have departed]

ROBERT PARKER. May we ask you now to join us in prayer? Please join us in prayer, if you will.

Lord, as we gather together for the beginning of this new day, we pause now to listen to you. Thank you for being with us now, and thank you for being in this room. Your presence gives us hope and encouragement. Whenever we gather in your name, there is excitement. Help us capture that excitement today, to the betterment of the lives of us all.

We all need your help. We all need your guidance. Give us the wisdom to be more like you in all that we do. And we especially thank you for sharing your servant, Billy Graham, with us. He represents you well, helps all of us be better followers. Thank you for listening. Thank you for showing the way. And thank you for the many blessings you have bestowed upon us. In your name we pray, Amen.

ANNOUNCER. Ladies and gentlemen, the President of the United States, the Vice President of the United States, the First Lady of the United States, and Mrs. Gore. (Applause.)

Senator AKAKA. Will you all be seated, please. Good morning, ladies and gentlemen. My name is Dan Akaka. I'm the convener of the United States Senate Breakfast Group and chairman of the National Prayer Breakfast. I want to say welcome to all of you here this morning.

On behalf of the United States Senate and House of Representatives, I welcome you to the 46th annual National Prayer Breakfast. We're happy to have you here on this special day. Robert Parker presented the pre-breakfast prayer this morning, and we are happy to have you here. At this time, General Hugh Shelton, Chairman of the Joint Chiefs of Staff, will offer the opening prayer. General?

Gen. HUGH SHELTON. Let us pray.

O Lord, our strength and our redeemer, we come together today to pray for strength and guidance in a difficult and challenging world. Though we have come far, we have so far to go to realize your plan here on Earth. Lord, we ask your help and guidance for all those who have been chosen to lead our people all over the world. And grant that we may follow with humble and willing hearts to do the work that must be done to preserve the blessings of peace and to share the gifts that you have given us. May those chosen to lead, lead with wisdom and compassion, not in pursuit of wealth and power, but guided by your righteous word and walking in your upright ways.

Today we pray for your blessings on all our men and women in uniform, at home and abroad. Keep them safe as they keep the peace. And keep them strong to carry the burdens that must be borne in a troubled world. And Father, though we are of many faiths, we have but one prayer, and that is to share your peace with people everywhere. May you stretch your loving hands over friend and foe alike and bring us together in the spirit of truth so that in our time we may know your peace.

Now we pray that you would bless this food to the nourishment of our bodies and our help to thy service. These things we ask in your name. Amen.

Senator AKAKA. Thank you very much, General Shelton. You honor us very much with your presence here at this prayer breakfast.

Please enjoy your breakfast. Our program will resume in a few minutes.

[Breakfast.]

Senator AKAKA. Good morning, ladies and gentlemen. It is a wonderful privilege for me to welcome all of you this morning to the National Prayer Breakfast. I particularly want to greet our international guests who represent over 160 nations. And everyone attending the prayer breakfast for the first time, I say again, welcome. (Applause.)

This morning we gather almost 4,000 strong from all 50 states, commonwealths and the U.S. territories and nations around the world to reaffirm our faith, seek spiritual support for our President and leaders in our country, and share fellowship and friendship with one another.

We are honored to have the President and First Lady and the Vice President and Mrs. Gore as our guests. In attendance we also have members of the Senate and the House, officials from the President's Cabinet and leaders of our armed forces, responsible student leaders and leaders from all facets of society throughout the United States.

We're also pleased to welcome the President of Albania, former heads of state, cabinet ministers, parliamentarians, members of the diplomatic corps, educators and business, labor and religious leaders from around the world.

Permit me to introduce the people sitting at the head table. And I'll do it quickly from my left to my right. Randy and Gae Hongo; General Hugh Shelton and Mrs. Carolyn Shelton; Dr. Dorothy Height; Mrs. Marilyn Gevirtz; Ambassador Don Gevirtz. (Laughter.) In a timely fashion to the Vice President and Mrs. Gore. (Laughter.) Congressman BOBBY SCOTT; the President and First Lady; my better half, Millie; Senator CONNIE MACK and Priscilla Mack; Dr. Billy Graham; Mrs. Catherine Parker and Mr. Robert Parker. (Applause.)

As chairman, I want to express my deepest appreciation to all participants this morning for sharing your faith with us. Looking upon this august and joyful assembly, I see the universality of the prayer breakfast, the coming together of people of different nations, faiths and cultures, and the power of love and consideration for one another.

I am reminded of the passage from Psalm 33, verse 12: ''Blessed is the nation whose God is the Lord, the people he chose for his inheritance. From heaven, the Lord looks down and sees all mankind. From his dwelling place, he watches all who live on Earth. He forms the hearts of all and considers all their works.''

God's love for all of us is everlasting, for all men and women from all nations. This perfect love fills our hearths, prepares us for the challenges we face each day and opens our minds to God's wisdom. As we seek to love God and one another, let the spirit of this prayer breakfast enrich us, strengthen us and lead us on life's journey, where we are never alone.

It is my privilege at this time to introduce to you the honorable BOBBY SCOTT, Congressman from Virginia, who is leader of the House Prayer Breakfast Group. He will speak to us on behalf of the House and the Senate Prayer Groups. Bobby?

Representative BOBBY SCOTT. Thank you, Senator. Mr. President and Mrs. Clinton, Mr. Vice President and Mrs. Gore, other dais guests, ladies and gentlemen, I'm delighted to join my congressional colleagues from the House and the Senate Prayer Breakfast Groups in bringing you another welcome to the 1998 National Prayer Breakfast. This is our 46th year of coming together to commemorate the value of prayer in both our personal lives and our work on behalf of the people of this nation.

We are joined by national leaders of business, labor, government, religion and other walks of life throughout the United States and over 16 of countries around the world. Members from the U.S. Senate first met for prayer and divine guidance during World War II. The House organized a weekly prayer group shortly thereafter, And both groups have continued the practice of weekly prayer breakfasts, meeting for breakfast, prayer and fellowship.

Since those first meetings in the face of a great national crisis, the need for a prayer group and the benefit of fellowship and prayer have been recognized in Congress. From the beginning of the prayer breakfast groups in both chambers, members of all faiths have come together to hear testimonials of faith and challenge and to seek guidance and strength from each other.

What we discuss and exchange in those meetings stays in those meetings. So members are free to share with each other, and we do. The weekly prayer breakfast provides members with one hour during the week in which we can relax without the presence of the media and without regard to partisan political affiliation. And so I can assure you that it is one hour that many of us look forward to each week.

As an example of the typical weekly prayer breakfast in the House, we begin with Scripture and a prayer and a report on member's faith and challenges, such as illness, or illness or death within their family, so that we can offer our prayers and support to that member. We also sing a hymn or, as more accurately can be described, we make a joyful noise. (Laughter.) And at each breakfast, one member is invited to speak for 15 minutes to share a personal challenge, reflection or faith experience with the group.

The weekly Senate and House prayer breakfasts have met separately since their inception. However, in 1953 both groups decided to combine forces and hold the first National Prayer Breakfast. President Dwight D. Eisenhower attended that first National Prayer Breakfast, and every President since has attended each year's breakfast.

President Clinton and Vice President Gore—(applause)—President Clinton and Vice President Gore have continued that unblemished record through their presence here today, reflecting their recognition of the value of prayer in our professional and personal lives. So I know I speak for all of my colleagues in both chambers when I say that we are delighted to host this 46th National Prayer Breakfast. You strengthen us and uplift us with your presence.

So, again, welcome. And may God bless you, Thank you. (Applause.)

Senator AKAKA. We will now hear an Old Testament reading from the Honorable Don Gevitz, an outstanding businessmen from California and our former United States Ambassador to the Republic of Fiji, the Kingdom of Tonga, the Republic of Nauru and the Republic of Tuvalu.

Ambassador DON GEVIRTZ. Thank you, and good morning. Mr. President, my exboss, Mr. Vice President, distinguished guests. What is an ex-U.S. Ambassador born into the Jewish faith doing at an event like this? (Laughter.) Appreciating the power of interfaith brotherhood and fellowship inspired by the National Prayer Breakfast movement.

At the core of my philosophy are the two words I want on my tombstone. They are, ''He grew.'' Although my readings this morning are from the Old Testament. I would like to borrow for just a moment from the rich tradition of Luke, chapter 2, verse 52, in the New Testament, because of its clear statement about human potential. ''Jesus grew in wisdom and statute and in favor with God and man.''

I think that this is God's wish for all of his children. Proverbs in the Old Testament clearly identifies the characteristic a person must have to grow to realize his human potential. Proverbs, chapter 20, verse 5, points out that ''The purposes of a man's heart are deep waters, but a man of understanding draws them out.'' Additionally, verse 15 says, ''Gold there is, rubies in abundance, but lips that speak knowledge are a rare jewel.''

Proverbs, chapter 18, verse 15, suggests that ''The heart of the discerning gains in knowledge. The ear of the wise men searches for knowledge.'' And Proverbs, chapter 28, has important lessons of growth. Verse 14 says, ''Happy is the man who is never without fear. He who hardens his heart will fall into distress.'' And verse 22 says, ''He chases after wealth the man of greedy eye, not knowing that want is overtaking him.'' And finally, verse 1 says, ''The wicked man flees when no one is after him. The virtuous man is bold as a lion.''

The Bible has much wisdom for that person whose objective is growth. Samson had great credentials, but in Judges, chapter 16, verse 20, he learns that the Lord has left him. Consequently, he was remembered only for what he might have been. I want to be remembered for realizing my full potential, for earning those words on my tombstone, ''He grew.''

Thank you very much. (Applause.)

Senator AKAKA. Renowned inspirational signers Randy and Gae Hongo have traveled all the way from Honolulu to be with us this morning. They are joined this morning by their son Andrew, who came here from Yale University to sing as a family. The Hongo family will offer us a musical reflection, of their own arrangement, the phrase, ''Ua mau ke 'ea 'o ka 'ania 'I ka pono,'' which translates from Hawaiian into ''The life of the land is perpetuated in righteousness.'' It was first uttered in thanksgiving by King Kamehameha III. It is now the motto of the state of Hawaii. Its insight holds true today. The Hongo family.

[Song.]

Senator AKAKA. Thank you very much. Randy, Gae and Andrew. It is now my pleasure and great honor to introduce to you Dr. Dorothy Height, President of the National Council of Negro Women and a true national treasure, who will read from the New Testament.

DOROTHY HEIGHT. Mr. President, Mr. Vice President, distinguished guests and friends. Our New Testament reading is from Matthew, the 25th chapter, the 34th to the 45th verse. It answers the question that all of us ask ourselves every day as we try to be truthful, to be faithful, to serve our God. It answers the question that we have with each other, whatever our differences: What is our obligation? What must be our commitment?

''Then the king will say to those on his right, 'Come, you who are blessed by my father. Take your inheritance, the kingdom prepared for you since the creation of the world. For I was hungry and you gave me something to eat. I was thirty, and you gave me something to drink. I was a stranger and you invited me in. I needed clothes and you clothed me. I was sick and you looked after me. I was in prison and you came to visit me.'

''Then the righteous will answer him, 'Lord, when did we see you hungry and feed you, or thirsty and give you something to drink? When did we see you a stranger and invite you in, or needing clothes and clothe you? When did we see you sick or in prison or go to visit you?' The king will reply, 'I tell you the truth, whatever you did for the least of these, my brothers of mine, you did for me.

''Then he will say to those on his left, 'Depart from me, you who are cursed, into the eternal fires prepared for the devil and his angels. For I was hungry and you gave me nothing to eat. I was thirsty and you gave me nothing to drink. I was a stranger and you did not invite me in. I needed clothes and you did not clothe me. I was sick and in prison, and you did not look after me.' They also will answer, 'Lord, when did we see you hungry or thirsty or a stranger or needing

clothes or sick or in prison, and we did not help you?' And he will reply, 'I tell you the truth, whatever you did not do for one of the least of these, you did not do for me.'''

[The reading of his word. (Applause.)]

Senator AKAKA. Thank you, Dr. Height. The Vice President and I entered Congress together as members of the class of 1976. As a Congressman and Senator, he faithfully participated in both the House and Senate breakfast groups. Today we are honored to have him offer the prayer for our national leaders. So it is with pleasure that I welcome the pride of class of '76—(laughter)—and an esteemed friend, the Vice President of the United States, Albert Gore, Jr. (Applause.)

VICE PRESIDENT GORE. Thank you very much. I'm glad to be introduced by the pride of the class of '76. Thank you very much, and to Mrs. Akaka, to the President and First Lady, to Congressman Scott and to Senator and Mrs. Mack, to Dr. Graham and all the members of the clergy who are present, members of the cabinet, Speaker Gingrich and members of the House and Senate who are present.

It is, of course, humbling to join with so many people of all faiths to rededicate ourselves to God's purposes and to reaffirm the ultimate purpose of our lives, to glorify the creator and to love the Lord our God with all our hearts, with all our souls and with all our minds, and to love our neighbors as ourselves.

I believe God has a plan for the United States of America and has since our founding. Our mission has always been to advance the cause of liberty and to prove that religious, political and economic freedom are the natural birthright of all men and women and that freedom unlocks a higher fraction of the human potential than any other way of organizing human society.

And I believe that God has given the people of our nation not only a chance, but a mission to prove to men and women in all nations that people of different racial and ethnic backgrounds, of all faiths and creeds, can not only work and live together but can enrich and ennoble both themselves and our common purpose and to prove, in the words of Jesus, ''that they all may be one, as thou, Father, art in me, and I in thee.''

Yet too often we lose sight of our common purpose and seek to make our public discourse one of meanness and not of meaning, one of bitterness and invective, not of faith and love. James Madison, one of our founders, wrote, ''A zeal for different opinions concerning religion, concerning government, an attachment to different leaders ambitiously contending for preeminence and power, have in turn divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other than to cooperate for their common good.''

We've seen those animosities unleashed by the whole continuum of human difference—differences of parties, opinion and faction, differences of nationality, religion, language and gender; and the most visible and therefore most persistent differences of all, those of race and ethnicity.

Overcoming those differences, fulfilling the mission that is ours in human history, must be achieved ''not by might, nor by power, but by my Spirit, sayeth the Lord of hosts.'' It requires a dedication to faith and trust in God.

And so, speaking for my own faith in Jesus Christ but acknowledging and respecting all of the faiths represented here, I offer this prayer for our nation and its leaders and ask you to join with me.

God, who through thy saints and prophets has spoken to us in days of old, speak to us again in this hour. Teach us to be peacemakers and agents of reconciliation. Show us how to live out your commitment to the poor and to the oppressed. Inspire us to overcome the fears that have long bound us to small visions and tiny dreams. Save us from the differences that can obscure our common purpose and serve as an excuse and trigger for the unleashing of the evil that lies coiled in the human soul.

Help us to overcome evil with good. Deliver us from the wanton selfishness that would make us rich in things but poor in spirit. Grant us wisdom and courage for the living of these days. We pray for all who are given the responsibility to lead our nation and the other nations of this world. Help all of these leaders to seek out your will and give to all of them the strength to live in your way in our world. In your name we pray, Amen. (Applause.)

Senator AKAKA. Thank you very much, Mr. Vice President. It gives me great pleasure to introduce our featured speaker this morning. Senator Connie Mack is a source of inspiration and strength in our Senate Prayer Breakfast Group. As our planning committee discussed whom to invite to address the breakfast, our focus turned inward. Connie has a wonderful message, and we are so grateful that he agreed to share it with us this morning. I give you my friend, the honorable Connie Mack. (Applause.)

Senator MACK. Mr. President, Mrs. Clinton, Mr. Vice President, Mrs. Gore, ladies and gentlemen of the head table and guests from throughout our land and from across the globe. This is a distinct honor for me and true privilege to have the opportunity to speak with you this morning.

There are several people that I would like to introduce before I begin my remarks, and in a sense it is an expression of the love and affection that I have for my family. I am one of eight children. Three of my brothers are here this morning: My brother Dennis, my brother Andy and my bother John. I am not quite sure where they're seated. (Applause.) All together.

I have an older sister who is a Catholic nun who could not be with us today. And John is a trained Baptist minister. (Laughter.) So I think you can get the feel that there have been some interesting discussions—(laughter)—about religion in our lives.

As I thought about what I would share with you this morning, I decided, rather than to give some speech on politics and government, that I would share with you my own personal quest for a deeper understanding of the teachings of Jesus Christ.

When I use the word ''share,'' this is something, frankly, that is pretty new to me. And when Danny called me and asked me if I would do it, frankly, there was no choice other than to say yes. But I must say to you, I felt a sense of terror go through my being. I'm an individual who has held my spiritual beliefs, my religious feelings and training, inside. I was not a person who shared those thoughts and ideas with anyone else, to the point that—and I see Don Nickles out there somewhere this morning—I can remember saying to Don before one of our policy committee lunches, when he asked me if I would give the blessing, I said, ''Don, I would rather not.''

And I don't know whether the men in the audience have had the experience of thinking about asking their wives to pray with them. We were having a discussion, a few of us in our Bible study and prayer breakfast, about prayer and about our prayer together, and I said to them, ''Isn't it strange? I find it difficult to say to my wife Priscilla—we've been married now 37 years—for some reason there was an incredible sense of vulnerability that kept me from turning to her and say, 'Would you be willing to pray with me?''' I am pleased to say that I did ask her, and we do pray together.

Again, I don't know whether you have shared the same feelings that I have had, but there have been many times in my life where I sensed that there was a void, that there was a part of me that I wasn't dealing with, that there was a part of me that I did not understand. But there is also a part of me that said I want to get in touch with that part of me.

And it is the prayer breakfasts and the Bible study group that helps me deal with that void, if you will. I was struggling really to have a deeper understanding of the word ''love.'' What does love really mean? Who is in control of my life? Like I suspect most of us in this room, and maybe especially at the head table, we have steadfastly tried to stay in control of our lives throughout our entire lives. What is the meaning of God's will? How do you know what God's will is?

I want to touch on those points as I go through my remarks. But I also want to recognize—I mentioned Don Nickles a moment ago, and another colleague of mine in the Senate, Dan Coats, who never lost faith in me. No matter how many times they would ask and I would refuse to join them in Bible study or the prayer breakfast, they never gave up. ''Connie,'' they said, ''you would love this. This is exactly what you need.'' And finally, one day I said yes.

And it's because of Dan and Don and Danny and others like them who kind of guided me along the path to a deeper understanding that I can honestly say to you today that on October the 26th, 1995, my life began anew. And I want to tell you about that, a very special meeting of Bible study. And again, a couple of our members, Dan Coats and I were engaged in a very focused discussion. Interestingly enough, today I cannot remember what the discussion was about. But I sure know it was focused. (Laughter.)

One of the thoughts that occurred to me as our meeting was starting was, as I looked around the room to see who was there, Danny Akaka had not come yet. And Danny Akaka is a person who I have gotten to know and to love and deeply appreciate as a result of our experiences today at both prayer breakfasts and Bible study. And Danny wasn't there, and I kept thinking, ''I hope he comes today. I hope he comes today.'' Again, mind you, now, this focused discussion that was taking place.

As it ended, seated right next to Dan Coats was Danny Akaka. And I was kind of stunned that you were there. I didn't know how you had gotten into the room. And I was expressing to him my sense of love and appreciation that he was with us.

Lloyd Ogilvie at that time, I think sensing something special, said to us, ''Is there anyone here this morning who would like to deepen his commitment to Jesus Christ?'' The immediate thought that went through my mind was, ''It ain't me, buster.'' (Laughter.) I mean, that's it. ''It ain't me, buster.'' Lloyd said I'm now going to be remembered as the guy that said, ''It ain't me, buster.'' (Laughter.)

But as soon as that thought went through my mind, no sooner had it gotten out of mind, I said, ''I want you to pray for me.'' And I had no idea what was going to happen after that. Lloyd asked me to move my chair to the center of the room, and all of my colleagues gathered around me, placed their hands on my shoulders and prayed for me.

It is difficult and, frankly, impossible to explain to you the emotion that I felt at that moment. But the one thing I do recall is, contrary to what you might think, there was a sense of something flowing out of me. And later, when I thought through what that experience was, I know what it was. It was that

desire of keeping control of my life, that I was the one that was in charge. I was willing to give up that control. And on that day, October the 26th, 1995, I know that that control went out of my life and I began the process, began the process, of turning my life over to God.

After that very moving experience, Priscilla and I had the opportunity to be in Vermont on vacation. And I had gone out to go skiing that morning. And I got to the foot of the mountain that was in Vermont. It was −10 degrees. The wind was blowing 15, 20 knots. And I say, ''I've got to be crazy out here skiing.'' I went back home. I picked up a book that Lloyd Ogilvie had written called ''The Greatest Counselor in the World,'' a book about the Holy Spirit.

And later that day there was a sense of restlessness in me, and I decided to go for a walk. And I put on some snow shoes. Now, being from Florida, I had not had that experience before. (Laughter.) And I walked out into the forest, along the sides of the mountain, by myself. As far as I could see, there was nothing but the beauty and cleanness of the white snow. The only sounds that I heard were the sounds of nature. The trees—I never heard this before, but the trees actually rubbing against each other as there was a breeze that made its way through the forest.

I made my way down into a ravine, and there was a small stream that was making its way; a few spots where the water could be seen around the ice, and the sounds of that stream bubbling up. And I stopped there, wanting to get on my knees and to pray. But I must say to you, I was terrified about getting on my knees with those snow shoes. And with the snow, I didn't think I could get back up. (Laughter.)

So I stood there, and I literally raised my hands to the heavens and prayed that the Holy Spirit would fill me. There was a rustling of the wind. I'm not trying to hold out any kind of mystery, but there was a rustling of the wind that gave me a sense that, in fact, I was being filled with the Holy Spirit. And as I look back on those days, I now recognize that the fruits of the Holy Spirit have become part of my day—love, peace, joy, patience, goodness, kindness, gentleness, faithfulness, self-control. They are part of my day because that's God's will.

I remember not long after that that Priscilla and I had the opportunity to be at the movies. And the movie was over and I turned to her and I said, ''I am filled with a sense of joy.'' What was rather startling about that was that later I said to Priscilla, ''Do you know that that's the first time in over 17 years that I have truly had a sense of joy?''

My brother Michael had died of cancer in 1979. And for all those years, I carried around in me the gloom of his death. But I recognized, at the moment that I turned to Pris and said, ''I feel a sense of joy,'' that the gloom had been lifted and God's love had replaced it.

I want to now share a couple of experiences with you to show you how my life has been changed as a result of this. Some of you in the Senate may remember a fellow by the name of Butch. He was a bus boy in the Senate dining room. I got to know Butch over the years as I would come in and have breakfast, and he would bring me a paper and we would chat for a few minutes.

One day I was having lunch with some of my colleagues in the Senate dining room, and one of the waitresses came up to me and handed me a note and said that Butch was seriously ill. Well, I put the note in my pocket. And as I left the Senate dining room, I stopped and talked with the waitress and she once again said that Butch was seriously ill. And I could sense she was saying—she had given me the note that said he was at, I believe, Southeast Greater Hospital here in Washington. I could tell she was really saying to me, ''Can't you go see Butch?'' And like I'm sure most of my colleagues, my initial reaction was one of ''Where am I going to find the time?''

Well, again, the note's in my pocket. I went home. The following morning I looked at my schedule. There was a gap in my schedule. And I thought, ''Well, maybe I ought to just go see Butch.'' So I went over to the hospital. I went up to Butch's room. A nurse was there giving him a shot. And I looked at Butch, his eyes wide open, almost transfixed on the television set. And within a few seconds, it became obvious to me that Butch was about to die.

It was just the two of us. I had asked the nurse how he was doing as I walked in, and she said, ''He was fine yesterday. His family came from Chicago. They had a great time together.'' But clearly things had changed. And again, it was just Butch and myself. And I thought, ''I cannot leave him here alone, to die alone.'' And I walked over to the side of the bed. I took Butch's hand, held it, rubbed his arms, and tried to comfort him in the sense of saying, ''It's all right. You're at peace now. You'll be joining your God and your creator.'' And Butch died just a few moments after that.

The nurse came back in the room. She called one of, I believe, his aunts. His aunt actually was already on her way. She walked in within a few minutes. I explained to her that Butch had just died. I hugged her, embraced her, and again told her that he died in peace and he died in the hands of his God and creator.

As you can imagine, as I made my way back to the Senate and back to the dining room so I could tell his colleagues on the staff of the dining room that Butch had died, as you can imagine, I was asking myself several questions. How did you get there that day? Why were you there at that moment? What was it that you were supposed to learn from that experience?

And what I learned from the experience is something that's all too obvious, but sometimes we have a tendency to forget, and that is that in God's eyes, as it should be in our eyes, that all of us are equal. It makes no difference whether you're a United States Senator or whether you're a buy boy in the United States Senate. (Applause.)

Another experience that happened to me was again an acquaintance of mine, and frankly, an acquaintance of many people in this room, Tom Korologos. Tom's wife Joy passed away as the result of melanoma, the same kind of cancer that killed my brother in 1979. I picked up the phone and I called Tom and gave my condolences and expressed my concern and my love for him.

I ended up going to Joy's funeral service. And again, I had maybe met Joy once. And as I was sitting in the church waiting for the service to begin, I was again asking myself—again, to the members of the House and Senate, and clearly the President and the Vice President, understand this incredible demand on us for our time. And it's almost a natural thing to kind of ask every place we go. ''Why are we here?''

And so as I'm, waiting for this service to begin, I'm asking those same kind of questions. Why am I here? Well, once the service began and the family began to express their deep convictions to their Lord and maker, it was pretty obvious to me why I was there. I wrote down some notes that morning during the service of some feelings that went through my mind, and I want to share from the notes that I made that morning. So they may not be grammatically collect, so bear with me. I'm going to read them exactly as I wrote them.

''Was there because I have replaced the love of self with the love for others. Being at the funeral service for Joy Korologos also allowed me to recognize that doing God's will is not the pursuit of the grand, but rather one day at a time, one moment at a time, pursuing God's will; that if I allow God to guide me one step at a time, I will eventually get to where he wants me to be in my life. And if I truly believe, if I truly believe this and follow that belief throughout each day, I will be free. I will be at peace; the ultimate freedom, to be free of worldly desires.''

I also learned that this moment was a life-changing moment. As I said above, pursue God's will one step at a time and not worry or even wonder where it may lead me. This is a radical departure for me from my previous life—management by objectives, goal-setting, state a goal, a target, an objective, and then pursue it. Now for me it is ''Help me, dear God, to do what is right, what is in your will at this moment, and then my life will take care of itself.''

To me, this was a great revelation. Two points that I would want to build on here for just a moment; that doing God's will is not the pursuit of the grand. I don't know about you, but as I have thought about trying to understand God's will, I always had this idea that there was some huge event in the future that I was called on to participate in, always trying to figure out what it was; never could do it.

And now I understand that if each day I will pursue God's will—and I think you're beginning to understand why I said a moment ago that when Danny called me and asked me if I would be willing to give this address this morning, I had no choice but to do it, because on that day my sense was it was God's will that I speak this morning. So, again, I try to live each day now attentive, attentive to the needs of others, attentive to the needs of my colleagues in the Senate, trying to make sure that I am not so busy that I don't hear their cries for help.

I'd like to close my thoughts here this morning with another personal experience. And I want to use 1 Corinthians, chapter 13, verse 13, which I suspect that many of you are familiar with. I have used 1 Corinthians 13 at both weddings and at funerals, because in essence it is all about life. ''And now abide faith, hope, love, these three. But the greatest of these is love.''

And I don't know about you, but I've always kind of wondered what makes love the greatest of those three. And I will try to explain in just a couple of minutes at least what my understanding of that Bible reading is.

Both my mother and father died during these past 20 months or so. In a conversation in Bible study, as I was expressing my concerns about having a deeper understanding of love and trying to understand my relationship with my God and maker, it was said to me that sometimes it's helpful to think about your loving relationship with your father here on Earth. It may give you some insight into your loving relationship with your God.

Well, as would, I think, be natural when you see your parents heading towards the last moments of their life, it's fairly easy to get into a discussion about what love is all about. And I found out one of the things that there's a big difference between the love between a mother and her son and a father and his son. My mother loved me unconditionally. It made no matter what I did. She was there to comfort me, to love me, to protect me.

But with my father, frankly, it was different. And I didn't understand what that relationship was. Was the relationship one

that was based on a need for reward? Was I looking for respect? What portion of it was fear? And as I watched my father over the last 20 years or so and recognized that he did over 17,000 hours of volunteer time at the local hospitals, and I heard people talk about seeing my father helping them being wheeled down to surgery or to the X-ray, I sensed that there was a strong sense of love that my father had expressed during those years.

And I finally understood the significance of the meaning of love and why love is so important, because frankly love is a collection of all the graces that God has given us in which we express in action, that we act in behalf of or on behalf of those less fortunate than us, those who at the moment need our assistance. And so for all those years I saw this outpouring of love from my mother and father and I understood then why I love my father and why I loved my Father in heaven, and it is very simple. It is because they so deeply loved me.

Thank you. Have a great day. (Applause.)

Senator AKAKA. Ladies and gentlemen, it is now my privilege and high honor to introduce the President of the United States, William Jefferson Clinton. Welcome, Mr. President. (Applause.)

President CLINTON. Thank you very much. Thank you very much to my good friend and sometimes golfing partner, Senator Akaka, to all the members of Congress here, Reverend Graham, other head table guests and ladies and gentlemen.

For five years now, Hillary and I have looked forward to this day. For me it's a day in which I can be with other people of faith and pray and ask for your prayers, both as President and as just another child of God. I have done it for five years, and I do so again today.

At each of these breakfasts, from our shared experiences and our prayers, God's grace always seems to come, bringing strength and wisdom and peace. Today I come more than anything else to say thank you. First, thank you, Connie Mack, for your wonderful message and the power of your example. I also thank all of you here for many things in the last five years and ask your help in helping us to work together to make our nation better, and the work that God has sent me to do and you to do.

I thank you for helping me to strike blows for religious liberty—with the work so many of you in this room have done to help us to protect the rights of federal employees, to follow their faith at work, our students in school. In particular, I want to thank Reverend Don Argue, the former President of the National Association of Evangelicals and Rabbi Arthur Schneier and the Roman Catholic Archbishop of Newark, Theodore McCarrik, who next week will go to China to look into religious practices there and to begin a dialogue there in hopes that a part of our relationship with China will be about our concern for the kind of religious liberty we have practiced here this morning. (Applause.)

I thank so many of you in the community of faith who have worked with the government in partnership to help move poor families from welfare, from welfare to work, to honor the Scripture that our friend Dorothy Height read today. And I ask more of you to join in. I thank those of you who have been responsible for working with me—and I see Senator Grassley out there and Harris Wofford is here—to bring communities of faith into the circle of national service.

We now have 5,000 young Americans working with religious organizations earning the Americorps scholarship to go to college with after they serve with their community of faith wherever they live in America. And the Congress has provided for many more positions, and I ask you to help us to enlist more young Americans to give meaning to their lives, to live out their faith, and to help make our country a better place.

I thank you for the prayers, the letters, the scriptural instruction that I have gotten from so many of you and many others around this country in recent weeks and indeed in the last five years. And I ask that they continue.

Finally, I couldn't help thinking when Connie Mack was talking that what we all need very much is to take what we feel when we're here every year and keep it close with us when we leave here every year—day in and day out, week in and week out, in good times and bad. And I ask for your help in that.

We have a difficult decision we are facing now, as a country and our administration, because of the concern all Americans have that we not expose our children, if we can help it, to the dangers of chemical and biological warfare. And last night I came across a scripture verse that a friend of mine sent me in the last 72 hours that I had not had the chance to read—a prayer of King Solomon that I ask you to keep in mind as we face this decision. Solomon said in I Kings, ''I am only a little child, and I do not know how to carry out my duties. Your servant is here among people you have chosen—a great people—too numerous to count or number. So you give your servant a discerning heart to govern your people and to distinguish between right and wrong, for who is able to govern this great people of yours.''

I also ask for your prayers as we work together to continue to take our country to higher ground and to remember the admonition to Micah, which I try to repeat to myself on a very regular basis. I ask your prayers that I and we might act justly and love mercy and walk humbly with our God. Thank you very much. (Applause.)

Sen. AKAKA. Thank you very much, Mr. President, for that wonderful message of gratitude and prayer. Thank you for sharing your wisdom and inspiration. And thank you for making the time to join us this morning. And I want you to know that we are praying for you.

To offer the benediction, I'm thrilled to welcome back to the National Prayer Breakfast a man whose presence inspires all of us to good and whose wisdom brings us comfort and hope, Dr. Billy Graham. We love you, Dr. Graham. (Applause.)

Dr. GRAHAM. Thank you very much. And as far as I'm concerned, I give all the glory and praise to God. (Applause.) It's been my privilege to be at many of these prayer breakfasts, I suppose more than any other person. (Laughter.) In fact, they told me that when I was interviewed by Senator Sam Nunn the other day about the history of the prayer breakfast, that they thought I was the oldest person that had attended the prayer breakfast for so long. And I suppose that's right. And they couldn't find any others that had been to so many, and so they asked me if I would be interviewed for the Archives—(laughter)—and the history of the prayer breakfast. (Laughter.)

But I don't know when I've been so moved at a prayer breakfast as this one. I feel the Holy Spirit is bringing us together and speaking to us. (Applause.) Not only different religious backgrounds, but different political backgrounds. And here I see members of all parties smiling, listening to the Word of God, listening to this magnificent word on the love of God an the love that he can put in our hearts.

And when the President spoke, I could not help but think of the various times that I've had the privilege of being with him alone to talk, read the Bible and pray. And I know that he's sincere in what he had to say. And to Vice President Gore and to all of you that are here, many of you, I look at you and I think back to times we've been together in years past, in your state, in your town. I'm an evangelist. I travel from place to place and preach the gospel. And it's the same gospel I started with. The human heart is the same. The gospel is the same. It never changes, that God loves you no matter who you are. (Applause.)

So I'm going to ask that we have this closing prayer together.

Our Father and our God, as we come to the close of another National Prayer Breakfast, we pause to give you thanks for the opportunity we have had to come apart from our daily tasks and turn our minds and our hearts to you. Give us a holy dissatisfaction with anything less than your perfect will that we heard expressed a few moments ago.

Help us to see ourselves as we truly are in your sight, as men and women who are subject to the temptations of pride and power and flesh and who need your forgiveness and your strength. Help us remember that you teach us that we're all sinners and everyone who is in this place needs repentance and forgiveness, including me.

May we all come to the cross. And by your grace, help us to turn to you for the forgiveness and mercy we need. We thank you for the promise of the Bible, that if we truly confess our sins that you're faithful and just to forgive us our sins and to cleanse us from all unrighteousness.

As we leave this place, help us to find in you the strength we need to live as we should. Give us motives that are pure, lips that are honest, lives that are blameless, and hearts that are filled with compassion and love.

We pray for the millions of the hungry and poor in our world and for the thousands even in our own land and for all who are oppressed, that we will not be deaf to their cries. We pray today especially for President and Mrs. Clinton, for Vice President and Mrs. Gore, for the Cabinet, for members of the Supreme Court, for the Congress and all others to whom you have given responsibility in our land, and for their families who many times have to bear the burden of responsibility.

Give them strength and courage, integrity and wisdom, as they face the complex problems of our nation and our world. And, O Lord, we pray that we will be faithful in praying that if it be thy will that thou would bring peace to the Middle East. And we pray that if it be thy will, that we'll not have war, as President Yeltsin has warned us about.

Send the strong driving wind of the Holy Spirit across our land, to bring us a new breath of joy and freedom in serving you. May we see a national, an international revival. Renew our vision. Restore our faith. Rekindle our desire to love and serve you and serve each other. As we leave this place, may we commit ourselves afresh to him who alone is the way, the truth and the life.

And now, may the Lord bless you and keep you, the Lord make his face to shine upon you and be gracious unto you, the Lord lift up his countenance upon you and give you peace. In the Name of the Father, the Son and the Holy Spirit, Amen. (Applause.)

Senator AKAKA. Thank you. Thank you very much, Dr. Graham. This concludes the 46th National Prayer Breakfast. I ask all of you to please rise and remain standing until the President and Mrs. Clinton and Vice President and Mrs. Gore depart from the ballroom. (Applause.)

I thank all of you for your participation and your cooperation. Trust in God and carry his love with you and share it with others today and every day. Thank you very

much. This concludes the National Prayer Breakfast. (Applause.)●

CHILD CUSTODY PROTECTION ACT

● Mr. MCCAIN. Mr. President, today I became an official cosponsor of S. 1645, the Child Custody Protection Act introduced by Senator ABRAHAM. This bill addresses a very critical problem impacting our nation's families and their children, abortion. Under this bill, adults who take children across state lines to receive an abortion without the knowledge of their parents would be committing a federal offense.

Currently, 22 states require parental notification if a minor is going to receive an abortion. Yet, each and every day adults help thousands of children travel across state lines to receive abortions in states which do not require the notification of a parent.

Being an ardent opponent of abortion, I am gravely concerned about the children who are being taken by adults, who are not their parents, into different states to receive abortions. This process is wrong and must be stopped. We cannot allow adults to circumvent state laws by transporting a minor across state lines for an abortion without parental consent and involvement.

The decision to have an abortion is a critical decision, one which I personally hope that women of all ages would elect not to have. However, despite an individual's personal opinion on abortion, the majority of Americans, myself included, believe it is imperative for minor children to involve their parents in this life altering decision. According to a 1996 Gallup poll, 74 percent of Americans supported requiring minors to get parental consent for an abortion. According to the Supreme Court, ''the medical, emotional, and psychological consequences of an abortion are serious and can be lasting; this is particularly so when the patient is immature.'' Clearly, our nation's children should not be kept from their parents when making an important life decision with such broad ramifications as an abortion.

This is why I am cosponsoring Senator ABRAHAM's bill, the ''Child Custody Protection Act.'' This bill would make it a federal offense to transport a minor across state lines with intent to avoid state laws requiring parental involvement in a minor's abortion.

It is my firm belief that we must pass this law and stop people from bypassing the laws of our individual states. This legislation protects our children from making a life altering decision without the guidance of their most trusted advisors, their parents.●

TRIBUTE TO THE NATIONAL ORDER OF WOMEN LEGISLATORS

● Mr. CLELAND. Mr. President, I rise today to congratulate and commend the National Order of Women Legislators and the Georgia Chapter of the National Order of Women Legislators as they celebrate today 60 years of accomplishments since the organization was founded in 1938.

This year also marks the 150th Anniversary of the first Women's Rights Convention ever held to discuss the prohibitions then in force on women voting, holding public office, owning property, signing official documents, and receiving a formal education.

The women who have served in the National Order of Women Legislators and the Georgia Chapter of that organization have overcome gender barriers and are true champions of the women's rights movement. I applaud these women for fighting for and delivering to the women of this nation the right to vote, and a vital voice in local, state and national government.

The Declaration of Sentiments issued by the 1848 convention held in Seneca Falls, New York, launched a movement that unleashed and enhanced the myriad of talents and intellectual abilities already possessed by women throughout the United States. The resulting Women's Rights Movement has had a profound and undeniable impact on all aspects of American life, and has opened new and well deserved opportunities for women.

I would especially like to commend the spirit and hard work of Rebecca Latimer Felton, the first Georgia woman elected to the United States Senate in 1992, two years after women gained the right to vote; Florence Reville Gibbs, the first Georgia woman to serve in the United States House of Representatives (1940–1941); Viola Ross Napier, the first woman to serve in the Georgia House of Representatives (1923–1926); Susie Tilman Moore, the first woman to serve in the Georgia State Senate (1933–1934 and 1939–1940); and Grace Towns Hamilton, the first African American woman elected to the Georgia House of Representatives (1966–1984).

I am honored to serve in the United States Senate with nine remarkable female Senators—Sens. BARBARA BOXER (D–CA), SUSAN COLLINS (R–ME), DIANNE FEINSTEIN (D–CA), KAY BAILEY HUTCHISON (R–TX), MARY LANDRIEU (D–LA), BARBARA MIKULSKI (D–MD), CAROL MOSELEY-BRAUN (D–IL), PATTY MURRAY (D–WA), and OLYMPIA SNOWE (R–ME). I also commend the 55 female members of the U.S. House of Representatives and female members in the Georgia State Legislature.

Members of National Order of Women Legislators serve as role models for women throughout this nation and the entire world. I ask my colleagues to join me today in saluting and congratulating the National Order of Women Legislators and the Georgia Chapter of the National Order of Women Legislators for setting a positive example to all Americans.●

TRIBUTE TO THE HOLLIS/BROOKLINE STUDENTS FOR THEIR PARTICIPATION IN ''WE THE PEOPLE . . .''

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to 27 students from Hollis/Brookline High School for winning the right to represent New Hampshire in the ''We the People . . . The Citizen and the Constitution'' national competition in Washington, D.C.

As the New Hampshire state champions, the Hollis/Brookline students will compete against more than 1200 students from across the United States in a three-day national competition May 2–4, 1998. Students will demonstrate their knowledge of the Constitution and its relevance to contemporary issues in front of simulated congressional committees composed of constitutional scholars, lawyers, journalists, and government leaders.

The distinguished members of the Hollis/Brookline team are: Meghan Amber, Wayne Beuner, Randy Brown, Jonathon Davies, Meredith Edmunds, Jaima Elliott, Emily Gagne, Sara Godshall, Laura Hacker, Alex Harris, Nicola Huns, Craig Kimball, Sarah Kirby, Anna Klein, Brannon Klein, Maya Levine, Sara Liebling, Kass Litwin, Heidi Packard, Amy Rattin, Jared Rosenberg, Nadine Schneider, Carrie Spaulding, Kent Springfield, Anja Helene Stronen-Lien, Amy Tozier and Amanda Vormelker. Their teachers, Helen Melanson and Joel Mitchell, deserve special recognition for their role in preparing these students for this intense constitutional testing. I applaud them for their commitment to enriching the lives of these students.

As a former high school civics teacher myself, I recognize the value of instilling an understanding of the Constitution in students. The ''We the People . . . The Citizen and the Constitution'' program provides an excellent opportunity for students to gain an informed perspective about the history and principles of our nation's constitutional government. I wish these young constitutional experts from Hollis/Brookline High School the best of luck in preparing for the national finals. It is an honor to have them represent New Hampshire, and I wish them luck as they prepare to be America's leaders in the twenty-first century. I am proud to represent them in the U.S. Senate.●

A LITERACY SUCCESS STORY

● Mr. WARNER. Mr. President, on behalf of myself, Senator JEFFORDS and Senator REED, I would like to submit this statement given by Ms. Raynice Brumfield of Washington, D.C. for the RECORD. Ms. Brumfield testified at this morning's Labor and Human Resources Committee hearing on Reading and Literacy Initiatives. I commend her for the progress she has made as a participant of the D.C. Head Start Toyota

Family Literacy Program. Her testimony was very moving and she is a success story for others to emulate.

Mr. President, I ask that Ms. Brumfield's testimony be printed in the RECORD.

The testimony follows:

TESTIMONY OF RAYNICE BRUMFIELD, DISTRICT OF COLUMBIA PUBLIC SCHOOLS HEAD START ''TOYOTA FAMILY LITERACY PROGRAM''

Ms. BRUMFIELD. Thank you Senator Jeffords and members of the Senate Committee, for inviting me to share my story with you. By virtue of the fact that I can sit before you to take part in this occasion, proves that without a program like the Toyota Family Learning Tree, I would still be just stuck in the house, taking care of my two small children, faced with a future that didn't look bright.

I am Raynice Brumfield. I am a 25 year old single parent with four children; James 10, Delonte 8, Kiara 5, and Tyrone, age 4. I was born in Washington, D.C., and attended the public schools there. When I was 15 years old I became pregnant with my first child. Between the ages of 15 and 17, I worked at various jobs. I soon found that I could not make enough money to afford food, clothing, baby supplies and living expenses. At age 17, I became pregnant with my second child. By 19, I enrolled in one of the District of Columbia's public vocational schools. I dropped out of that school because the staff was not sensitive to the needs of young mothers, and I did not feel safe in that environment. I started to receive Public Assistance when I was 19, and soon became pregnant with Kiara, and the next year, Tyrone.

The opportunity to further my education, while being close to my children, seemed like a dream come true. On September 30th, 1996 my children and I started school. The adult education teacher (Mrs. Grace Blackwood), and the parenting instructor (Mrs. Irene Ball), greeted me warmly. I was quiet, scared, and very unsure of myself.

When I entered the program my reading and math levels were at a second grade level. My teachers, and the program's coordinator, Mrs. Peggy Minnis, made the other parents and me feel like we could accomplish anything. They made sure that we maintained a positive self esteem. We were encouraged to set goals, and they helped us work to meet each goal. The work was hard, but soon it became a daily routine, for my children and I to sit at the kitchen table, learning together. As my reading skills improved, I began to enjoy reading stories to my children at home, and going into their classroom to practice and share my new skills with any child who wanted to crawl up in my lap, to hear me read. The harder I worked, the easier it became to help my older children with their homework. I began taking part in the activities at their school. My children's home library grew from 2 or 3 books, to over 40. Reading stories or telling stories to my children has helped in their language development and provided me with practice in reading.

The parenting course helped me understand child development. Understanding the stages that my children were going through, helped me to be patient, understanding, and able to predict their behavior. I learned that there are whole new worlds that my family and I can explore for free. We visit these new worlds every weekend inside the public library. I tell my children that even though we don't have a lot of money, we can still visit far away places and people. Most importantly, we enjoy these adventures as a family. All of my children have their own library cards. I've become a responsible citizen who has a voter registration card and I vote.

As a result of being in the Toyota Family Literacy Program, new worlds have opened up for me and my family. Worlds that were once just part of my day dreams. . . . are now a reality. I am proud to tell you that I now read on a 10th grade level, and my math skills have increased to a 9th grade level. I received an award from my children's school, which honored me as being, ''Most Active Parent in Schoolwide Activities.'' I have volunteered more than 200 hours in my children's school. My children's report cards and teacher comments are no longer negative, but positive. I was invited to speak at last year's 27th Annual Congressional Black Caucus Legislative Conference in Washington, DC, by New Jersey's Representative Donald M. Payne. I shared how Toyota through the National Center for Family Literacy and the Head Start Program are helping to improve literacy in the African American community by focusing on young children and their parents. That speech was placed on the E-mail system of every congressman and representative in Congress. Now the most powerful people in the United States have heard about the wonderful work that all of you in this room have dedicated your lives to.

In January, the Head Start Program invited me to be a guest speaker at their staff development activities. Again, I told how family literacy programs make futures bright. I just took the GED examination on the 16th.

My adult education teacher encouraged me to apply for an intensive training program through the YWCA's Non-Traditional Jobs For Women Program last school year. I was accepted into the program, and have completed the training, which prepared me to be trained as a carpenter, plumber, mason, or electrical worker.

Upon notification of having passed the GED, I have been promised priority consideration for a non-traditional job at George Washington University (in the District of Columbia) through a partnership that has been set up between our program and the university. I will have the opportunity to work for no less than $12.00 per hour, have paid leave and benefits for my entire family.

I will gain experience, meet new people, and most importantly, the opportunity to continue my education free of charge. Upon advancement in my job, my children will be able to attend George Washington University and get their college education for free.

The partnership between Head Start, the National Center for Family Literacy and the Toyota Corporation have made my future look bright. By nurturing the promise of providing a quality education to my children and me, they have given me empowerment through Literacy.●

APPOINTMENT OF CONFEREES—H.R. 2646

The PRESIDING OFFICER. Pursuant to the order of March 27, 1998, the Chair appoints the following Senators to serve as conferees to H.R. 2646, the Education Savings Act for Public and Private Schools.

The Presiding Officer (Mr. ALLARD) appointed Mr. ROTH, Mr. MACK, Mr. COATS, Mr. GORTON, Mr. COVERDELL, Mr. MOYNIHAN, Ms. MOSELEY-BRAUN, Mr. KENNEDY and Mr. BINGAMAN conferees on the part of the Senate.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, and upon the recommendation of the Republican leader, pursuant to the provisions of S. Res. 208 of the 105th Congress, appoints the following Senators to the Special Committee on the Year 2000 Technology Problem: The Senator from Arizona (Mr. KYL), the Senator from Oregon (Mr. SMITH), and the Senator from Maine (Ms. COLLINS).

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to the provisions of S. Res. 208 of the 105th Congress, appoints the following Senators as ex-officio members of the Special Committee on the Year 2000 Technology Problem by virtue of their positions on the Committee on Appropriations: The Senator from Alaska (Mr. STEVENS); and the Senator from West Virginia (Mr. BYRD), Ranking Minority Member.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Ms. SNOWE. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination on the Executive Calendar: Calendar No. 578.

I further ask unanimous consent that the nomination be confirmed; that the motion to reconsider be laid upon the table; that any statements relating to the nomination appear at the appropriate place in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate then return to legislative session.

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

The nomination was considered and confirmed, as follows:

DEPARTMENT OF VETERANS AFFAIRS

Togo Dennis West, Jr., of the District of Columbia, to be Secretary of Veterans Affairs.

Mr. SPECTER. Mr. President, on February 24, 1998, the Committee on Veterans' Affairs held a hearing on the nomination of Acting Secretary of the Department of Veterans Affairs Togo D. West, Jr. be the permanent Secretary of that agency. The committee carefully evaluated the nominee and his statements before the committee. It reviewed Mr. West's submissions of his background and financial interests and the investigation completed on all Presidential nominations and conducted by the Federal Bureau of Investigation. As a result, the committee voted unanimously on April 21 to report favorably to the full Senate the nomination of Togo D. West, Jr. to be the Secretary of the Department of Veterans Affairs.

The Department of Veterans Affairs has been without a permanent Secretary since Jesse Brown resigned in July 1997. This is too long a period for any department of the Federal government to be without its senior leader and manager. It is especially true for the Department of Veterans Affairs which is in a period of major transition

of its health program from inpatient to outpatient care in a period of a declining real budget. In addition, the Department's administration of its benefits programs has been seriously challenged and is in need of major restructuring and effective leadership. Also, the Department, like other federal departments and agencies, faces a major hurdle in adjusting its computer-based information systems to the Year 2000.

It appears to me that Togo D. West, Jr. has the prerequisite qualifications to meet these challenges, to lead the Department, and to provide the health and benefits services which our veterans have come to expect and deserve.

Mr. West has been serving as Acting Secretary since January 2, 1998, pursuant to a December 2, 1997, Presidential directive under authority of the so-called ''Vacancies Act,'' 5 U.S.C. 3348. He concurrently has been serving as Secretary of the Army, a position he has held since November 1993. He relinquishes that position upon being sworn in as Secretary of the Department of Veterans Affairs.

Mr. West's background is extensive and impressive. He was commissioned a second lieutenant in the U.S. Army Field Artillery Corps upon graduation from college and following law school, he was called to active duty in the Army's Judge Advocate General Corps. In 1975, he served in the Department of Justice as an Associate Deputy Attorney General and in 1977 he was named General Counsel for the Navy. In 1979, he served as the Special Assistant to the Secretary of Defense and Deputy Secretary, and in January 1980 was appointed General Counsel of the Department of Defense.

Mr. West is an articulate and dedicated public servant. I believe that he will serve well the Department and our country's veterans. Therefore, I thank my colleagues for their support of this nomination.

Mr. ROCKEFELLER. Mr. President, I'm delighted to join the Chairman of the Committee on Veterans' Affairs, Mr. SPECTER, in bringing before the Senate the nomination of Togo D. West, Jr., to be Secretary of Veterans Affairs and urging his confirmation.

Mr. President, Togo West has a long history of serving his country and America's service members. He began his career as an Army lawyer from 1969 to 1973, first as part of the Army Judge Advocate General's Corps and later with the Office of the Assistant Secretary of the Army for Manpower and Reserve Affairs. He left the Army in 1973, but never strayed far from public service. In 1975, he served in the Department of Justice as Associate Deputy Attorney General. In 1977, he was appointed to serve as the Department of the Navy's General Counsel. From there, he also served as the Special Assistant to the Secretary and Deputy Secretary of Defense, and in 1980 he was appointed General Counsel of the Department of Defense.

Most recently, Togo West served our country as Secretary of the Army, a position he held beginning in 1993, until President Clinton appointed him Acting Secretary of Veterans Affairs on January 2, 1998. As Secretary of Veterans Affairs, West will be responsible for safeguarding and improving the VA's system of delivering health care and benefits to America's 26 million veterans. VA is the second largest federal agency, employing almost 235,000 people, many of them veterans themselves.

Togo West will be filling the vacancy left by Jesse Brown, the former Secretary of Veterans Affairs. Jesse Brown has always been a tireless veterans advocate, and his leadership and energy are missed by veterans and others who also fight on behalf of veterans.

Mr. President, Togo West has a wonderful opportunity to serve the veterans of our Nation in this new capacity. He has demonstrated himself to be a person of the highest integrity with extraordinary leadership skills. President Clinton has shown great confidence in him, his work, and his commitment to veterans by nominating him to serve in this important position. I concur with the President who has said that Togo West ''has always understood the special responsibility we owe to our men and women in uniform both during and after their years of service.'' His unique perspective and experience will serve him well in meeting the challenges that lie ahead.

Mr. President, I am proud of the confirmation of Togo West. I thank my colleagues for their unanimous support of this nomination.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT 105–42

Ms. SNOWE. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on April 28, 1998, by the President of the United States: Treaty with Brazil on Mutual Legal Assistance in Criminal Matters (Treaty Document No. 105–42.)

I further ask unanimous consent that the treaty be considered as having been read for the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty between the Government of the United States of America and the Government of the Federative Republic of Brazil on Mutual Legal Assistance in Criminal Matters, signed at Brasilia on October 14, 1997. I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty is one of a series of modern mutual legal assistance treaties that the United States is negotiating in order to counter criminal activities more effectively. The Treaty should be an effective tool to assist in the prosecution of a wide variety of modern criminals, including those involved in terrorism, other violent crimes, drug trafficking, money laundering, and other ''white-collar'' crime. The Treaty is self-executing, and will not require new legislation.

The Treaty provides for a broad range of cooperation in criminal matters. Mutual assistance available under the Treaty includes:

(1) Locating or identifying persons or items; (2) serving documents; (3) taking testimony or statements of persons; (4) transferring persons in custody for testimony or other purposes; (5) providing documents, records, and items; (6) executing requests for searches and seizures; (7) assisting in proceedings related to immobilization and forfeiture of assets, restitution, and collection of fines; and (8) any other form of assistance not prohibited by the laws of the Requested State.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *April 28, 1998.*

ORDERS FOR WEDNESDAY, APRIL 29, 1998

Ms. SNOWE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11:45 a.m. on Wednesday, April 29. I further ask unanimous consent that on Wednesday, immediately following the prayer, the routine requests through the morning hour be granted and the Senate then resume consideration of the Smith-Hutchison amendment No. 2314 to the NATO enlargement treaty.

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

Ms. SNOWE. I further ask unanimous consent that at 11:45 a.m., the Senate proceed to a rollcall vote on or in relation to the Smith-Hutchison amendment, with 2 minutes equally divided for debate prior to the vote.

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

PROGRAM

Ms. SNOWE. Mr. President, for the information of all Senators, the Senate will resume consideration of the NATO enlargement treaty at 11:45 a.m. tomorrow morning. At 11:45 a.m., the

Senate will immediately proceed to a rollcall vote on, or in relation to, the Smith-Hutchison amendment No. 2314 offered earlier today. The leader has indicated that he hopes that the Senate will complete action on the NATO expansion treaty by tomorrow evening or the close of business Thursday at the latest. Senators with amendments are encouraged to come to the floor to offer and debate those amendments so that good progress can be made during Wednesday's session. Therefore, Senators should expect rollcall votes throughout Wednesday's session on amendments to the NATO enlargement treaty or any other legislative or executive items cleared for action.

ADJOURNMENT UNTIL 11:45 A.M. TOMORROW

Ms. SNOWE. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:28 p.m., adjourned until Wednesday, April 29, 1998, at 11:45 a.m.

NOMINATIONS

Executive nominations received by the Senate April 28, 1998:

STATE DEPARTMENT

MARI CARMEN APONTE, OF PUERTO RICO, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DOMINICAN REPUBLIC.

E. WILLIAM CROTTY, OF FLORIDA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BARBADOS, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY TO BARBADOS, THE COMMONWEALTH OF DOMINICA, THE STATE OF GRENADA, ST. KITTS AND NEVIS, SAINT LUCIA, SAINT VINCENT AND THE GRENADINES.

JEFFREY DAVIDOW, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO MEXICO.

JOHN O'LEARY, OF MAINE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CHILE.

ARTHUR LOUIS SCHECHTER, OF TEXAS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE COMMONWEALTH OF THE BAHAMAS.

CONFIRMATION

Executive Nomination Confirmed by the Senate April 28, 1998:

DEPARTMENT OF VETERANS AFFAIRS

TOGO DENNIS WEST, JR., OF THE DISTRICT OF COLUMBIA, TO BE SECRETARY OF VETERANS AFFAIRS.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

RECOGNIZING OCCUPATIONAL THERAPY MONTH

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Ms. ROS-LEHTINEN. Mr. Speaker, in honor of Occupational Therapy month, I would like to recognize Occupational Therapists nationwide for the wonderful work they do on a daily basis to help Americans regain their full physical capabilities. I would like to recognize Continued Care Corporation of Miami which will soon be celebrating the opening of its Rehabilitation Division and will become part of this wonderful network of occupational therapy providers.

It is important to realize the contributions that Occupational Therapists make in our daily lives as well as the positive impact they have on the health care community. In addition to contributing to a significant decrease in a patient's hospital length of stay, they also reduce the amount of care and services patients require after discharge. For the patient, the benefits of therapy translate into the prevention of further complications or disabilities and the ability to resume their normal lives.

The commitment of our nation's Occupational Therapists to providing an opportunity for those with physical ailments and disabilities to participate to their fullest abilities should be recognized and recommended.

IN RECOGNITION OF ROY WYSE

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. GEPHARDT. Mr. Speaker, I rise today to pay tribute to a good friend and dedicated representative of working people, Roy Wyse. Roy is retiring as Secretary Treasurer of the United Auto Workers International Union after thirty-six years of leadership in the union.

Roy was hired by the Ford Motor Company in 1951, and immediately joined UAW Local 249 in Claycomo, Missouri. After being elected to the shop committee, Roy quickly rose within the UAW leadership. He was elevated to Secretary Treasurer in 1995, the second highest office in the union.

The safety and welfare of the working men and women of the UAW have always driven Roy's life. He has been a tireless fighter on their behalf, and his efforts have had a tremendous impact on the ability of working families to hold a secure job, receive a fair paycheck, and raise a family. Roy has worked to help people outside the union as well. His community involvement has ranged from serving as president of a local board of education, teaching Sunday school classes, and working as a volunteer fireman.

I applaud Roy's commitment to public service, and wish him and his wife Pat all the best in the years to come.

A TRIBUTE TO REDLANDS POLICE CHIEF, LEWIS NELSON

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention today the fine work and outstanding public service of my good friend, Lewis W. Nelson, the Chief of Police for the City of Redlands, California. After a long and distinguished career, Chief Nelson is retiring and will be recognized for his many years of service at a banquet in his honor on May 21st.

Lewis Nelson served in the U.S. Army as a medical specialist in Vietnam from 1967 to 1969. He received his Associate of Arts degree from San Bernardino Valley College (1970–72), his BS from California State University-Los Angeles (1972–74), a Master of Public Administration from the University of Southern California (1975–77) and a Masters of Science from California Polytechnic University in Pomona (1993–95).

He began his professional career with the Redlands Police Department in 1969 as a police officer. Since that time he has consistently moved up through the ranks receiving promotions to police detective (1973–74), police sergeant (1974–77), police lieutenant (1977–82), police captain (1982–83), and chief of police 1993–present). Throughout his career, he has earned professional certifications from the California Law Enforcement Command College (1992–94), the FBI National Academy (1983), and the Law Enforcement Executive Development Seminar (1998).

Chief Nelson has been a member and leader of numerous professional organizations including the San Bernardino County Chiefs and Sheriffs Association, the FBI Law Enforcement Executive Development Association, the California Police Chiefs Association, the FBI National Academy Associates, Police Futurists Society, the National Institute of Criminal Justice, the California Peace Officers Association, and others.

Over the years, Chief Nelson has also been closely affiliated with a great many community organizations including the Veterans of Foreign Wars, Rotary Club of Redlands, Redlands East Valley United Way, Redlands Family YMCA, Youth Development Incorporated, Redlands Baseball for Youth and Redlands AYSO Soccer.

Mr. Speaker, I ask that you join me and our colleagues in recognizing the many years of remarkable service of Chief Nelson. My hometown of Redlands, California is especially proud of the work he has done on behalf of our entire community. I also want to wish Chief Nelson, his wife Kathleen, son Brett, and daughter Kristen much happiness and the very best in the years ahead.

CELEBRATING THE 60TH BIRTHDAY OF REVEREND NORMA JEAN PENDER

HON. DEBBIE STABENOW

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Ms. STABENOW. Mr. Speaker, I rise today to pay special tribute to Reverend Norma Jean Pender who is celebrating her 60th birthday.

For thirty-five years, Ms. Pender has served the people of Michigan and has been a tireless leader for the community. Ms. Pender received her license to preach the Gospel in the Christian Episcopal Church in 1974, and was ordained in 1978 by the late Bishop E.P. Murchison. In 1982, she accepted the call to the position of Pastor of the New Jerusalem Temple Baptist Church. In 1985, she was ordained in the Baptist faith through the National Baptist Convention, USA.

Along with her responsibilities to her church, she has also been committed to a vast array of community projects, such as the NAACP, the American Business Women's Association, and the Minister's Volunteer Services for the Harper Hospital Cancer Society.

During her thirty-five years, Ms. Pender has served as musical leader, teacher, community spokesperson, and spiritual advisory to people of all ages. Most of all, through song, she showed her passion for life and her faith in God.

While many of us know her as Reverend Mother on a popular radio show she hosts each weekday, Ms. Pender is also known as a woman committed to family, the community and the gospel. I thank her for the example she has set for so many of our young children as well as adults and wish her a very happy birthday.

IN HONOR OF THE 25TH ANNIVERSARY OF THE NEW KARLIN HALL AND CLUB

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. KUCINICH. Mr. Speaker, I rise today to honor the 25th anniversary of the dedication of the new Karlin Hall and Club in Cleveland Ohio.

Early Czech settlers in the area gave the neighborhood surrounding lower Fleet Avenue the nickname, Karlin. The name stuck and the original Karlin Hall became the center of the Czech Karlin neighborhood. The hall was founded in 1936 by three lodges of the Czech Catholic Fraternal Insurance Society, the Catholic Workmen. In 1972, a disastrous fire left the original hall in ruins, but it was rebuilt in the same location and reopened May 1, 1978. The dedication of the new Karlin Hall marks the beginning of the renovation of lower

Fleet Avenue and the Slavic Village area. Today, 14 different groups call Karlin Hall their home.

The anniversary will be celebrated with special masses at St. John Nepomucene Church and Our Lady of Lourdes Church. The three-day party to commemorate the occasion starts May 1 and will include live music, Slovak folk dancing and social dinners.

My fellow colleagues, please join me in saluting the members of Karlin Hall.

TRIBUTE TO CORTEZ KENNEDY

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to a terrific young man.

Many of you may recognize the name Cortez Kennedy. Cortez is a star defensive tackle for the Seattle Seahawks in the National Football League. Aside from being an accomplished athlete and six-time Pro Bowl player, Cortez is an admirable human being who has not forgotten his beginnings.

Cortez grew up in Mississippi County in the First Congressional District of Arkansas. He went to school and played football in Wilson, Arkansas. Each summer, Cortez returns to Rivercrest High School in Wilson to host a football clinic for the youngsters in his hometown. The stars that turn out each year to help Cortez teach the children are a testament to the relationship he has with his peers. Widely-known football players like Derek Thomas, Russell Maryland, and Rick Mirer, and coaches like Barry Switzer have all traveled to Wilson at Cortez's request.

On April 18, I was honored to attend a ceremony in Wilson to witness the renaming of Main Street to Cortez Kennedy Avenue. I want to extend my heartfelt thanks to Cortez for all he has done for Wilson and Mississippi County. He is truly a superb young man.

NOTRE DAME COMBINING RESEARCH AND RELIGION

HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. ROEMER. Mr. Speaker, I would like to draw my colleagues' attention to the following December 10, 1997 article in the New York Times about the University of Notre Dame.

[From the New York Times, Dec. 10, 1997]

NOTRE DAME COMBINING RESEARCH AND RELIGION

(By Ethan Bronner)

NOTRE DAME, IND., Dec. 4.—At the end of a century in which the great American universities have moved from being extensions of churches to centers of secularism, the University of Notre Dame is carving itself an important niche as an institution of serious scholarship with a deeply religious environment.

Some colleges are religious; others have vital research centers. Notre Dame is rare in combining the two.

The religious nature of Notre Dame is felt not only in the crucifixes that hang in every class, the Roman Catholic priests who live in every dormitory, the Mass recited nightly and the forbidding of men and women to enter each other's dormitory rooms after a certain hour. It comes as well in the work being fostered here.

Political scientists are reclaiming Augustine to examine ''just war'' theory. Law professors are focusing on neglected church views about dying in legal debates on assisted suicide. Historians are emphasizing the role of local parishes in understanding urban race relations.

Some of these approaches would have been dismissed as almost ridiculously retrograde a generation ago, yet scholars here and elsewhere say the American academy seems surprisingly receptive to them today because they bring new or lost perspectives to vital subjects.

This comes at a time of newfound self-confidence for Notre Dame. Flush with cash from rich alumni and proceeds from its storied football team, the university is discovering it can lure scholars, including non-Catholics, from top institutions by promoting religion.

''When I was a graduate student at Harvard 25 years ago, the whole idea of working in a religious framework was bizarre,'' said James Turner, an intellectual historian who moved here recently from the University of Michigan. ''Augustine had become a kind of museum artifact to be studied only by the appropriate curators. But now we are making the case that neglected religious sources can help reconfigure academic discussion.''

Professor Turner is director of the newly established Erasmus Institute here, a unique interdisciplinary effort that seeks to be a national model for the reinvigoration of Catholic and other religious intellectual traditions in contemporary scholarship.

He is among recent catches for Notre Dame in a highly competitive academic environment. Others have been lured to the prairies of northern Indiana by the idea of turning a respectable academic institution into a truly fine one.

Philip L. Quinn left an endowed chair in philosophy at Brown University for one here because, he said: ''In my personal and professional life I take religion seriously. In the secular academy, they are not much concerned with religion. They look at it from the social science perspective.''

George M. Marsden, a historian of religion and a devout Protestant, left Duke University for Notre Dame because, he said, only here did he feel there was the desire for a high-level scholarly discussion within a Christian context.

While there are scores of small Christian colleges across the United States, none can lay claim to being a center of scholarship outside the Christian world. Notre Dame can.

One of its sources of pride is its new Irish Studies Institute, financed with a gift of $13 million from Donald R. Keough, an alumnus who was president of Coca-Cola from 1981 to 1993.

The donation has made it possible to attract Seamus Deane, one of the most distinguished Irish scholars and authors, as director. Professor Deane, whose novel, ''Reading in the Dark'' (Knopf, 1997), was received with high praise earlier this year, says that by September 1998 there will be six full-time faculty members and one visiting professor at the institute, making it the biggest such program in the country.

''We're not on the scale of Johns Hopkins or M.I.T.'' said the Rev. Edward A. Malloy, Notre Dame's president, ''but we are increasing the intellectual resources so as to make this a great university. With the Erasmus Institute and Irish studies we have identified areas of intellectual engagement where we can make a real contribution.''

Notre Dame has long had a special place among American universities but not largely for its scholarship. Founded in 1842 by a priest of the Congregation of Holy Cross, it was to American Catholics in the mid-20th century what City College was to New York Jews, a welcoming place to study without fear of prejudice.

The dominance of its football team under a series of legendary coaches beginning with Knute Rockne—and the public way in which teams recited Mass before each game—focused the loyalty of many American Catholics who tended to regard Notre Dame with almost Lourdes-like devotion.

In recent decades, the university's endowment has risen to $1.5 billion, nearly 30 times what it was in 1970.

U.S. News and World Report ranks Notre Dame 19th of national universities and a recent book, ''The Rise of American Research Universities'' (Johns Hopkins, 1997), named Notre Dame as among a handful of top rising private research universities.

It is the combination of competitiveness and tradition that attracted M. Cathleen Kaveny to join the law faculty here three years ago. Holder of a doctorate and a law degree from Yale University, Professor Kaveny has become an expert on assisted suicide by drawing on Catholic teachings. She is planning a scholarly study of mercy, how a society should feed its hungry and comfort its sick.

''These are areas that I could never pursue as a junior faculty member at another law school,'' Professor Kaveny said. ''I would be laughed at. Here they are excited about it.''

There is some concern that all the talk about rediscovering Christian sources will serve as a pretext for squelching free inquiry. Michael A. Signer, a Reform rabbi who holds a chair here in Jewish culture, says Notre Dame is still grappling with being both Catholic and catholic. The test of the Erasmus Institute, Rabbi Signer says, will be to see how it handles that tension, whether it reaches out to other traditions or barricades itself in.

Alan Wolfe, who describes himself as a secular sociologist at Boston University, wrote recently in The Chronicle of Higher Education that the revival of religion in the academy at places like Notre Dame was welcome.

''To study the world's great literary works, many of which were inspired by religious questions, without full appreciation of those questions is like performing Hamlet without the Prince,'' Mr. Wolfe wrote. ''Critics of academic specialization in the humanities often say that English departments, infatuated with contemporary works, no longer teach enough Milton or Tolstoy. It would be more correct to say that, through the lens of secularism, they are teaching them inaccurately.''

INTRODUCTING THE AVIATION BILATERAL ACCOUNTABILITY ACT

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. LIPINSKI. Mr. Speaker, I rise today to introduce a piece of legislation entitled the Aviation Bilateral Accountability Act. The Aviation Bilateral Accountability Act is a bill that will require Congressional approval of all U.S. aviation bilateral agreements.

International aviation is governed by a series of bilateral civil aviation agreements between countries. Unlike other sectors of the economy that tend to be handled through multilateral agreements, such as the General Agreement on Tariffs and Trade, issues regarding international aviation are resolved through government-to-government negotiations. For example, if a U.S. air carrier wants to fly into and out of another country, the American government must first negotiate with the government of that country to determine the terms under which the carriers from both countries will operate. Terms of bilateral civil aviation agreements include, among other things, route assignments, capacity and frequency limitations, carrier designations, and pricing controls.

U.S. bilateral aviation agreements are executive agreements. They are negotiated and signed by representatives from the Department of State and the Department of Transportation. Unfortunately, Congress does not play any official role in the approval of bilateral aviation agreements.

As the Ranking Member of the House Subcommittee on Aviation, I strongly believe that Congress deserves to play a role in approving bilateral aviation agreements. As Members of Congress, we represent the businessperson, the leisure traveler, the consumer—the flying public in general. We should have the right to make sure that bilateral aviation agreements are negotiated to give U.S. consumers the most access to international aviation markets at the best price.

For this reason, I introduced the Aviation Bilateral Accountability Act, a bill to require Congressional approval of all U.S. aviation bilateral agreements. International aviation, which is based on bilateral aviation agreements, has a tremendous impact on the U.S. economy and U.S. citizens. Congress should not be excluded from agreements of such magnitude. As elected Representatives of the people, we owe it to the American consumer to look out for his or her best interests. My legislation will help Members of Congress better represent the flying public by giving Congress an integral role in the approval of U.S. bilateral aviation agreements.

The Aviation Bilateral Accountability Act will require implementing legislation for each U.S. bilateral aviation agreement, similar to the legislation required for trade agreements such as NAFTA. Under the bill, each bilateral agreement would be presented to Congress by the Secretaries involved in the negotiations. An approval resolution would then be introduced and referred for a limited number of days to the House Transportation and Infrastructure Committee and the Senate Commerce Committee. After Committee review, a straight up-or-down vote would then be required in both chambers. Finally, once the approval resolution passes both the House and the Senate, and is signed into law, then the bilateral aviation agreement would be official.

Mr. Speaker, in closing, I would like to thank the gentleman from Oregon, Representative PETER DEFAZIO, for joining me as an original co-sponsor of this important legislation. In addition, I urge all my colleagues to co-sponsor the Aviation Bilateral Accountability Act.

IN HONOR OF BAYONNE YOUTH CENTER, INC.

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. MENENDEZ. Mr. Speaker, I am delighted to rise today to thank and congratulate four citizens of Bayonne, New Jersey who have contributed immensely to the Bayonne Youth Center and the entire community. As it celebrates its 53rd anniversary at the HI Hat in Bayonne, The Bayonne Youth Center will honor Mrs. Susan Y. Davis, the recipient of the Sabra Jackson Award; Assemblyman Joseph V. Doria, Jr., recipient of the Humanitarian Award; Curtis Nelson, the winner of the Service Award; and Wilhelmina Wilson, who is receiving the Volunteer Service Award. Also being recognized at the dinner will be the Youth of the Month and the Art and Essay contests winners.

I would like to take a moment to tell you about these four remarkable constituents. Susan Y. Davis is continually active in community service. She has served on the Bayonne Community Day Nursery Board, Midtown Community School Advisory Council, and is a member of the Bayonne Youth Center's Board of Directors. She is also active in St. Patrick's Church of Jersey City. Susan received the 1995 NAACP Community Service award.

Assembly Democratic Leader Joseph V. Doria, Jr., recipient of the Humanitarian Award, has a distinguished career in public and community service. He serves as a member of the Board of Directors of Liberty Health Care Systems, and has served as a board member of St. Ann's Home for the Aged. Assemblyman Doria has received more than 110 awards and citations from both public and private groups, including the Deborah Hospital Foundation's Children of the World Award and the Liberty Science Center's Legislator's Award.

Wilhemina Wilson, winner of the Volunteer Service Award, lives her life exemplifying the philosophy of Dr. Martin Luther King, Jr., by promoting peace and goodwill towards all people. She is a faithful member of the Wallace Temple A.M.E. Zion Church and has received numerous awards for her outstanding church service. Wilson is a member of the Bayonne branch of the NAACP and has been a longstanding member and supporter of the Bayonne Youth Center.

Curtis Nelson, who was awarded the Service Award, has always made sure to give back to his community. During his work for New Jersey Transit, he received many Service Star Awards for his exemplary service. Nelson has been leader of the Neighborhood Block Association for 25 years and was the first black Commander of the F.A. Mackenzie Post of Bayonne where he raised money for many charities. He is also a member of the Pride of Bayonne Lodge No. 461.

These four extraordinary citizens who have given so much back to their community and the Bayonne Youth Center deserve our respect and admiration.

HONORING THE WEEK OF APRIL 26-MAY 2, 1998 AS NATIONAL SCIENCE AND TECHNOLOGY WEEK

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. SENSENBRENNER. Mr. Speaker, I rise to say a few words in honor of the 14th annual National Science and Technology Week.

During this week the National Science Foundation performs its most important public outreach activities of the year; getting children excited about science and technology. This year's theme for National Science and Technology Week is ''Polar Connections.'' It draws attention to the scientific research being performed in the Arctic and in the Antarctic.

The North and South Poles are truly unlike any place on the planet. As Chairman of the Science Committee, I've had the opportunity to travel to Antarctica to visit NSF's South Pole Station, and I can tell you that it is a remarkable place. The men and women who perform research at the South Pole work under conditions that make the winters in Wisconsin look comparatively easy. For example, in 1989 researchers from the University of Wisconsin measured temperature variations at the South Pole ranging from −7 °F to −117 °F. The South Pole receives less than a foot of snow per year, yet it is covered by an ice-sheet that is nearly two-miles thick. Geographically it is 1.5 times the size of the continental United States and a year's worth of supplies must be fit onto the one supply ship that ventures to Antarctica once a year. When the sun goes down on March 21st, it doesn't come up again until September 21st.

This week's activities were not designed simply to draw attention to the Poles, but rather to the work being performed there. The North and South Poles are unique, natural laboratories and offer matchless opportunities to study our environment.

Highlighting the combination of the important and unique research being performed at the Poles and the harsh and dangerous living conditions there is, in my opinion, a great way to make children curious about science and technology. When children are introduced to the conditions at the Poles, they may wonder: How can anything survive in such cold conditions? How do you study geology when the ground's under two miles of ice? How do you get everything you need to the South Pole? How do you fit a year's supply of goods on one ship? Getting kids to ask these questions is the goal of National Science and Technology Week. I think that ''Polar Connections'' is a terrific theme for National Science and Technology Week, and I am confident that this year's activities will be a great success.

I must add that just as they did last year, the National Science Foundation has once again set up it's ''Ask a Scientist or Engineer'' phone-bank at 1–888–718–3026. The phone-bank will be open on Wednesday, April 29th, from 9:00 am to 8:00 pm. This year's e-mail address is nstw@nsf.gov. More information about National Science and Technology Week can be found at NSF's web-page at www.nsf.gov.

Mr. Speaker, I encourage my fellow Members to strongly support this program, and join

with me in celebrating National Science and Technology Week.

A TRIBUTE TO PHYLLIS NEWMAN

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention today the fine work and outstanding contributions of Phyllis Newman. Congregation Emanu El of San Bernardino, California will honor Phyllis on June 6th as this year's recipient of the Rabbi Norman F. Feldheym Award for distinguished service to the congregation and community. She will be recognized at a dinner dance which will also commemorate the 107th anniversary of the chartering of the congregation.

The Norman F. Feldheym Award was established to pay tribute to those members of Congregation Emanu El who have, in their own lives, reflected Rabbi Feldheym's qualities of love for and loyalty to the synagogue, service of the community, as well as evidencing personal traits of humility, loving kindness, care and love. Phyllis Newman has been a particularly devoted leader of Congregation Emanu El through her service as president of its sisterhood and a member of the Board of Directors of the congregation. She has also edited and produced over 15 commemorative journals which have been efforts to raise funds for the congregation. During this time, she has been an inspiring example of generosity and commitment.

Phyllis has also been a very active participant in numerous community organizations including the Assistance League and the San Bernardino Area Mental Health Association. She is also very widely known for her deep devotion to her faith and her family.

Mr. Speaker, I ask that you join me, our colleagues and the many dear friends of Phyllis Newman in recognizing this remarkable woman as she is presented with the Rabbi Norman F. Feldheym Award. It is especially appropriate that this honor is being bestowed at a ceremony also marking the 107th anniversary of the founding of Congregation Emanu El.

MILDRED KIEFER WURF—A VIGOROUS ADVOCATE FOR GIRLS

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Ms. NORTON. Mr. Speaker, I rise to pay tribute to Mildred Kiefer Wurf, the distinguished and high respected Director of Public Policy of Girls Incorporated who has been a powerful voice for girls for nearly three decades.

Mrs. Wurf began her career as a senior staff member on the President's Council on Youth Opportunity and established contacts with more than 175 voluntary and professional organizations for this White House agency, promoting programs for disadvantaged youth within the nonprofit sector and among federal agencies. She has served as an appointee to the U.S. Department of Labor, Citizen Review Commission, Comprehensive Youth Employment Commission, US Travel Service Advisory Committee, U.S. Department of Commerce, and the National Commission on Youth, Kettering Foundation and the Government Relations Committee of the Independent Sector. Mildred Kiefer Wurf served as the founding coordinator of the National Collaboration for Youth, where she brought together directors of 13 national organizations, developed management and funding symposiums, drafted statements on youth issues, wrote testimony and briefed principals and facilitated large youth employment and delinquency prevention grants.

Mr. Speaker, Mrs. Wurf was the first director of the Washington Office of Girls Clubs of America. She monitored hearings and legislation, testified before Congressional Committees, was responsible for staffing the Expansion, Development and Advocacy Committees of the National Board and originated and wrote a Washington newsletter for affiliates and Board. She has persuasively applied her passion for words both as a spokesperson and as coauthor of Girls, Inc. Advocacy publications that were used to remove barriers, provide gender equity and fight for equitable allocations of resources—''Today's Girls, Tomorrow's Women,'' ''An Action Agenda for Equalizing Girls' Options,'' ''Service Through Advocacy'' and ''Leadership Through Advocacy.''

She has initiated successful collaborations with national women's organizations including the American Association of University Women, National Council of Jewish Women, The Committee of 100 Black Women and the National Federation of Business and Professional Women's Clubs Inc., among others, that resulted in noteworthy initiatives such as the ''Women Helping Girls With Choices'' Project. She has been an active volunteer serving on the Board of the National Committee for Citizens in Education, Business and Professional Women's Foundation, National Child Research Center, Fund for an OPEN Society, as Board Chair of the Center for Youth Services in Washington, D.C. and on the Advisory Committee of the Center for Early Adolescence at the University of North Carolina. As Director of Public Policy of Girls Incorporated, she continues to monitor issues affecting girls and young women, informs the National Board, staff and affiliates of relevant legislation and public education events, recommends and drafts public policy positions and serves as a strong, smart, bold and ''vigorous advocate for girls.''

She is the proud and loving mother of a son, Nicholas Wurf of London, England and, a daughter, Abigail Wurf of St. Louis, Missouri.

Mr. Speaker, I ask that this August body join me in applauding Mildred Kiefer Wurf for her dedicated service and exemplary record of highly effective advocacy on behalf of Girls Incorporated and the millions of girls of this nation and extend to her our best wishes for every success in her future endeavors.

TRIBUTE TO THOMAS DUBYNE, DR. VINCENT MASSEY, AND OLD KENT BANK—IMPRESSION 5 SCIENCE CENTER AWARD WINNERS

HON. DEBBIE STABENOW

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Ms. STABENOW. Mr. Speaker, I am proud to recognize Impression 5 as one of the premier science centers in education today. Each year Lansing's Impression 5 announces a series of awards that highlight leadership in the area of science.

As in previous years, this year's recipients have shown a true commitment to science, our students, and education. Science is one of the most challenging important subjects to master. This year's recipients have used their knowledge, leadership and financial means to make science a focus on and outside the classroom and have found innovative ways to help the community appreciate and understand the importance of science.

I am very proud to recognize the following recipients of the 1998 Impression 5 Tribute to Science and Technology winners for Educator of the Year, Scientist of the Year, and Community Service Award.

SCIENCE EDUCATOR OF THE YEAR: THOMAS DUBYNE

As a science teacher at Haslett High School for over 35 years, Mr. DuByne has gained multiple state and national recognitions. He is best known in the community as a teacher committed to his students and the study of science. Whether it is the assistance he provides our elementary teachers, or the countless science fairs and demonstrations he has organized, Mr. DuByne has worked tirelessly on the local not only as a high school teacher, but as a leader in advocating science to young learners.

SCIENTIST OF THE YEAR: DR. VINCENT MASSEY

Dr. Massey is the J. Lawrence Oncley Distinguished University Professor in the Department of Biological Chemistry at the University of Michigan. He is a pioneering biochemist who is known internationally for his studies in the field of flavins and flavoproteins.

COMMUNITY SERVICE AWARD OLD KENT BANK

Lansing's Old Kent Bank has been recognized for working closely with the Impression 5 Science Center for over twelve years. Through their continuous commitment to the science center and the nonprofit community, Old Kent has played a vital role in the operation of many education activities throughout the Lansing community.

As we continue to head toward the 21st Century, the areas of science and technology are more important. As a member of the House Science and Technology Committee, I am proud to recognize these efforts and offer congratulations and thanks for their continued leadership and excellence in science.

TRIBUTE TO MRS. HORTENSE HUNN

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. BROWN of California. Mr. Speaker, I rise today to recognize Hortense Hunn's years of outstanding achievement and service to the children and families of San Bernardino County, and to bid her a fond farewell as she retires from more than 30 years of service to the Head Start and Preschool Services Programs in San Bernardino County.

Mrs. Hunn has dedicated both her professional and her personal lives to helping improve the lives of those most in need of our community. As the Executive Director of the Preschool Services Department for San Bernardino County, Mrs. Hunn has taken a program that initially served only a handful of children and turned it into an exemplary department that serves over 5,300 children and their families. Under Mrs. Hunn's direction, the Head Start Program has been nationally recognized for its success. Her leadership has also extended well beyond the local area to positions with regional and national committees and organizations.

Mrs. Hunn's personal achievements include: 31 years with the Head Start Program in San Bernardino County; Policy Council Member, Children's Network of San Bernardino County; first President, California Head Start Association; National Head Start Association member; Governor's Child Development Programs Advisory Committee member; Southern California Cluster of Head Start Grantees Advisory Board founder; Black Voice Newspaper's Woman of Achievement for 1992; past Secretary, NAACP; Black Culture Foundation's 1997 Black Rose Award recipient.

Mrs. Hunn has also volunteered as a Board Member of the Cornerstone Christian Preschool, is a member of the Hospitality Committee for New Hope Missionary Baptist Church in San Bernardino, and is a member of the Children's Defense Fund.

Hortense Hunn is a remarkable person. Her dedication and commitment to the community and those less fortunate extends to every aspect of her life. She has touched the lives of countless families, and while she will be sorely missed, she has left San Bernardino County a great legacy and serves as an example for us all. Her new community will undoubtedly benefit greatly from her presence. Mrs. Hunn is truly a friend to all in need and I consider myself very lucky to have worked with her over the years.

TRIBUTE TO ROULETTE AND JESSIE WOLFE

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to a wonderful couple, Roulette and Jessie Wolfe. Roulette and Jessie are the classic example of people that work hard, play by the rules, and achieve great success.

They were the kind of people that made you always feel that you were welcome and that they were always happy they saw you. Through hard work, thrift, and fair dealings they achieved financial and personal success.

They were always ready to do their part for the community. It made no difference if it was for the school, town, people in need, or the church they were always there to do their part. They provided a Christian witness by great example. They treated their fellow man with respect and dignity.

Roulette was a self-taught engineer and farmer of great skill. His buildings were always sound and pleasing to the eye. His crops were always the same way.

Their life cannot be described without the mention of Jessie's skills as a fisherman. She was a sport fisherman of great ability and was highly respected in a community of people that contains many skilled in this area.

They gave marriage the image that is was intended to have and were clearly devoted to their family and church. It remains difficult to have church without them in their customary place on the front row of Gillett Methodist Church.

They accepted their lot philosophically and moved on to the next task.

Their life was what Thomas Jefferson had in mind when he envisioned the agrarian society.

They were the kind of people that made America the great Nation it is today.

IN HONOR OF THE RETIREMENT OF MARGARET McCOOK

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. BORSKI. Mr. Speaker, I rise today to congratulate and honor an outstanding volunteer and citizen from my Congressional district who has achieved a long list of community service. Mrs. Margaret ''Peg'' McCook began her service in politics in 1967 as a Democratic Committee person. She went on to become and Administrative Aide to Senator Joseph F. Smith from 1972 to 1981. Senator Smith became Congressman Smith as a result of a special election and Mrs. McCook then became his Legislative Aide until 1982. Peg then began to work as an Administrative Aide to Senator Vincent Fumo until 1984 when she applied for the position of Bail Commissioner. Peg was sworn in as one of the first Bail Commissioners to serve in the Philadelphia Municipal Court in February of 1984, and finally retired from this position in 1997.

During her thirteen years of service in Municipal Court, Peg won both the adoration and respect from her peers, the Administration, and the Judiciary. She volunteered both her time and services, never hesitating to go above and beyond the call of service. She was even known to bring in some home made specialties, especially when her shift fell on a holiday. It is no wonder she has been affectionately referred to as ''mom''.

Peg McCook also ran for City Commissioner, and Council Person for the First District, but was narrowly defeated. Along with her various duties she was an advisor to several self help organizations. Peg has become well known and loved throughout the community for her many years of service. Along with all of her political achievements, Peg is also the wife of Joseph McCook, Sr., the mother of eight children, grandmother of seventeen, and great-grandmother of two.

I am proud of Peg McCook and all that she has done for the city of Philadelphia and abroad. She emulates the ideals of citizenship in our country—through her concern for others, her service to the community and active participation in our governments. I wish to congratulate and thank Peg McCook for all that she has accomplished. I hope that she enjoys her years of retirement, and wish her all the best.

IN MEMORY OF STANLEY RADWAN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. KUCINICH. Mr. Speaker, I rise today to honor the memory of Stanley Radwan, a native of Poland and a famed strongman. Mr. Radwan's life was filled with amazing accomplishments, both physical and mental. He embodied the spirit of a hardworking individual.

Born in Poland in 1908, Radwan was a distinct child from his birth, showing off his strength for childhood friends during his youth. He joined several Polish fraternal organizations and clubs, taking great pride in his Polish heritage. His national pride inspired him to join the Polish navy and learn many languages before World War II. Unfortunately, Radwan was captured by the Nazis and became a prisoner of war at the Bergen-Belsen camp. He became legendary in the camp as he escaped briefly by pushing a brick wall over with his bare hands. Radwan immigrated to the United States after the war and established himself in Northeastern Ohio.

Mr. Radwan, also known as the ''Polish Strongman'' and the ''King of Iron and Steel,'' wrestled professionally for over twenty years and was never defeated. He amazed his audience with feats of strength including straightening horseshoes, pulling cars with his teeth, and ripping quarters in half. Radwan even demonstrated these talents on the television show ''You Asked For It.'' Radwan also served his new country in many capacities, most notably as a bodyguard for Cleveland officials and a worker in the Cuyahoga County Auditor's Office. He was noted for his clean attendance record and his hard work at the office. Radwan never lost touch with his Polish heritage, hosting a polish-language radio show and working with Polish organizations. He is survived by two sons, a daughter, and seven grandchildren.

My fellow colleagues, join me in saluting the life of a true ''strongman'' in all facets of the word: Stanley Radwan.

SAVING SOCIAL SECURITY

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. PACKARD. Mr. Speaker, just a few weeks ago, President Clinton held his first meeting to outline his thoughts on reforming the Social Security system. The problem is, we still don't have any answers.

Although President Clinton won't admit it, Social Security is not financially sound. Statistics show that within the next 15 years, the system will begin to pay out more than it takes in. This means that unless we begin to make changes now, the system could be bankrupt in 30 years.

As a father and grandfather, I am not only concerned about the money I have payed into Social Security over the course of my lifetime, but now my children and grandchildren are putting their hard-earned dollars into the program as well. The worst part is, none of us have any confidence that this money will still be there when we need it.

Mr. Speaker, before our break you asked us to find out how our constituents would like to see the Social Security system reformed. I agree that the only way to create a system that is consistent with what Americans want is to talk to the very people who pay into and benefit from the program.

It is time for us to use the suggestions we heard from our constituents while we were back home and show the President and Social Security can and must be reformed now.

WORKER MEMORIAL DAY

HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. ROEMER. Mr. Speaker, for today's observance of Worker Memorial Day, I would like to have the opportunity to recognize a shameful tragedy that millions of Americans must face every day.

Last year, according to the Bureau of Labor Statistics, over 6,000 workers were killed by traumatic injuries, 50,000 workers died of occupational diseases, and 6.2 million suffered injuries on the job. Lamentably, my home state of Indiana has paralleled these statistics by averaging 60 deaths a year.

Today in South Bend, Indiana, community leaders, business owners, and union representatives are gathering to pay tribute to two friends whose deaths hit very close to home. Officer Paul Deguch, member of the Fraternal Order of Police Lodge 36, was struck down in the line of duty by a senseless act of violence. This pointless death has not only shocked our community, but left his family devastated.

Jim Slater, member of the Elevator Constructors Local 57, was also killed on the job this year while working in an elevator shaft. His wife is now without a husband, his three children no longer have a father, and those he knew have lost a great friend.

As Members of Congress we must continue the fight begun at the turn of the century to ensure safety for everyone at their place of employment. Our American workforce is responsible for our booming economy, our high standard of living, and the quality of life which we enjoy. We have made a great deal of progress in the last eighty years, but for Officer Deguch, Jim Slater, and every other worker killed or injured on the job, we must do more.

My prayers go out of the families of those who were taken from us, and I know the rest of our community joins me. I only hope that we in Congress can do more to prevent tragedies like these from happening in the future.

IN RECOGNITION OF HOUSTON'S FIFTH ANNUAL AFRICA DAY

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. BENTSEN. Mr. Speaker, I rise to recognize Houston's fifth annual celebration of Africa Day taking place on Saturday, May 2, 1998.

African Cultural Exchange, Inc. (ACE) initiated Houston's celebration five years ago, joining an international effort to recognize the progress of people of African descent toward social, cultural, and economic freedom. Since its inception, ACE has had five goals and objectives: to exchange culture, arts, and educational programs between African countries and the United States; to build bridges of communication and better understanding; to promote awareness and appreciation of diverse culture; to provide programs and activities for children, youth, and the elderly; and to establish The Africa House as a cultural exchange center to serve all people.

The theme of this year's celebration is ''Children of The World—Our Future.'' Festivities at the University of Houston, Central Campus, will include exhibitions and cultural activities, a soccer tournament, and an awards ceremony to recognize the achievements of children and youth. Other activities will provide opportunities to promote the arts, business, and entrepreneurial awareness and exchange.

The Africa Day celebration is especially timely this year in light of President Clinton's recent trip to Africa. While Africa still faces poverty, malnutrition, disease, unemployment, and terrible conflict in some places, free markets are taking hold, and democracy and peace are making progress. As a genuine partner and friend to the people of Africa, America can make a difference in its future. Cultural exchanges such as Africa Day are essential to bridge the gap and increase awareness and understanding between the United States and Africa.

I congratulate Africa Day on its fifth anniversary and commend the African Cultural Exchange, Inc. and all of the participants and supporters for their dedication to improving U.S.-African relations and to the future of our children and communities. Our continued support of events such as Africa Day will enhance our children's future, their educational development, economic growth, and their quality of life.

RECOGNIZING COURTLAND SEYMOUR WILSON

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Ms. DELAURO. Mr. Speaker, I rise today to recognize Courtland Seymour Wilson, Executive Director of the Hill Development Corporation on the occasion of his 80th birthday. Over the course of his life, Mr. Wilson has built a wonderful legacy of community and political activism that has improved his city and the world in which we live.

Born and raised in New Haven, Mr. Wilson attended school and worked there until enlisting in the United States Army. During World War II he saw active duty in both Italy and North Africa, returning to New Haven in 1945 having achieved the rank of Master Sergeant.

As dedicated an activist as he is a worker, Mr. Wilson's career began as a machinist in several shops in New Haven where he strived to organize his fellow workers. He served on the Executive Committee and as Treasurer of the International Association of Machinists local of the AFL–CIO.

Courtland Wilson did not however, contain his activism to the workplace. His efforts for equality and justice led to his Presidency of the New Haven chapter of the NAACP, and the founding of both the Hill Parent's Association—precursor to the Hill Development Corporation—and the New Haven Black Coalition.

This dynamic synergy of community and job politics led to his transition from machinist to staff activist at Yale University. Mr. Wilson was hired by Yale to desegregate their School of Medicine during a period of hiring and enrollment reforms. From Assistant Dean of Student Affairs at the Medical School, Mr. Wilson moved to Yale-New Haven Hospital's Office of Government and Community Relations where he worked until his ''retirement'' in 1985. During his tenure at Yale-New Haven, he sat on many local and state governing boards, and is a lecturer at the Yale School of Medicine Department of Psychiatry.

For the past 13 years he has been the Executive Director of the Hill Development Corporation, working diligently to ensure every family's right to decent, affordable housing. For his countless efforts and contributions to New Haven, Mr. Wilson was given the Elm Award in 1995, the city's highest honor. In addition to his esteemed years of service, Courtland Wilson raised his usually low profile by winning his first elected office, that of Democratic Party Ward Co-Chair, at age 78.

A man who loves life, Courtland Wilson enjoys the company of his wife of 56 years, Ruth, and his children, Courtland H., Jon, Ruthia, and Peter, as well as the company of his many grandchildren and great-grandchildren. As his family and friends gather to celebrate his eight decades of improving our world, I rise today to wish him a happy and healthy birthday, and to thank him for his countless, tireless contributions.

TRIBUTE TO HONOR DOUGLAS KLEPSCH

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. SCHUMER. Mr. Speaker, I am pleased to greet you today as we honor Youth Corps Volunteer, Douglas Klepsch, for his selfless act of bravery.

Douglas Klepsch went beyond the call of duty when he took it upon himself to investigate the cries from a woman who sought help at the Woodhaven-Richmond Hill Ambulance Corps because her kitchen was on fire. That altruistic decision saved eight lives. This outstanding young man is an inspiration to us all. He risked his own life to save the lives of others.

Gathering here today to acknowledge the heroism of Douglas reminds us to continually

pay heed to the local heroes of our community. Recognizing Douglas Klepsch will allow us all to take stock in our actions and reflect on how we too can make a difference in our neighbor's lives. I wish Douglas Klepsch success in his future endeavors.

RECOGNIZING MICHIGAN REPRESENTATIVE BOB EMERSON: THE AMERICAN LUNG ASSOCIATION OF MICHIGAN'S 1997 INDIVIDUAL HEALTH ADVOCATE OF THE YEAR AND HURLEY MEDICAL CENTER: THE AMERICAN LUNG ASSOCIATION OF MICHIGAN'S 1997 CORPORATE HEALTH ADVOCATE OF THE YEAR

HON. DEBBIE STABENOW

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Ms. STABENOW. Ms. Speaker, I wish to recognize the American Lung Association of Michigan's 1997 Individual Health Advocate of the Year, Michigan Representative Bob Emerson and the 1997 Corporate Health Advocate of the Year, The Hurley Medical Center.

Bob Emerson was first elected to the Michigan House of Representatives in 1980 and has a 100 percent voting record against tobacco. As past chairperson of the Public Health Subcommittee, he has been a strong advocate against the dangers of smoking and a leader in educating our children of its dangers. Representing the Flint area, Representative Emerson is also the founder and chairperson for the Greater Flint Health Coalition. I am proud to have served in the state legislature with Bob and I know first hand that he is a fighter and champion for our children. And as someone who fought side by side with him against tobacco companies. I am very pleased his work is being acknowledged through this award.

On the corporate level, the Hurley Medical Center has become a national leader in treating Asthma and related illnesses. By sponsoring a summer Asthma camp, children from around Michigan have had the opportunity to enjoy nature and the summer weather in a safe environment. The Medical Center is also responsible for an innovative education program that many other medical organizations across the country have used as an example in effectively treating the disease.

Both award winners overwhelmingly met the criteria set by the American Lung Association of Michigan. The work completed by Representative Emerson and the Hurley Medical Center are wonderful examples for our communities and are rooted in social responsibility, innovation, and activism.

The American Lung Association is one of our county's most important health organizations. Their commitment to our children, public health, and education is unbarrelled. I am very proud that our Michigan chapter is one of the strongest in the nation and I thank them for taking the time to recognize the individual and corporate advocates that make a true difference in our communities.

A TRIBUTE TO WILLIAM VON ALVEN

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. MORAN of Virginia. Mr. Speaker, I rise to pay tribute to a great American and resident of Northern Virginia, William H. von Alven, who has served the country faithfully and ably for twenty-six years at the Federal Communications Commission. Mr. von Alven will retire from the FCC on April 30, 1998, and I am pleased to join Congressman Frank Wolf, FCC Chairman William E. Kennard and the employees of the FCC in congratulating Mr. von Alven on this remarkable accomplishment. Mr. von Alven is seventy-eight years old and has worked right up to the present point.

Mr. von Alven received his B.S. from the University of Idaho where he was elected to membership in Phi Beta Kappa. After pursuing graduate studies in engineering and management at Harvard and UCLA, he worked extensively in the private sector and edited the best selling book Reliability Engineering, which was in print for more than 30 years. Mr. von Alven served as president of many communications industry institutes and societies, and chaired several international conferences. He received the Institute of Electrical and Electronics Engineers Centennial Medal, and a Department of Defense award for his contributions to the Advisory Group on the Reliability of Electronic Equipment. In 1996, he was awarded the Telecommunications Industry Association's Certificate of Recognition and the FCC's Catherine Forester Public Service Award.

Mr. von Alven will retire as a Senior Public Utilities Specialist. He has managed the Part 68 terminal equipment registration program since its inception at the FCC in 1976 and has made many important contributions to the FCC. He will be greatly missed by his friends and colleagues at the Commission. Mr. von Alven is just one example of the many extraordinary federal employees residing in my district. Through his long years of service, he is certainly deserving of special recognition by the Congress.

FORT COLLINS HIGH SCHOOL SCIENCE BOWL TEAM TO COMPETE IN THE NATIONAL SCIENCE BOWL

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, the winners of the Rocky Mountain Regional Science Bowl will soon be in Washington, D.C. to compete in the National Science Bowl. Since the regional winners are from my congressional district—The Fourth Congressional District of Colorado—I am especially proud of the young people who worked so hard to come to represent the Rocky Mountain region, the State of Colorado, and their school.

Fort Collins High School truly fielded a Science Bowl team of great accomplishment this year, Mr. Speaker. Our community will be well represented in the competition.

As a member of the Education Committee, I am truly encouraged by these students. Indeed the success we have been working toward as a nation is embodied in the Fort Collins High School team. Despite national test results and international comparisons showing U.S. students lagging, Colorado's Science Bowl champions are proof that American students are capable of high achievement in the field of science.

All hailing from my hometown of Fort Collins, Colorado, the Regional Championship Team consists of the following contestants: Miss Kristin Bjornsen, Mr. Stephen DiVerdi, Mr. Andrew Fangman, Mr. Jeremiah Way, and Mr. Jeremy Zimmerman.

Of course, these students could not have come so far on their own. Behind every successful team is the backdrop of encouragement and leadership. In this case, the students are most fortunate to have the firm backing and guidance of their families.

Surely, the parents of the champions are most proud, and have sacrificed themselves to help their children achieve great victories. They have every right to be proud.

Mr. Speaker, as you and my colleagues know, I have spent the past 10 years in public service working to improve Colorado's education system. My efforts to deliver more resources directly to classrooms, and treat teachers like real professionals have been motivated by my desire to see students achieve their potential.

Within that context, the success of the Fort Collins High School Science Bowl team is a triumph for our entire community, and a real sign that our hard work is paying off by creating school environments where ordinary children can become extraordinary students.

But Mr. Speaker, this day really belongs to the students. Bjornson, DiVerdi, Fangman, Way and Zimmerman are champions all the way. I urge my colleagues to help me welcome these students to their Capital City and wish them well in their pursuit of the National title.

VOICE OF DEMOCRACY SCHOLARSHIP PROGRAM

HON. DAVE WELDON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. WELDON of Florida. Mr. Speaker, founded more than half a century ago, the Voice of Democracy Scholarship Program allows high school students a chance to compete in a broadcast script writing contest. The competition, sponsored by the Veterans of Foreign Wars and the U.S. Ladies Auxiliary, conducts this annual speech competition and provides the winners with a scholarship. I am very pleased that this year Scott Wilson, 18, from Palm Bay High School was selected as the winner from the state of Florida.

I commend him for his hard work both in this competition and as demonstrated in his academic achievements. In recognition of his selection as the winner of this competition, I am hereby submitting his speech to the CONGRESSIONAL RECORD for printing.

1997–98 VFW VOICE OF DEMOCRACY SCHOLARSHIP COMPETITION ''MY VOICE IN OUR DEMOCRACY''

(SCOTT WILSON, FLORIDA WINNER)

Stop and listen. Listen to the past, to the glorious voices of our Democracy. Do you hear them speaking? Their words softly vibrate with each ring of our liberty bell, and echo loudly in the crash of a judge's gavel. They whisper from the forgotten pages of our Constitution, and scream from the dying lips of a fallen soldier. Their words are of freedom, justice, and equality and their voice is the voice of democracy. Stop and look. Look to the future. Behold, the golden sun of the twentieth century casts its final rays over the ever-darkening horizon, and the dawn of a new millennium rises. Yet now, many have forgotten the timber of democracy's magnificent voice. Its whisperings are barely audible now, diminished by the passage of time. The voice of democracy must be amplified by the megaphone of a new generation, so that the America of tomorrow will need not strain to hear its mighty declaration. But it begins with me. I must be the first megaphone. America will hear my voice in our democracy.

In 1775, American democracy was but a newborn babe, struggling to snap the umbilical cord of a tyrannical British monarchy. Lack of unity heightened the struggle, as colonial Tories, too timid to jump from the safety of the nest, clung tightly to their mother country. Meanwhile, true American patriots, few in number, desperately needed a spokesman. And in the Virginian House of Burgesses, Patrick Henry stepped to the platform. Henry strongly felt that the colonists should arm themselves for a war with Britain, in which they would cast off the bitter yoke of political enslavement. He is forever remembered for seven, soul-stirring words which emulated the very heart of the American revolution: ''Give me liberty, or give me death!'' And later, at the genesis of the American Constitution, Henry was among the creators of the Bill of Rights, which insured the people of their basic freedoms. Yes, in the turbulent age of the Revolution, the voice of freedom was calling, and Patrick Henry answered its call. Today, the voice of freedom is still calling through the corridors of time searching for someone to magnify her majestic voice. I will be that someone, who like Patrick Henry, steps to the platform in defense of freedom's voice. And when I behold the basic freedoms of man covered by a menacing storm of political scheming and deceit, I will help to pull back the clouds to reveal the rainbow of liberties that is the American birthright, and the democratic promise.

Since the passage of the Emancipation Proclamation, the United States has grappled with the issue of racial equality. But like a boxer that beats the air, we have landed few direct punches to the face of inequality's true opponent—discrimination. And even in the 1960's, racism had not yet received its rightful knockout blow. That is, until Dr. Martin Luther King, Jr., stepped into the ring. In August of 1963, 200,000 protesters marched to the Lincoln Memorial, and stood as sheep about its reflecting pool, listening to their shepherd speak these moving words: ''I have a dream that one day this nation will rise up and live out the true meaning of its creed: We hold these truths to be self-evident; that all men are created equal.'' Today, nearly thirty-five years later, we still dream his dream, because when the vote of equality was calling, Dr. Martin Luther King Jr., answered its call. But like freedom's voice, the voice of equality searches for someone new. Here again, I will be that someone, who climbs into the ring of combat. And when I pass through the peaceful fields of equality, freshly trampled by the deafening machine of unfounded discrimination, I will glean from the lives of the past, and sow the seeds of democracy for future generations, so that in due time, they will reap an abundant harvest of racial tranquility.

And now I ask you: As the dawn of the new millennium rises, who will rise up with it, to echo the voice of democracy in the approaching age? Who will it be that opens the eyes of Americans to the truth of human equality? And who will it be that ensures future Americans of their right to freedom and justice? The past is speaking, but will you the future listen? The past is challenging, but will you the future respond? I am listening, and I will respond. I will be the new megaphone, that amplifies the democratic voice when freedom's rainbow cannot be seen, when justice's gavel is strangely mute, and when equality's harvest is trampled underfoot. America will hear me shout: ''Freedom!'' ''Justice'' ''Equality!'' Assuredly, my voice will be heard in our democracy.

IN MEMORY OF WILLIAM M. CAFARO

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. TRAFICANT. Mr. Speaker, I would like to pay tribute to a William M. Cafaro, who passed away recently at the age of 84. This remarkable self-made man contributed greatly to his family, his community and this country. He will be deeply missed.

William, a lifelong resident of Trumbull County, Ohio, emergency as a real estate developer and entrepreneur began in the 1940s with the purchase of property in Youngstown, Ohio. When he sold this property, he used the proceeds for other business investments. The 50's saw Cafaro develop, build and operate neighborhood shopping centers and strip plazas in northeastern Ohio. In the following decades, The Cafaro Co. developed more than 70 commercial properties and expanded into enclosed regional shopping malls in several states including Washington, Ohio, Indiana, West Virginia and Pennsylvania. Cafaro helped change the way America shopped.

Mr. Cafaro will be remembered by the people of the Mahoning Valley as a generous philanthropist and real estate developer. With a $1 million gift, Cafaro was one of the major donors in Youngstown State University's capital campaign. The honors dormitory on the YSU campus bears his name. Other organizations, including Mill Creek Children's Center and St. Anthony Church, have benefitted from his kindness. His business savvy also began early. The shopping mall he opened in Niles, Ohio in 1969 has grown into a retailing and entertainment complex that promises continued growth. Surrounding the mall now are stores and restaurants offering everything from movies to groceries to home improvement goods. Cafaro's last deed for his community was to commit to the construction of a stadium for minor league baseball play. The Cafaro Company will absorb the $7.5 million cost and donate the land for the project. Due to Mr. Cafaro's leadership, the groundbreaking for the stadium will begin in June 1998.

Cafaro was often recognized for his generosity and philanthropic work. On a number of occasions he was named ''Man of the Year'', including by the Wolves Club National Convention. In 1970, the president of the Republic of Italy made him a Knight of the Order of the Star of Italian Solidarity or Italian Cavalier. Most recently he received a lifetime achievement award from the National Italian American Foundation of Washington, D.C.

Simply by keeping the Cafaro Company headquarters in the Mahoning Valley, Mr. Cafaro showed the vision and pride he had for the area. He was a businessman whose handshake was his bond. A gentleman who honored his family and friends. He had an unparalleled sense of community which is evident nearly everywhere in the Valley.

The citizens of the Mahoning Valley and I mourn with the Cafaro family upon the great loss of this giant among men, William M. Cafaro.

IN HONOR OF POLISH CONSTITUTION DAY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. KUCINICH. Mr. Speaker, I rise today in celebration of the two-hundred seventh anniversary of the Polish Constitution. The Polish Constitution of May 3, 1791 established a tradition of democracy and human rights in Poland that continues today.

The Polish Constitution has the honor of being the first Constitution in Europe to give inalienable human and economic rights for all. In the turbulent 1790's of classical Europe, Poland emerged as a beacon for the future of democracy in this unstable land. While other nations surrounding its sovereign borders engaged in revolution and civil war, Poland maintained its integrity for many years under this Constitution.

The rise of Soviet communism in the post-World War II era stemmed the Polish democratic principle for forty years, but under the capable leadership of Lech Walesa, democracy embodied in this Constitution returned to the Eastern European ''cradle of democracy.'' The human and economic rights that were abandoned by years of communist rule returned triumphantly in recent years.

My fellow colleagues, join me in honoring the people of Poland, their long struggle for democracy, and their timeless Constitution.

A TRIBUTE TO THE WESTHAMPTON BEACH HIGH SCHOOL BOYS BASKETBALL TEAM

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. FORBES. Mr. Speaker, it is with great pride and emotion that I rise today in the House of Representatives to pay tribute to the boys high school basketball team at my alma mater. Westhampton Beach High School, on Long Island. This past weekend, the Hurricanes came home with the school's first ever

New York State High School basketball championship trophy.

Stepped in a proud athletic history, the Hurricanes of Westhampton Beach had to climb a steep mountain to attain this landmark championship. In the six years previous to winning the 1998 title, coach Rich Wrase led his team to six straight league titles, three Suffolk County championships and a trip to the state Final Four championship round. Their quest culminated last weekend when the Hurricanes rolled over defending state champion Syracuse-Westhill to win the New York State public school title, then whipped New York City powerhouse Wadleigh High School to win the state Federation Class B championship.

So much credit for Westhampton Beach's 28–0 season success lies in the contributions of its leaders on and off the court. Coach Rick Wrase's disciplined leadership kept these young men focused on winning a state title. On the court, senior point guard Dale Menendez proved himself a team leader by scoring 19 points, adding 5 rebounds and 4 steals in the win over Syracuse-Westhill to earn the Most Valuable Player honors for the Class B Tournament. Senior classmate Jermain Hollman also came up big for the Hurricanes, contributing 22 points, 8 rebounds and 4 assists to earn the Most Valuable Player award in the Federation title game.

As impressive as Menendez's and Hollman's offense contributions are, Westhampton Beach earned its championship with impenetrable team defense. Utilizing an aggressive, trapping attack, the Hurricanes dogged opponents mercilessly, holding Syracuse-Westhill to just 36 points. Then, up by just two points at halftime of the Federation title game, the Hurricane defense stepped up and held previously undefeated Wadleigh to just 19 second half points.

The work ethic and close-net feel of this high school basketball team is a team reflection of my hometown, Westhampton Beach. The entire community is filled with pride for these young men, who have worked hard and sacrificed together to reach this goal. So I ask my colleagues in the U.S. House of Representatives to join me and all my neighbors in saluting the Westhampton Beach Hurricanes, the 1998 New York State high school basketball champions.

TRIBUTE TO VICTIMS OF ARMENIAN GENOCIDE

SPEECH OF

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 1998

Mr. WAXMAN. Mr. Speaker, today I wish to commemorate the 83rd Anniversary of the Armenian genocide. On April 24, 1915, more than two hundred Armenian religious, political, and intellectual leaders were arrested and killed. From 1915 to 1923, 1½ million people lost their lives in the slaughter. Another half million lost their homes and property, and watched as the symbols of their religion and culture were destroyed.

Regrettably, the world's inaction in the face of these atrocities sent a message that human rights violations would be tolerated. Hitler and other leaders saw nothing to deter them from waging genocide campaigns against other groups. Today we are still fighting the same kind of hatred in Eastern Europe, Southeast Asia, and other parts of the world.

The Armenians who survived have maintained thriving cultures in the Middle East and built vibrant communities in the United States and around the world. We in Congress join them in honoring the memory of those who perished in the killings, and we use this opportunity to renew and strengthen our commitment to protect human rights around the world.

A TRIBUTE TO LYNN O'SHEA

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. LIPINSKI. Mr. Speaker, today I would like to acknowledge the very special contributions to my community and to humanity in general by an outstanding individual, Ms. Lynn O'Shea.

Lynn O'Shea is best known for her dedication to enriching the lives of people with disabilities, especially in her 15 years of work as Executive Director of Seguin Services. On May 1, 1998, Lynn is leaving Seguin to become Executive Director of a similar agency that is closer to her home.

As an employee of Seguin for 15 years, Lynn has served in many roles. Under her leadership, Seguin has been fiscally sound in the face of continuing funding crises and has grown into a $15 million organization that provides jobs for over 400 people. More notably, Lynn has responded to the growing needs of foster care homes for infants and children with disabilities and severe medical conditions by launching a foster care program that is now recognized as a model in Illinois. Most importantly, Lynn has helped people with developmental disabilities to live and work in the same way their neighbors do, she has broken down barriers to community integration by supporting developmentally disabled adults find jobs in the community, and she has established small single family homes with permanent foster parents.

Lynn is a role model not only for the citizens of Illinois, but for all workers in the social work industry. She is highly regarded in her field among her colleagues in Illinois. Her leadership style and never-say-no attitudes have earned her respect, admiration and love from her management team.

It is with great pleasure that I ask my colleagues to recognize her accomplishments and to thank Lynn for her extraordinary work, leadership and dedication to helping citizens throughout the state of Illinois.

ELIZABETH PORTUGUESE LIONS CLUB TO DEDICATE ''LION TRIANGLE MONUMENT''

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize the Elizabeth, New Jersey Portuguese Lions Club and congratulate its members for all they have done for the community. For their tireless efforts, the ''Lion Triangle Monument'' is being dedicated in their honor. The Monument will be unveiled on Saturday, April 25, at the corners of Elmora Avenue and West Grand Street in Elizabeth.

Since its establishment in 1979, the Elizabeth Portuguese Lions Club has raised funds for its community-based projects, ranging from soup kitchens to the establishment of the Elizabeth Portuguese Leo Club, the youth branch of the club. Last year alone, the club raised over $15,000 for community projects.

It is only fitting that the Elizabeth Portuguese Lions Club's motto, ''Our City; Our Nation; Our Neighborhood,'' will be printed on the tiled sides of the monument along with images of Elizabeth, hand-printed by Fernando Silva. The project, a truly magnificent work of art, will not only serve as a symbol for the club's continued commitment to its community, but will also bring pride and beauty to the neighborhood.

I would especially like to thank the president of the club, Helena Goncalves, her board, the members of the club, as well as the prominent elected officials—Freeholder Donald Goncalves, Councilman Manny Grova Jr., and Councilman Tony Monteiro—for all their contributions to the project. Special thanks and congratulations go out to Nelson Goncalves, past Governor of the Lion's District 16–E, who has just been appointed as New Jersey State Chairman for the Lions. These selfless individuals will be on hand, along with members of the Union County Board of Chosen Freeholders, to celebrate this gala event.

RECOGNIZING THE ACHIEVEMENTS OF RIVERBANK ARMY AMMUNITION PLANT

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. CONDIT. Mr. Speaker, I rise today to recognize the achievements of Riverbank Army Ammunition Plant, the Army's only producer of cold drawn casings for mortar rounds, for its receiving of the Secretary of the Army 1997 Environmental Award for Installation Environmental Cleanup during a ceremony held on Monday, April 27, 1998.

The Army awards panel selected Riverbank AAP for its efforts in putting together a string of environmental accomplishments while cleaning up groundwater contamination on and around the installation.

The Army industrial installation, located near Riverbank, CA in the 18th Congressional District is on schedule to complete its cleanup program nearly 20 years early, saving the government millions of dollars.

Riverbank AAP achieved a number of environmental firsts during their cleanup program. It was the first federal NPL facility to complete a final record of decision marking the end of all environmental investigations and the start of final cleanup.

It was also the first federal facility to earn an installation-wide construction complete status from the EPA signifying that all remedial actions were in place and the program could move into long-term monitoring and operations phase.

Riverbank AAP continues to push for deletion from the NPL, saying there is no longer a threat to human health from the groundwater contamination that initiated the cleanup efforts.

''If the EPA looked at Riverbank today, there would be no risk to human health,'' said Jim Gansel, the Commander's representative at Riverbank AAP. Gansel credits the installation's environmental successes to a strong community relations program. ''Our relationship with the community of Riverbank is the basis of everything we have accomplished here,'' he said.

Each year, the Secretary of the Army's environmental awards recognize, installation, team or individual efforts in Environmental Quality, Pollution Prevention, Pollution Prevention Weapons Acquisition, Recycling, Environmental Cleanup, Natural Resources Conservation and Cultural Resources Management. A total of 15 awards—10 installation, one team and four individual—are presented.

I consider it an honor and a privilege to represent Riverbank AAP.

150TH ANNIVERSARY OF THE WESTERN PENNSYLVANIA HOSPITAL FOUNDATION

HON. WILLIAM J. COYNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. COYNE. Mr. Speaker, I rise today to mark an important anniversary. This year, the Western Pennsylvania Hospital is celebrating its 150th year of providing quality health care to the people of southwestern Pennsylvania.

Founded in 1848, Western Pennsylvania Hospital was the first chartered hospital west of the Allegheny Mountains. The Hospital has grown and evolved over the years, but it has always been known for its quality of care and its commitment to the community. Today, the Hospital is a 542-bed tertiary-care medical center with a staff of 620 dedicated health care professionals. The Hospital provides a full range of health care services, including treatment for cancer, high-risk pregnancies, diabetes, cardiovascular disease and burns. The Hospital supports an active medical research program and operates a school of nursing that has graduated over 3,500 students.

The Western Pennsylvania Hospital is known especially for its treatment of brain tumors. In fact, the Hospital is one of only 13 hospitals in the world using the Peacock System to treat such tumors. The Peacock System utilizes detailed computerized mapping of the brain to target radiation precisely at brain tumors—which prevents damage to the surrounding healthy brain tissue.

Western Pennsylvania Hospital is also well known for its work in treating burn victims. Not only does the Hospital operate a Burn Trauma Center to treat burn victims; it also operates a summer camp for burned children and a Back to School Program for children with burns.

The Western Pennsylvania Hospital is an outstanding institution of healing and learning which has served the people of western Pennsylvania with professionalism and compassion for the last 150 years. I commend the employees and volunteers of the Western Pennsylvania Hospital for all of their good works, and I wish them well as they continue to provide high-quality health care services to the communities of western Pennsylvania in the coming years.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION REAUTHORIZATION ACT OF 1998

SPEECH OF

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1998

Mr. SENSENBRENNER. Mr. Speaker, I rise today in support of an important provision in H.R. 2691, the National Highway Traffic Safety Administration (NHTSA) Reauthorization Act, which prohibits NHTSA from lobbying at the state or local level. The provision is consistent with current federal law which prohibits federal agencies from lobbying Congress. In legislation considered by the House Committee on Science last year, I included similar anti-lobbying language to prohibit the Department of Transportation from lobbying state and local elected officials. I am pleased H.R. 2691 includes the anti-lobbying provision.

In 1996, Congress voted to repeal a provision of the Intermodal Surface Transportation Efficiency Act (ISTEA) that penalized states without mandatory motorcycle helmet laws. By repealing the helmet penalty provisions of ISTEA, Congress determined that the issue of motorcycle safety was best determined by each individual state without a one-size-fits-all mandate from the federal government. Since that time, however, the U.S. General Accounting Office has determined that NHTSA has engaged in an active lobbying campaign to persuade states to enact laws mandating that motorcycle riders wear helmets. I strongly supported repealing the coercive and unfair helmet law penalties on states in 1996 and I further support the provisions of H.R. 2691 prohibiting the use of federal funds to lobby at the state and local level. I do not believe lobbying by any federal agency at the federal, state or local level is an appropriate use of tax-payer dollars.

TRIBUTE TO THE HILLSIDE COMMUNITY

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. PAYNE. Mr. Speaker, I would like to take a moment to pay tribute to a special community and township in my District. On Wednesday, April 29, 1998 the Township of Hillside will celebrate its 85th anniversary. This vibrant municipality was officially founded on April 3, 1913. Lengthy debate over secession from Union Township preceded the official signing of the Bill, by then Governor James F. Fielder, which would establish its boundaries.

Nestled between Newark and Elizabeth, Hillside initially offered a passage route between these port cities. A railroad system proved to be an important link to transport items delivered through the port of Newark and Elizabeth, as well as residential commuters. This link through the suburban industrial town attracted many companies, including Bristol Meyers, which chose to by-pass larger urban centers.

Hillside is a diverse Township which is reflective of our nation's unique ethnic and cultural blend. During the late 19th century immigrants from Italy, Poland, the Ukraine, Germany and many other countries established themselves in the area. Many of these immigrants entered the United States through historic Ellis Island. Later, more African Americans and Hispanics settled in the Township. Ultimately there would be at least 25 different ethnic groups residing in Hillside.

These diverse cultures have produced a rich amalgamation of religion and tradition. Each has contributed to the growth and progress of the township. Of course, this is a source of tremendous pride for me.

Hillside has and continues to move with pride toward the future and I would like to acknowledge and congratulate all of the citizens of the Township of Hillside on this very special 85th Anniversary Celebration.

A.M. ROSENTHAL ON TARGET AGAIN

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. GILMAN. Mr. Speaker, I want to take this opportunity to share with my colleagues yet another insightful opinion piece written by veteran New York Times journalist, A.M. Rosenthal. Today, our House of Representatives will consider legislation that expresses the sense of the Congress on the occasion of the 50th anniversary of the founding of the modern State of Israel, reaffirming the bonds of friendship and cooperation between the United States and Israel.

Mr. Rosenthal's article, however, skillfully describes some of the left-handed compliments that are coming Israel's way from too many media outlets. Yet what Israel has accomplished in the past five decades, in the face of hostility on its every border, is nothing short of miraculous.

Accordingly, Mr. Speaker, because Mr. Rosenthal's remarks are so timely and deserving of special attention, I would like to share them with my colleagues. Accordingly, I am inserting the Rosenthal article into the CONGRESSIONAL RECORD.

[From the New York Times, April 28, 1998]

GIFTS FOR ISRAEL

(By A.M. Rosenthal)

On Israel's 50th anniversary, its friends can give the country certain gifts of importance. They can recognize Israel's achievements and take joy from then. And they can accept without denial or flinching the fact that after a half-century Israel's neighbors still want it dead.

So far, Israel has not received many gifts from my crowd—journalists. Much of the magazine, newspaper and TV coverage and assessment of Israel—not all, but too much—has ranged from delightedly doleful to dolefully despairing.

Israel's economic, societal and scientific successes have been mentioned. But not often is it pointed out that they were attained in the face of decades of hatred and attack from Arab nations and movements.

The contrary—almost always Israel's problems are now being presented if they are entirely self-inflicted. Arabs are presented as if they are always simply reacting to Israel refusal to accept their reasonable demands that the Jews just clear out of more territory because it does not really belong to them.

American public support for Israel rises and for Yasir Arafat declines. But U.S. and European journalism is increasingly sympathetic to the Palestinians and unpleasant about Israel.

To each his own vision. To my eyes, and to those of the majority of Americans, Israel is one of history's soaring proclamations of mankind's worth to itself and its Creator.

These days it is not said much anymore, which is a pity, but Israel did indeed begin with nothing much more than sand, hope and belief. And yes, 50 years later it is indeed the Mideast's only democracy, a growing center of science, technology, art, music.

Israel is not a dirge—but a country; how happy the thought.

And I find emotion entirely permissible about Israel's ability to maintain life and progress though its neighbors have imposed an absence of peace for a half-century.

But about dangers to Israeli survival, cool is best. And stepping back coolly we see the realities.

One is that Israel may work out agreement with Palestinians—if they want it enough to agree to conditions that will give Israel security of borders and the end of terrorism. The agreement would bring respite that could grow into a peace of some years.

But another reality is that agreement on Palestine would not bring permanent peace. Ask ourselves, would Mideast rulers, the worker-merchant ''street'' and religious and intellectual establishments accept an Israel forever growing in skills and strength—or in their dreams and desires want Israel extinguished, and work toward the day?

Run them through the mind: Syria, Libya, Egypt, Saudi Arabia, the gulf sheikdoms, the Sudan, Algeria, Iraq, Iran.

The hatred against Israel these countries receive, accept and pass on as heritage and religious obligation—would it vanish with an independent Palestine or would it continue in them, and in Palestine too?

If Iran and Iraq develop chemical, nuclear and biological weapons, will they strike against Israel? Would other Arabs extend sympathy to Israel—or dance on rooftops and scream their passion to kill Jews? Would the West take the risk of world war to rescue Israel?

We know the answers. Permanent peace in the Mideast will not come until sufficient Arab peoples replace dictatorship—fundamentalist, religious, military or terrorist—with democratic religious and political freedoms.

Then perhaps the Muslim governments will end the feuds among themselves that are the central cause of Mideast wars. Then perhaps they will even try to end the hatred of Israeli existence that infests the Mideast with the threat of war against Israel.

Freedom may happen in the Mideast, as in so many other places. But it will come slowly, fitfully.

Meantime, will Israel stand strong at arms, maintaining military power not for victory over another country but for defense?

Will the U.S. remain a friend or become a harassment? Will some foreign and Israeli Jews push their religious and political hostility against Israeli governments so long and hard that they sap Israel's strength, will power and self-belief, as Israel awaits Arab conversion to democracy?

From friends of Israel, cool questions in themselves are gifts to Israel—and to one another.

JOHN E. BARRIERE

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. FRANK of Massachusetts. Mr. Speaker, one of the most important and under appreciated aspects of the workings of our democracy is the extraordinarily dedicated and able work done by the professional staffs who serve those of us who have been elected to Congress. While it is popular to mock people who work in the political and legislative system, in fact their contribution represents one of the great bargains the American people receive. Our work is enormously helped by the large number of extremely talented and dedicated people who put in extremely long hours helping us make public policy, at far less compensation than most of them would receive in almost any other occupation.

I thought of that recently Mr. Speaker when I learned of the death of an extremely dedicated creative individual who is one of those who helped set the model for the kind of professional policy advisor on whom we are now so dependent. His name is John Barriere, and he came to Washington 50 years ago. Sadly, John Barriere died last week at the age of 78, and he left behind him a legacy of extraordinary service to democracy. I was recently reminded by Gerry McMurray, a former Chief of Staff of the Housing Subcommittee of the House Banking Committee, that Mr. Barriere was the first man to be a professional staff member of that subcommittee, having helped bring it into existence 43 years ago, and serving as its Staff Director until 1964. Because of the great ability he showed in that position, he was chosen by Speaker John McCormack in 1964 to be the first policy staff advisor to the Speaker, and he was the Executive Director—and heart and soul—of the Democratic Steering and Policy Committee until 1978. Among the pieces of legislation that he played an indispensable role in bringing to passage were the Civil Rights Act of 1964, the Voting Rights Act of 1965 and the Civil Rights Act of 1968—that extraordinarily important set of bills that helped break the back of legal racism in America.

He worked closely with Richard Bolling during his chairmanship of the Rules Committee in bringing forward the Congressional Reform Act of 1974 and 1976, and the Budget Act of 1974.

Indeed, along with John McCormack, Richard Bolling, Harry Truman and Senator Robert Wagner recognized John's great ability and put him to work. In other words Mr. Speaker he was a man whose great ability and equally great willingness to serve proved to be an important asset for a series of leaders in our governing processes.

I was pleased myself to meet him more than 30 years ago, when in the service of the gubernatorial campaign of the late Edward McCormack, a nephew of the Speaker, I came to Washington to do some research on federal issues. I was then a young graduate student in political science, and meeting John Barriere, and listening to him describe the interaction of the legislative process, politics, and substantive policy was an extraordinary education which I never forgot.

Many years later, when my domestic partner, Herb Moses, went to work at FannieMae, I was delighted to learn that one of his coworkers was Laura Barriere, the daughter of John, and vicariously through Laura I was able to renew that acquaintance. I was saddened by news of his death, and Herb and I send our condolences to Laura, and the rest of the family. And I wanted to note here the passing of this man who quietly, but very effectively, did so much to set a pattern of professional service in the House from which we continue to benefit.

SALUTE TO RUSS MUELLER ON HIS 25TH ANNIVERSARY WITH HOUSE

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. GOODLING. Mr. Speaker, I am pleased to recognize and honor a member of the staff of the Committee on Education and Workforce, Mr. Russ Mueller, on his 25th anniversary with the Committee.

Russ came to the Committee staff in the middle of the Congressional debate on the legislation that was subsequently passed and became known as ERISA—the Employee Retirement Income Security Act. Since then, for many of us, Russ and ERISA have become almost synonymous. John Erlenborn and Al Quie, the Ranking Members of the full committee and subcommittee at the time, wanted a staff member who understood the intricacies of pension financing and other employee benefits. So they brought in Russ, who was, and is, a certified actuary. Twenty five years later Russ is still setting Members of Congress straight on the intricacies of employee benefits.

Along the way Russ has worked on a lot of major legislation. I suspect that some of his prouder accomplishments have been in helping to stop a lot of bad ideas—like the Clinton health care proposal a few years ago, on which he worked day and night for weeks on end to point out the foreseen and unforeseen consequences of that government take over of health care.

All of us who have worked with Russ know of his knowledge in the employee benefits area and of his commitment to legislative craftsmanship. He truly is one of our experts in these complex issues and has worked untiringly on behalf of our voluntary, employment based health care and benefits system. Along the way he has found time to be an avid golfer and fisherman, and dedicated father. I am pleased to recognize and salute Russ for his 25 years of service to the Committee, the Congress and to our country. I wish him many more years of good health and continued good service.

CAMPAIGN FINANCE REFORM

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. KIND. Mr. Speaker, over the past week the debate on campaign finance reform has shifted, from when we will get a vote to what

kind of reform will we actually see. The leadership has chosen the Bipartisan Campaign Integrity Act, H.R. 2183, as the base bill that will be considered on the floor. I applaud that choice. This bill was drafted after a fifteen month process of bipartisan give and take among freshmen members of Congress. I am pleased to have been an original member of that task force.

The Bipartisan Campaign Integrity Act is the only bill that was drafted as a truly bipartisan effort to take the big money out of the political system. H.R. 2183 does not contain any poison pills and does not unfairly impact one political party over the other. This legislation does not go as far in changing the system as most members of the task force wanted, however, we all recognized that this was the only way campaign finance legislation could pass this year. This bill takes the biggest influences of money in the system out of our campaigns. Passage of H.R. 2183 will be a significant step forward in returning our elections back to the people whom we are sworn to represent.

Mr. Speaker, I commend you for giving in to the pressure of the public and allowing a vote on campaign finance reform. I hope my colleagues will join me in supporting H.R. 2183, the Bipartisan Campaign Integrity Act.

WE SHOULD PASS THE AFRICA TRADE BILL

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. MCDERMOTT. Mr. Speaker, ''We Should Pass the Africa Bill,'' an editorial written by Senator RICHARD LUGAR of Indiana was printed in the Wednesday, April 22, 1998, edition of the Washington Post. In the article Mr. LUGAR describes the broad support for the Africa Growth and Opportunity Act, which included: House leadership, the Clinton administration, the business community and the African diplomatic corps, and led to the passage of this historic legislation by the House of Representatives on March 11, 1998. Mr. Speaker, I am entering for the RECORD the editorial written by Senator RICHARD LUGAR of Indiana.

WE SHOULD PASS THE AFRICA BILL

(By Richard Lugar)

Last month the House of Representatives approved the African Growth and Opportunity Act on a bipartisan vote of 233 to 186. The bill commanded support from the House leadership, the Clinton administration, the business community, the African diplomatic corps and representatives from all sides of the political spectrum. Action on the bill now shifts to the Senate, where the Finance Committee has jurisdiction. Enactment of this bill will signal a dramatic and constructive turning point in U.S.-African relations and mark a historic moment in our ties with the states of sub-Saharan Africa.

Last year I introduced S. 778, the Senate version of the original House bill. I took that initiative because I believed the United States must seize the opportunity presented by the end of the Cold War and the fundamental changes already underway in Africa. We should reinforce efforts to promote economic growth and stability and to provide new opportunities for American investors and trade.

The bill seeks to promote economic growth in Africa through enhanced private-sector activity and trade incentives for countries making serious and verifiable economic and political reforms. It seeks to reorient U.S. Africa policy from being based largely on foreign assistance to being based on increased trade, investment, self-help and serious engagement. It is a modest bill that requires no new public appropriations, but it could provide substantial economic opportunities for the United States and African societies.

Two years ago, as I campaigned in the Republican presidential primaries, I spoke on the need for a positive and coherent American policy toward Africa. These remarks came as surprise to many; some responded with bewilderment. They asked why a Republican presidential candidate would talk about Africa. The answer lies, in part, with the underlying rationale behind the African Growth and Opportunity Act, namely that the United States should elevate its policy toward Africa to a level commensurate with Africa's growing importance.

Sub-Saharan Africa can be a new frontier for American trade, investment and economic development. It can be a frontier for the expansion of democracy and market-based economies. It can be a frontier for cooperation in dealing with strategic global problems relating to narcotics, international crime, terrorism, infectious diseases and the environment. Success on each of these foreign policy priorities is important to the United States and to African societies, and it can best be achieved in an Africa that is economically open and politically more accountable and transparent. But this will not happen soon or without tremendous cooperative effort.

Beyond the promise of more prosperity and more stability on the continent, the Africa bill encourages African countries to undertake fundamental political and economic reforms in order to qualify for the trade and investment incentives. It places the burden on African leaders to take initiatives to help themselves. Many have already done so. Those countries that engage in gross violations of human rights, fail to eliminate trade and investment barriers or to improve fiscal policies, or that reject good governance and rule-of-law standards, would not be eligible for duty-free treatment of products under the Generalized System of Preferences, participation in debt reduction programs, projects managed by the Overseas Private Investment Corp., or other trade and investment programs in the bill.

No one can argue that this legislation will transform Africa overnight. But as Africa develops economically, we will benefit by assisting in that growth as new markets develop and mature. Indeed, U.S. exports to sub-Saharan Africa have increased by some 14 percent over the past two years, and bilateral trade now exceeds trade with all the states of the former Soviet Union.

The Africa bill is one of those rare pieces of legislation that has not been inspired by dire crisis, imminent threat or strong domestic pressure. It emerged from the realization that Africa has long been a neglected region of the world and that this neglect does not serve U.S. interests. The bill is visionary in that it acknowledges that Africa is changing, that the United States wants to be a partner in that change, and that we wish to share in Africa's better future. If the United States is a major player in Africa's economic and political transition, we will also be a major beneficiary.

FROM DIPLOMA TO DOCTORATE: 100 YEARS IN THE EVOLUTION OF THE UNIVERSITY OF TENNESSEE, MEMPHIS COLLEGE OF NURSING

HON. ED BRYANT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. BRYANT Mr. Speaker, I would like to recognize the special annivesary of the Univ. of Tennessee Memphis School of Nursing.

Memphis City Hospital and its school of nursing, identified as the Memphis City Hospital School of Nursing, opened in 1989. Lena Angevine Warner was appointed as Superintendent of Nurses and Director of the School. She is identified as the founder of the School of Nursing that later became part of the University of Tennessee. She resigned in 1900 to serve as an Army contract nurse in Cuba and later served with the Walter Reed Commission that studied yellow fever.

The first class of eight graduated in June, 1900 from the Memphis City Hospital School of Nursing. A 3-year curriculum was implemented in 1913.

By contract with the City of Memphis signed July 22, 1926, ''The School of Nursing has been launched on a University basis.'' The Memphis General Hospital furnished space and equipment and the University of Tennessee provided two nursing faculty members and instruction from its medical college faculty. Miss Winifred Atkinson, director of nursing for the hospital and the school from 1923–1926 was instrumental in bringing about this relationship with the University.

John Gaston Hospital replaced the old General Hospital in 1936. WWII brought practice blackouts and a shortage of nursing faculty and students. UT participated in the U.S. Cadet Nurse Program. Two graduates of the UT School of Nursing—Lts. Imogene Kennedy and Inez McDonald—were captured by the Japanese on with the surrender of U.S. Troops on Corregidor, Philippines. They were prisoners of war from 1942 until early 1945. Miss Ruth Neil Murry became Educational Director of the School in 1944 and Director in 1946.

A 4-year program leading to the BSN began in 1950 and the diploma program phased out in 1954. Under the leadership of Ruth Neil Murry, the school became autonomous in 1949. Murry, the first Dean, served until December 1977.

The City Hospital contract was amended in 1958 and major curriculum change occurred. National accreditation was awarded in 1960. The school achieved College status in February 1961.

The master's program in nursing admitted its first students in Summer, 1973. Family nurse practitioner and psychiatric-mental health were the initial offerings.

Dr. Michael Carter became Dean late in 1982 and continues in that role. Faculty and Dean Michael Carter placed increasing emphasis on research and practice in the mid 1980s. The college moved into a new building. In 1988 the Doctor of Philosophy with a major in Nursing began. The first PhD in Nursing was awarded in 1992 to June Hansen Larabee.

Over 4,500 nurses have been educated by The University of Tennessee, Memphis College of Nursing.

TRIBUTE TO DON BYE

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. OBERSTAR. Mr. Speaker, I rise today to pay tribute to Don Bye of Duluth, Minnesota.

Don has rendered long, distinguished, and dedicated service to the City of Duluth, Minnesota's 8th Congressional District, and all of Northern Minnesota. For more than a quarter century, he has served Northern Minnesota in numerous ways through his multifaceted political and community activism.

In particular, I wish to note that Don Bye has completed over a quarter century of service as Chairman of the 8th Congressional District's Democratic-Farmer-Labor (DEL) party and is now entering his 27th year in that capacity. That makes him the longest continuously serving Chairman of any of Minnesota's eight Congressional District DFL committees. I know I am joined by DLFers throughout our district in saying a heartfelt thanks to Don for his tireless, selfless service. Don Bye's greatest contribution has been to show people how to work together. He has brought together individuals with diverse and sometimes contentions positions through his dedication, hard work, and diplomacy. In large part because of his efforts, the 8th District DFL Party has a cohesiveness that is envied by other political groups in the State of Minnesota.

When redistricting was completed following the 1990 census, Don moved quickly to contact county unit chairs from the newly added sections of Minnesota's 8th Congressional District. He made sure that people from Sheburne and Benton counties felt welcome in their new Congressional District and included them early on in activities of the 8th District unit, including important leadership positions.

Don Bye has been a practicing attorney for more than 30 years. He assisted numerous clients in the areas of labor and employment law, public sector labor law, employment discrimination and personal injury law. He was a Member of the Minnesota State Board of Governors from 1989–1992.

Don Bye was instrumental in starting two programs that affected thousands of people in Duluth: the Share Food Drive and Kids Voting USA. In 1982, Don has an idea for a citywide effort to benefit those less fortunate, known as the Share Food Drive. Don recruited a staff person to organize the new program, and enlisted volunteers from the Duluth area. One weekend a year, boy scouts, union members, and other volunteers go door-to-door collecting food items and cash from Duluth residents. Local trucking companies donate the use of trucks, union members volunteer to drive the trucks, and church organizations offer the use of buildings to assist in the effort. The Share Food Drive generates 20,000 to 40,000 pounds of food a year for the Duluth Food Shelf.

Don Bye knows the future of our country lies in the hands of America's youth, which inspired him to initiate the Kids Voting USA project in Duluth—the first community in Minnesota to participate in Kids Voting USA. Don also served on the original organizing committee. Don and his fellow volunteers, by donating their time and money, made Duluth's Kids Voting USA project a model for the nation. He brought people together and got them excited about the idea of giving school children the chance to participate in the electoral process on Election Day. Under this project, children can pick up a ballot at the polls and vote at their own booth at the same time that the parents are casting their official ballots. Local schools also participate by exposing students to the political process in their social studies and civics classes.

Six thousands school children in Duluth participated in Kids Voting USA in 1994, the first year of the program. By 1996, 31,000 children in ten communities in Northern Minnesota had joined in exercising the privilege enjoyed by millions of American citizens—casting a ballot for candidates for elective public office. Democracy will benefit in the years to come from young people inspired so early in their lives by this unique opportunity to participate in the election process.

I am proud and honored to share with my colleagues this brief, but deserved tribute to Don Bye, who has given so much of himself to enrich the lives of others and to serve his community.

HONORING COSMOPOLITAN CLUB OF ELGIN'S DISTINGUISHED SERVICE AWARD RECIPIENT

HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. HASTERT. Mr. Speaker, I rise today to honor Ms. Susan Rakow, the recipient of this year's Cosmopolitan Club of Elgin's Distinguished Service Award.

The Award is sponsored by the Cosmopolitan Club of the City of Elgin, Illinois, and Ms. Rakow is truly worthy of this honor. She has spent countless hours serving the community of Elgin in a variety of roles, and her contributions have been many.

Honored by the Altrusa International Club of Elgin with its Woman of the Year Award in 1997, and by the YWCA with its Marjorie Leonard Community Service Award in 1988, Ms. Rakow has served on the boards of the Jayne Shover Easter Seal Center, the Elgin Symphony, and the Sherman Hospital Auxiliary. She has also been active with Elgin U–46 public schools, serving both as a substitute teacher and as a member of the Instructional Council, has served as President of the Elgin Enrichment Series for several years and has been active in her local church.

Mr. Speaker, I congratulate the Cosmopolitan Club of Elgin, Illinois in my district on their selection, and urge you and my colleagues to join me in honoring Ms. Susan Rakow for her years of service to her community and for her selection as this year's recipient of the Cosmopolitan Club of Elgin's Distinguished Service Award.

TRIBUTE TO HUBERT ''DUDER'' DUDERSTADT

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to Hubert ''Duder'' Duderstadt.

Duder was a child immigrant from Germany. He came to this country with almost nothing and was a classic example of the success immigrants represent to this nation and what they have added to the culture we all enjoy today.

Duder was an example of what hard work and clean living will do.

Married to the same woman, Alberta, for 56 years, raising three successful children and achieving ownership of his own farm were measures of such success.

He clearly fulfilled the Will Rogers comment ''I never met a man I didn't like,'' and it was always a pleasure to run into Duder. He was an accomplished farmer and wine maker and greatly appreciated by the community.

Always ready to do his part for the community, civic club, school, church, or profession, he never failed to pitch in.

He demonstrated by example what it means to be a Christian, good citizen, successful farmer, husband, and father.

He will be remembered, as we say in Gillett, Arkansas, as ''a good man.''

A TRIBUTE TO THE COMMUNITY COALITION PROJECT

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention the fine work and dedication of a group of outstanding teachers, staff, and other individuals to the students of San Bernardino County, California. On May 12th, the San Bernardino County Superintendent of Schools will honor some of the finest teachers in California at a Celebration of Excellence, a dinner and recognition program honoring the work of the Community Coalition project.

The Community Coalition is a countywide partnership project established to respond to the needs of public education through collaborative partnerships. As a result of this effort, successful programs have been put in place for San Bernardino County students in the areas of literacy, technology, school safety and career preparation. Clearly, the success of this project is tied directly to the teachers, staff and other partners who have worked diligently on this effort within the last three years.

The teachers who will be honored for their work with early literacy include Diane Harlan, Celeste Danjou, Dawn Fletcher, Sue Rhoades, Mary Gee, Terry Rogers, Audrey Howard, Tine Pelletier, Donna Libutti, Luanne Rhodes, Patty Dipaolo, Audrey Folden, Helen Rockett, Hester Turpin, Ava Gonick, Susan Birrell, Vickie Holman, Aleen Massey, Liz Fragua, Cathy Richardson, Joan Carey, Sue Cornell, Lynne Merryfield, Arlene Mistretta, Janie Pierson, Darwin Ruhle, Iris Tramp, Denie Cates-

Darnell, Caroleen Cosand, Jean Fenn, Carol Besser, Londa Carter, Denise Dugger, Cynthia Freymueller, Rachael Emery, Judy Lowrie, Marge Ruffalo, Laura Chapman, Luis Ibarra, Chris Richards, and Melody Davidsmeier.

Being recognized for their work in technology education are Jim Roller, Steve Bailey, Cindy Robinson, Ruthetta Brandt, Leandra Pearson, Kathy Gilbert, Jim Evans, Noelle Kreider, Alexis Carlson, John Patten, Bob Watson, and Linda Jungwirth. Those praised for their work on the focus on the future include Judith Pratt, Michelle Beutler, Dr. Bill Clark, Carrie Childress, Jeff Drozd, Patricia Merriam, Skip Brown, Laura Brundige, Jerry Bennett, Geri Kubanek-York, Jere Lloyd, Leslie Rodden, and Pam Stockard.

In addition, the following individuals will be recognized for their work with school safety; Norma Ashworth, Robert Martinez, David Mann, Beth Henry, Sally Foster, Marc Divine, Cathy Magana, Tim Kelleghan, Tina Maeda, Jimmie Jimenez, Rich Laabs, Michael Vance, Debbie Fairfax, and Joe Kaempher.

Mr. Speaker, I ask you to join me and our colleagues in recognizing the fine work of these individuals. Barry Pulliam, the County Superintendent of Schools is also worthy of praise for his outstanding leadership on the Community Coalition project. Efforts to educate our students and prepare them for the future are certainly worthy of our recognition and it is only fitting that the House pay tribute to these fine citizens today.

REMEMBERING REV. CLAUDE HEITHAUS—''A CIVIL RIGHTS TRAILBLAZER''

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. CLAY. Mr. Speaker. Trailblazers are people who take chances and stand up for what's right, even when the status quo tells them the time is ''not right''. Trailblazers change the course of history, as Rev. Claude Heithaus did at Saint Louis University on a day in February 1944 when he delivered a sermon that led to integration in higher education in the city of St. Louis. As a proud alumnus of Saint Louis University and beneficiary of Rev. Heithaus' courageous actions, I commend to our colleagues the April 14, 1998 St. Louis Post Dispatch article, titled ''Priest led the fight for university integration'', which tells of the great sacrifice Rev. Heithaus made for the benefit of racial harmony. It is my hope that our colleagues in the struggle for racial equality and justice will find strength in this story.

PRIEST LED FIGHT FOR UNIVERSITY INTEGRATION

(By Paul Shore)

St. Louis is rich in history, and we honor those who have contributed to its history in a number of ways: by naming parks, streets, hospitals and schools after them, or by keeping their memory alive by dedicating a civic project or program to them. Yet an important figure in the history of our city continues to go largely unacknowledged. His name was Claude Heithaus, and this spring marks the 100th anniversary of his birth.

Before Brown vs. the Board of Education had made its way to the Supreme Court in 1954, before the Archdiocese of St. Louis had integrated its schools, when St. Louis was an entirely segregated city, the Rev. Claude Heithaus, a Jesuit priest, took it upon himself to preach a sermon in the St. Frances Xavier (College) Church of St. Louis University, where he was a faculty member. In this sermon, which he delivered on the morning of Feb. 11, 1944, he called upon his listeners to repudiate racism and welcome people of color to the university. His words were uncompromising as he called upon the community to face its prejudice and hypocrisy:

''Do you want us to slam our doors in the face of Catholics, because their complexion happens to be brown or black? It (the claim that white students would refuse to attend classes with people of color) is a lie. I see that you repudiate it with indignation. You scorn it all the more because some of the very people who disseminate this lie have themselves sent their sons to Harvard and Yale, where they were glad to sit in the same classrooms with Negroes.''

Heithaus' call to justice, which he couched in religious as well as moral terms, did not go unnoticed. Within the year, St. Louis University became the first institution of higher learning in a former slave state to admit African-Americans, and the city of St. Louis thereby became the scene of one of the most important breakthroughs in racial integration.

Heithaus soon departed from St. Louis. Because he had preached the sermon without the permission or support of his Jesuit superior and had continued to call attention to the problems of racism, he was banished, first to Kansas and then to Milwaukee.

Late in life he was allowed to return to the St. Louis area, where he lived quietly, never speaking publicly again on the topic of race relations. He died in 1976.

In the story of Heithaus' courage and determination there is much that St. Louis can be proud of. He risked—and lost—a great deal in order to further a process of acceptance, toleration and integration that remains unfinished in our community.

Although the first part of his story is fairly well known, the price he paid is less well known, and neither the university nor the community has ever formally recognized his accomplishments and sacrifices.

After his speech and his subsequent refusal to drop the issue of race relations, his career as a teacher was severely curtailed. A valuable collection of antiquities that he had acquired on his travels was lost or destroyed. His work as a trainer of young journalists (a quarter century earlier he had founded St. Louis University's University News) came to an end as well.

Even after the policies that Heithaus had called for became an accepted reality, he was never publicly thanked or even acknowledged by this community for his role in their realization, although the Father General of the Jesuits and the French government eventually recognized his accomplishments.

While much of the responsibility for this acknowledgement lies with the school where I work, St. Louis University, some of it ultimately lies with the community that also benefited from his vision and persistence. His commitment and his ideals should not be forgotten.

I call upon St. Louis University to mark the hundredth anniversary of Claude Heithaus' birth with some gesture worthy of his beliefs. I also call upon the greater St. Louis community to reflect on the actions of someone, who, when it was still politically incorrect, sought to widen educational opportunities for people of color. Surely there is a place in our city for some remembrance of him, a way to call attention to his ideals.

Heithaus is of course not the only unsung hero of St. Louis history. In the past 200 years, many men and women in this community have stood for worthy but unpopular causes and paid high prices for their beliefs. We should give each one recognition, not only out of respect for what they did, but also for what their lives can offer all of us as models of courage and vision. And by honoring Claude Heithaus, we would be making a very good start.

IN HONOR OF MISSION SAN JOSE ROTARY CLUB FOR ITS 15 YEARS OF SERVICE TO THE 13TH CONGRESSIONAL DISTRICT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. STARK. Mr. Speaker, I would like to take this opportunity to recognize the Mission San Jose Rotary Club for its extensive contributions to the quality of life in the Fremont community.

Over the last fifteen years, Mission San Jose Rotary has been actively involved in the community through more than 45 projects benefiting the Mission San Jose, Serra Center, Ardenwood Park, Fremont Senior Center, Mission San Jose Museum, and many other worthy recipients.

In addition, in 1986 Mission San Jose Rotary became one of the first clubs to champion the admission of women members, well before Rotary International recognized full participation by females. The club has sponsored two new Rotary clubs, sponsored four foreign exchange students, and counts more than 60% Paul Harris Fellows among its members. Mission San Jose Rotary has also contributed substantially to the Polio Plus Campaign and the Mission San Jose restoration.

I also commend Mission San Jose Rotary for having prepared and served many thousands of meals at the Centerville Free Dining Room, and for their internationally acclaimed chili and famous linguica burgers, which have raised nearly $300,000 for charity.

Throughout its existence, Mission San Jose Rotary has been acclaimed many times for its excellent service. On May 1, 1998, the Mission San Jose Rotary Club will celebrate the 15th Anniversary of its founding, and I would like to express my sincere appreciation for the dedicated efforts that have produced so many civic achievements. Congratulations, and I look forward to another fifteen years of exceptional service.

IN HONOR OF LT. COL. MICHAEL PRUSAK

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. FAZIO of California. Mr. Speaker, I rise today to honor Lt. Col. Michael Prusak, Director of Logistics for the Sacramento Air Logistics Center, McClellan Air Force Base, California. He is a Command Navigator, with more than 2,500 hours in the FB–111 and the T–43 aircraft. Lieutenant Colonel Prusak will be retiring on 1 August 1998, after a distinguished career highlighted by many challenging assignments.

As Director of Logistics, Lieutenant Colonel Prusak manages the supply and transportation support for the Air Logistics Center and the 77th Air Base Wing. He oversees more than 250 military and civilian personnel, with an annual budget of nearly $1 million.

Lieutenant Colonel Prusak was born in Germany, in December 1947. He grew up in Boston, Massachusetts, and graduated from Boston Technical High School. He attended and graduated from Lowell Technological Institute in 1973 with a degree in Industrial Engineering. In 1981, he graduated from the University of Southern California with a Masters in Systems Management.

After flight training at Reese Air Force Base, Texas, in 1974, Lieutenant Colonel Prusak was assigned to the 380th Bombardment Wing at Plattsburgh Air Force Base, New York. At Reese Air Force Base he flew the Strategic Air Command's FB–111, and became one of the first 1st Lieutenant instructors of the aircraft. In 1980, he was assigned to Mather Air Force Base, California, as an Undergraduate Navigator Training instructor. While there, he became a flight commander and helped develop the curriculum for the dual track navigator training system, which is still in use today.

In 1985, Lieutenant Colonel Prusak was assigned to the 509th Bombardment Wing at Pease Air Force Base, New Hampshire, and requalified in the FB–111. While there, he became the assistant air operations officer, and chief of aircrew scheduling and training for the 393d Bombardment Squadron—the same squadron that dropped atomic bombs on Hiroshima and Nagasaki during the final days of World War II. In January 1988, he became the Deputy Commander for Resource Management for the 509th, where he helped manage the Wing Supply and Transportation Squadrons, along with Wing Mobility, Base Contracts, and Base Comptroller divisions.

Lieutenant Colonel Prusak was assigned in 1989 to the Sacramento Air Logistics Center as assistant program manager for the F–111 Digital Flight Control Modification Program. He went on to become the Program Manager for the F–111 Stores Management Upgrade modification program in 1990, followed by the position of Branch Chief for all F–111 modifications. In January 1993, Lieutenant Colonel Prusak attended the Defense Systems Management College at Ft. Belvoir, Virginia. Upon his return to McClellan, he became the Assistant F–111 System Program Director, ultimately, becoming the Director of Logistics in March 1995.

Lieutenant Colonel Prusak also gave much of himself to the citizens of California. He has been, and continues to be, an extremely active volunteer pilot for the Civil Air Patrol—having flown more than 100 training and search and rescue missions in northern California. Many of these life saving missions involve flying low level sorties in the valleys of the Sierra Nevada Mountain Range, placing him in great personal danger. Following his retirement from the United States Air Force, his role will expand as he assumes the position of the California Wing Liaison Officer of the Civil Air Patrol, at McClellan Air Force Base.

Lieutenant Colonel Prusak is the recipient of many awards, including the Meritorious Service Medal with one oak leaf cluster, the Air Force Commendation Medal with one oak leaf cluster, the Air Force Outstanding Unit Award, the Air Force Organizational Excellence Award, the Combat Readiness Medal, the National Defense Service Medal, and the Southwest Asia Service Medal.

I join my colleagues today in honoring Lieutenant Colonel Prusak for his 24 years of dedicated and distinguished service to the United States Air Force, the state of California, and our nation. We send best wishes to him, his wife Linda, and their children Jennifer, Erica, and Gabriel and wish him continued success at his new position with the Civil Air Patrol.

IN RECOGNITION OF THE FOUNDING OF THE TEXAS CENTER FOR SUPERCONDUCTIVITY AT THE UNIVERSITY OF HOUSTON

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in recognition and gratitude for the outstanding work done by Dr. Paul Chu and his colleagues at the Texas Center for Superconductivity on the problem of High Temperature Superconductivity. As a member of the House Science Committee, I often hear references made for the excellent work of Dr. Paul Chu and the Texas Center for Superconductivity located at the University of Houston. I have also taken great pleasure in working with Dr. Chu on legislative and administrative matters in Washington related to the support of the center.

From the Center's beginnings in 1987 with the endorsement of the 70th Legislature of the State of Texas your efforts to find solutions to fundamental and practical questions in High Temperature Superconductivity have been noteworthy. Beginning with a staff of seven, the Texas Center for Superconductivity at the University of Houston is now the largest and most comprehensive Center of its type in the nation. Your great achievements serve as a testament to the past decade of hard work and progress in the new scientific and technological field of High Temperature Superconductivity.

With the multiple mission of basic and applied research, technology development and transfer, and providing advanced training and education, the Texas Center for Superconductivity at the University of Houston's researchers and students continue to search for solutions to fundamental and practical questions in High Temperature Superconductivity.

There efforts on behalf of science have enabled this important research program to expand into the world's leading Center for bulk high temperature superconductivity and related materials. We in Texas feel that their presence in the City of Houston has lead to this prominent position in this highly technical field of study.

On behalf of the residents of the 18th Congressional District, I offer Dr. Chu and his colleagues congratulations and best wishes for continued success in the area of High Temperature Superconductivity.

IN HONOR OF DR. STANLEY NUSSBAUM

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. SCHUMER. Mr. Speaker, I am pleased to have the opportunity today to recognize Dr. Stanley Nussbaum, who is being honored by the Herbert Tenzer Five Towns Democratic Club at its annual brunch on May 3. Dr. Nussbaum has been an outstanding member of his community and his personal commitments both civic and religious have bettered the lives of his neighbors on Long Island.

Dr. Nussbaum's devotion has led him to contribute to the Jewish community in many ways. He sits on the boards of the Conference of Jewish Organizations of Nassau County and the American Committee for Israeli MIA's in addition to being a trustee of Temple Beth El of Cedarhurst and a former trustee of the American Jewish Committee. He is also a past president of the Five Towns Jewish Council.

Civic duty has also played a major role in Stan's life, leading him into an active role in the Democratic party. He serves as Leader in the 20th Assembly District and has been a member of the Nassau Democratic County Committee for twenty-five years. He was the zone leader of Lawrence-Cedarhurst and served as President of the Five Towns Democratic Club from 1978–1980 and 1984–1990. Dr. Nussbaum was a Clinton delegate for the 1992 Democratic National Convention and was elected as a New York State Committeeman in 1994.

Dr. Nussbaum has also been successful in both his professional and private life and is a life member of the American Dental Society. He and his wife Toby are the proud parents of three children, Felice, Hillary and Larry, and of two grandchildren, Ananda and Sierra.

Dr. Stanley Nussbaum has made great contributions to society as a professional, a leader, a religious man, and a father. His community, indeed all of Long Island, have been improved by his efforts.

HONORING PRESIDENT K.R. NARAYANAN WITH THE STATESMAN OF THE YEAR AWARD

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. ACKERMAN. Mr. Speaker, I rise today with my colleagues to honor an extraordinary man, the President of India, Mr. K.R. Narayanan. Tonight he is receiving the Appeal of Conscience ''Statesman of the Year'' award, and it is hard to find someone who is more deserving of this honor.

Mr. Speaker, President Narayanan has had a distinguished career in public service for almost half a century. He served with distinction in the Indian Foreign Service for over 30 years, eventually serving as India's Ambassador to the United States from 1980 to 1984. It was after his tenure in Washington that he then entered the realm of politics, and served as a Member of Parliament from the district in which he was born from 1985 to 1992, at

which time he was elected to serve as India's Vice President. In July of 1997, Mr. Narayanan, I am proud to say, assumed the office of the President of India. He has also, over the course of his career, become an accomplished author of several books and articles on social, political and international theory.

During his tenure, President Narayanan has shown a great respect for human rights in general, the rights of minorities in particular, and the rule of law. As the leader of the largest democracy in the world, he has done a remarkable job in continuing to move India in the direction of economic liberalization and ever greater political freedom. India's most recent parliamentary elections demonstrate the stability of this nation and the leadership that President Narayanan has provided in stewarding the country through a fairly tumultuous year in domestic politics.

In international affairs, President Narayanan has shown an innate ability to get along with leaders of all stripes, and work for the common good, not merely for India's interests, as we continue to navigate through the uncertainties of the post-Cold War era. He is a diplomat, a public servant, an educator, and an author, but more importantly, he is a concerned human being and citizen of the world, who is dedicated to ensuring that those who can't care for themselves are cared for. Most of all he is unswerving in the notion that all people, no matter their origin, race or other distinction, deserve peace, happiness and security in life. On the occasion of the nations of India and Israel celebrating their 50th year in existence, I think it is important to point out that these were the basic principles upon which they were both founded, and the same ones which my good friend President Narayanan sincerely and honestly espouses.

That is why the ''Appeal of Conscience'' Statesman of the Year award so befits President Narayanan.

BOB ETHERIDGE HONORING CAPT. FULTON PERSHING LANIER

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1998

Mr. ETHERIDGE. Mr. Speaker, I rise to honor the life of Captain Fulton Pershing Lanier of Buies Creek, North Carolina, for his service to the people of the United States of America. Captain Fulton served honorably in the United States Army Air Corps from 1941 to 1944.

United States service men and women place themselves in harms way to protect the freedoms we hold dear in America. Many of these brave individuals return home to build and lead their communities. Tragically, Fulton Lanier did not have such an opportunity.

On January 31, 1944, then 1st Lieutenant Lanier, along with 1st Lieutenant Frank M. Ramos, Corporal Joseph Petrella, Private First Class Eugene E. Beebe, and Private First Class Bartholomew R. Giacalone, boarded his C–87 Liberator and piloted what would be his final mission. These five men perished in service to humanity, supplying food, medical and other supplies to Allied forces of China.

Fulton Lanier's legacy may have been greater than even he could have imagined. His service and sacrifice for our country has been permanently instilled in the hearts and minds of his family and all who knew him. Fulton Pershing Lanier is an American hero.

Fifty-four years later, the Lanier family received notice that wreckage from this fateful flight was recovered. Upon notification, the Lanier family has embarked on a mission of studying and sharing the story and example of this young man from Buies Creek.

Fulton Lanier paid the ultimate sacrifice in service to the United States of America, serving his family, community, state, and nation. His burial with full military honors at Arlington National Cemetery on January 23, 1998, was only a small way his nation can acknowledge the debt owed to Fulton Lanier and his family that can never be repaid.

I am honored to report to the House on the heroism of Captain Fulton Pershing Lanier. May God bless him in his place of resting.

Tuesday, April 28, 1998

Daily Digest

HIGHLIGHTS

Senate agreed to State Department Reorganization Conference Report.

Senate

Chamber Action

Routine Proceedings, pages S3665–S3738

Measures Introduced: Seven bills were introduced, as follows: S. 1993–1999. **Page S3709**

Treaty Considered: Senate continued consideration of the Protocols to the North Atlantic Treaty of 1949 on Accession of Poland, Hungary, and the Czech Republic, with a resolution of ratification containing seven declarations and four conditions, taking action on amendments proposed thereto, as follows: **Pages S3667–78, S3680, S3686–S3708**

Adopted:

By 90 yeas to 9 nays (Vote No. 107), Kyl Modified Amendment No. 2310, to establish principles of policy of the United States toward the Strategic Concept of NATO.

Pages S3667, S3680, S3687–88, S3695–98

Rejected:

By 24 yeas to 76 nays (Vote No 106), Harkin Amendment No. 2312, to limit future U.S. subsidies of the national expenses incurred by Poland, Hungary, or the Czech Republic in meeting NATO commitments. **Pages S3667–78, S3686–87**

Pending:

Smith (New Hampshire)/Hutchison Amendment No. 2314, to express a condition requiring full cooperation from Poland, Hungary, and the Czech Republic with United States efforts to obtain the fullest possible accounting of captured and missing United States personnel from past military conflicts or Cold War incidents. **Pages S3688–95, S3698–S3708**

A unanimous-consent agreement was reached providing for further consideration of the Treaty and the amendment pending thereto, on Wednesday, April 29, 1998. **Page S3737**

State Department Reorganization Conference Report: By 51 yeas to 49 nays (Vote No. 105), Senate agreed to the conference report on H.R. 1757, to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, to ensure that the enlargement of the North Atlantic Treaty Organization (NATO) proceeds in a manner consistent with United States interests, to strengthen relations between the United States and Russia, and to preserve the prerogatives of the Congress with respect to certain arms control agreements.

Pages S3680–86

Education Savings Act for Public and Private Schools—Conferees: Pursuant to the order of March 27, 1998, the Chair appointed conferees on the part of the Senate on H.R. 2646, to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, and to increase the maximum annual amount of contributions to such accounts, as follows: Senators Roth, Mack, Coats, Gorton, Coverdell, Moynihan, Moseley-Braun, Kennedy, and Bingaman. **Page S3736**

Appointments:

Special Committee on the Year 2000 Technology Problem: The Chair, on behalf of the President pro tempore, and upon the recommendation of the Republican Leader, pursuant to the provisions of S. Res. 208 of the 105th Congress, appointed the following Senators to the Special Committee on the Year 2000 Technology Problem: Senators Kyl, Smith (of Oregon), and Collins, and as ex-officio members by virtue of their positions on the Committee on Appropriations: Senators Stevens and Byrd.

Page S3736

Removal of Injunction of Secrecy: The injunction of secrecy was removed for the following treaty:

Treaty with Brazil on Mutual Legal Assistance in Criminal Matters. (Treaty Doc. 105–42)

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and was ordered to be printed. **Page S3737**

Nominations Confirmed: Senate confirmed the following nominations:

Togo Dennis West, Jr., of the District of Columbia, to be Secretary of Veterans Affairs.

Pages S3736–38

Nominations Received: Senate received the following nominations:

Mari Carmen Aponte, of Puerto Rico, to be Ambassador to the Dominican Republic.

E. William Crotty, of Florida, to be Ambassador to Barbados, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary to Barbados, the Commonwealth of Dominica, the State of Grenada, St. Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines.

Jeffrey Davidow, of Virginia, to be Ambassador to Mexico.

John O'Leary, of Maine, to be Ambassador to the Republic of Chile.

Arthur Louis Schechter, of Texas, to be Ambassador to the Commonwealth of The Bahamas.

Page S3738

Messages From the House: **Page S3709**

Statements on Introduced Bills: **Pages S3709–23**

Additional Cosponsors: **Pages S3723–24**

Amendments Submitted: **Pages S3724–25**

Authority for Committees: **Page S3725**

Additional Statements: **Pages S3725–36**

Record Votes: Three record votes were taken today. (Total–107) **Pages S3686–87, S3698**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:28 p.m., until 11:45 a.m., on Wednesday, April 29, 1998. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S3737–38.)

Committee Meetings

(Committees not listed did not meet)

JAPAN'S ECONOMY

Committee on the Budget: Committee concluded hearings to examine the current state of the Japanese economy and banking system and their implications for the United States economy, after receiving testimony from Tadashi Nakamae, Nakamae International Economic Research, Tokyo, Japan; John H. Makin, American Enterprise Institute, Washington, D.C.; and David Malpass, Bear Stearns, New York, New York.

YEAR 2000 COMPUTER CONVERSION

Committee on Commerce, Science, and Transportation: Committee concluded hearings to examine the potential impact of the Year 2000 computer conversion problem on the U.S. and world economies, and to review efforts to address potential problems, after receiving testimony from Senator Bennett; Edward W. Kelley, Jr., Member, Board of Governors of the Federal Reserve System; Robert L. Mallett, Deputy Secretary of Commerce; William E. Kennard, Chairman, Federal Communications Commission; Mortimer L. Downey, Deputy Secretary of Transportation; and Richard A. Grasso, New York Stock Exchange, Inc., Washington, D.C.

FEDERAL R&D FUNDING

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space concluded hearings to examine the state of Federal research and development (R&D) funding in the United States, focusing on America's future role in the dominance of science and technology, after receiving testimony from Senators Bingaman, Gramm, and Lieberman; Kerri-Ann Jones, Acting Director, Office of Science and Technology Policy; Judith Rodin, Member, President's Committee of Advisors on Science and Technology, and University of Pennsylvania, Philadelphia; Dan Peterson, DAP and Associates, Winter Park, Florida; and Albert H. Teich, American Association for the Advancement of Science, Washington, D.C.

MINING LAW REFORM

Committee on Energy and Natural Resources: Subcommittee on Forests and Public Land Management held hearings on S. 326, to provide for the reclamation of abandoned hardrock mines, S. 327, to ensure that Federal taxpayers receive a fair return for the extraction of locatable minerals on public domain lands, and S. 1102, to provide a reasonable royalty from mineral activities on Federal lands, and to create a State program for the reclamation of abandoned hardrock mining sites on Federal lands, receiving testimony from Senators Reid and Bryan; Nevada Governor, Bob Miller, Carson City; Bruce Babbitt, Secretary of the Interior; Douglas C. Yearley, Phelps Dodge Corporation, Phoenix, Arizona, on behalf of the National Mining Association; Stephen D'Esposito, Mineral Policy Center, and Jill Lancelot, Taxpayers for Common Sense, both of Washington, D.C.; Stephen D. Alfers, Alfers and Carver, Denver, Colorado; Steven C. Borell, Alaska Miners Association, Inc., Anchorage; Stephen A. Orr, Homestake Mining Company, San Francisco, California; and Roger Flynn, Western Mining Action Project, Boulder, Colorado.

Hearings were recessed subject to call.

IRS

Committee on Finance: Committee held oversight hearings on the operation of the Internal Revenue Service, focusing on ethics and allegations of abuses and improper conduct by high-level agency officials, receiving testimony from Harry G. Patsalides, Deputy Assistant Inspector General for Investigations, and Yvonne D. Desjardins, Chief, Employee and Labor Relations Section, Personnel Branch, both of the Department of the Treasury; Ray Cody Mayo, Jr., Louisiana Assistant District Attorney, Shreveport; Robert Edwin Davis, Dallas, Texas, former Deputy Assistant Attorney General, Tax Division, Department of Justice; J. Earl Epstein, Philadelphia, Pennsylvania; and Philip A. MacNaughton, Houston, Texas.

Hearings continue tomorrow.

CONSTITUTIONAL AMENDMENT

Committee on the Judiciary: Committee concluded hearings on S.J. Res. 44, proposing an amendment to the Constitution of the United States to protect the rights of crime victims, after receiving testimony from Raymond C. Fisher, Associate Attorney General, Department of Justice; Paul G. Cassell, University of Utah College of Law, Salt Lake City; Kathleen Krenek, Wisconsin Coalition Against Domestic Violence, Madison; Robert P. Mosteller, Duke University Law School, Durham, North Carolina; Marlene A. Young, Washington, D.C., and Norman S. Early, Jr., Denver, Colorado, both on behalf of the National Organization for Victim Assistance; and Steven J. Twist, VIAD Corporation, Scottsdale, Arizona, and former Chief Assistant Attorney General of Arizona, on behalf of the National Victims' Constitutional Amendment Network.

READING AND LITERACY INITIATIVES

Committee on Labor and Human Resources: Committee concluded hearings to examine proposals to improve the reading and literacy skills of children and families, focusing on S. 1596 and H.R. 2614, bills to provide for reading excellence by improving in-service instructional practices for teachers who teach reading, to stimulate the development of more high-quality family literacy programs, to support extended learning-time opportunities for children, and to ensure that children can read well and independently not later than third grade, after receiving testimony from G. Reid Lyon, Chief, Child Development and Behavior Branch, National Institute of Child Health and Human Development, National Institutes of Health, Department of Health and Human Services; Janet R. Arnowitz, Fairfax County Public Schools, both of Bethesda, Maryland; Blanche Podhajski, Stern Center for Language and Learning, Williston, Vermont; Catherine E. Snow, Committee on the Prevention of Reading Difficulties in Young Children, Cambridge, Massachusetts; Perri Klass, Boston Medical Center, Boston, Massachusetts; Charles I. Bunting, Vermont State College, Waterbury; Peggy Minnis and Raynice Brumfield, both of the District of Columbia Public Schools, Washington, D.C.; Noel C.R. Gunther, WETA Learning Project, Arlington, Virginia; and Dawnna Lanctot, Danville, Vermont.

ENVIRONMENTAL COMPLIANCE TOOLS FOR SMALL BUSINESS

Committee on Small Business: Committee held hearings to examine environmental compliance assistance for small businesses provided by the Environmental Protection Agency under Federal laws and initiatives, environmental self-audits, and State audit privilege and qualified disclosure laws, receiving testimony from Montana State Representative Scott J. Orr, Helena, on behalf of the American Legislative Exchange Council; Benjamin Y. Cooper, Printing Industries of America, Alexandria, Virginia; Elizabeth Glass Geltman, George Washington University, Washington, D.C.; James L. King, New York Small Business Development Center, Albany, on behalf of the Association of Small Business Development Centers; and David S. Marsh, Marsh Plating Corporation, Ypsilanti, Michigan, on behalf of the National Association of Metal Finishers, the Metal Finishing Suppliers' Association, and the American Electroplating and Surface Finishing Society.

Hearings were recessed subject to call.

House of Representatives

Chamber Action

Bills Introduced: 9 public bills, H.R. 3734–3742; and 5 resolutions, H.J. Res. 116 and H. Con. Res. 261–264, were introduced. **Page H2423**

Reports Filed: Reports were filed as follows:

H.R. 2807, A bill to amend the Rhinoceros and Tiger Conservation Act of 1994 to prohibit the sale, importation, and exportation of products labeled as

containing substances derived from rhinoceros or tiger, amended (H. Rept. 105–495);

S. 231, to establish the National Cave and Karst Research Institute in the State of New Mexico (H. Rept. 105–496);

H. Res. 409, providing for consideration of H.R. 3717 to prohibit the expenditure of Federal funds for the distribution of needles or syringes for the hypodermic injection of illegal drugs (H. Rept. 105–497); and

H. Res. 410, providing for consideration of H.R. 3546 to provide for a national dialogue on Social Security and to establish the Bipartisan Panel to Design Long-Range Social Security Reform (H. Rept. 105–498); and

H. Res. 411, providing for consideration of H.R. 6 to extend the authorization of programs under the Higher Education Act of 1965 (H. Rept. 105–499). **Pages H2422–23**

Recess: The House recessed at 1:36 p.m. and reconvened at 2:00 p.m. **Page H2346**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Rhino and Tiger Product Labeling Act: H.R. 2807, amended, to amend the Rhinoceros and Tiger Conservation Act of 1994 to prohibit the sale, importation, and exportation of products labeled as containing substances derived from rhinoceros or tiger; **Pages H2348–51**

Fiftieth Anniversary of Sri Lanka: H. Res. 350, congratulating the people of Sri Lanka on the occasion of the fiftieth anniversary of their nation's independence; **Pages H2351–54**

Cease Fire in Afghanistan: H. Con. Res. 218, amended, concerning the urgent need to establish a cease fire in Afghanistan and begin the transition toward a broad-based multiethnic government that observes international norms of behavior (agreed to by a yea and nay vote of 391 yeas to 1 nay, Roll No. 110); **Pages H2354–56, H2372–73**

Little League Baseball: S. Con. Res. 37 expressing the sense of the Congress that Little League Baseball Incorporated was established to support and develop Little League baseball worldwide and should be entitled to all of the benefits and privileges available to nongovernmental international organizations (passed by a recorded vote of 398 ayes with none voting ''no'', Roll No. 111)—clearing the measure for the President; **Pages H2356–57, H2373–74**

Violence in Algeria: H. Res. 374, expressing the sense of the House of Representatives regarding the ongoing violence in Algeria; **Pages H2357–59**

OAS and Transition of Nicaragua into a Democracy: H. Con. Res. 222, expressing the sense of Congress, congratulating the former International Support and Verification Commission of the Organization of American States (OAS-CIAV) for successfully aiding in the transition of Nicaragua from a war-ridden state into a newly formed democracy and providing continued support through the recently created Technical Cooperation Mission (OAS-TCM) which is responsible for helping to stabilize Nicaraguan democracy by supplementing institution building; **Pages H2359–61**

Guyana's Multiparty Elections: H. Con. Res. 215, amended, congratulating the people of the Cooperative Republic of Guyana for holding multiparty elections; and **Pages H2361–62**

Fiftieth Anniversary of the State of Israel: H.J. Res. 102, expressing the sense of the Congress on the occasion of the 50th anniversary of the founding of the modern State of Israel and reaffirming the bonds of friendship and cooperation between the United States and Israel (passed by a yea and nay vote of 402 yeas with none voting ''nay'', Roll No. 112). **Pages H2362–71, H2373–74**

Recess: The House recessed at 4:30 and reconvened at 5:00 p.m. **Page H2372**

Amendments: Amendments ordered printed pursuant to the rule appear on pages H2424–39.

Quorum Calls—Votes: Two yea-and-nay votes and one recorded vote developed during the proceedings of the House today and appear on pages H2372–73, H2373–74, and H2374. There were no quorum calls.

Adjournment: Met at 12:00 p.m. and adjourned at 10:49 p.m.

Committee Meetings

LABOR-HHS-EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education held a hearing on the Occupational Safety and Health Review Commission, the National Mediation Board, the National Commission on Libraries, and the Armed Forces Retirement Home. Testimony was heard from Stuart E. Weisberg, Chairman, Occupational Safety and Health Review Commission; Ernest W. DuBester, Chairman, National Mediation Board; Jeanne Hurley Simon, Chairperson, National Commission on Libraries and Information Science; and David F. Lacy, CEO/Chairman of the Board, Armed Forces Retirement Home.

EUROPEAN MONETARY UNION

Committee on Banking and Financial Services: Subcommittee on Domestic and International Monetary Policy held a hearing on European Monetary Union. Testimony was heard from public witnesses.

UNDERSTANDING VIOLENT CHILDREN

Committee on Education and the Workforce: Subcommittee on Early Childhood, Youth, and Families held a hearing on Understanding Violent Children. Testimony was heard from Rodney Hammond, M.D., Director, Division of Violence Prevention, National Center for Injury Prevention and Control, Centers for Disease Control and Prevention, Department of Health and Human Services; and public witnesses.

AMERICAN WORKER PROJECT

Committee on Education and the Workforce: Subcommittee on Oversight and Investigations held a hearing on American Worker Project: Impact of Federal Workplace Agencies, Programs, and Laws on the American Worker. Testimony was heard from public witnesses.

FEHB PROGRAM—COMPLEMENT TO MILITARY HEALTH CARE

Committee on Government Reform and Oversight: Subcommittee on Civil Service held a hearing on the FEHB Program as a Complement to Military Health Care. Testimony was heard from Representatives Stearns, Moran of Virginia, Thornberry and Watts of Oklahoma; Gary A. Christopherson, Acting Assistant Secretary, Health Affairs, Department of Defense; and public witnesses.

OVERSIGHT—HEALTH CARE INITIATIVES PURSUED UNDER FALSE CLAIMS ACT

Committee on the Judiciary: Subcommittee on Immigration and Claims held an oversight hearing on health care initiatives pursued under the False Claims Act that impact hospitals. Testimony was heard from Donald K. Stern, U.S. Attorney for the District of Massachusetts and Chair, Attorney General's Advisory Committee, Department of Justice; the following officials of the Department of Health and Human Services: Lewis Morris, Assistant Inspector General, Legal Affairs; and Robert A. Berenson, Director, Center for Health Care Plans and Providers Administration, Health Care Financing Administration, Department of Health and Human Services; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Forests and Forest Health held a hearing on the following: H.R. 1865, Spanish Peaks Wilderness Act of 1997; H.R. 3186, Rogue River National Forest Interchange Act of 1998; H.R. 3187, to amend the Federal Land Policy and Management Act of 1976 to exempt not-for-profit entities that hold rights-of-way on public lands from certain strict liability requirements imposed in connection with such rights-of-way; H.R. 3520, to adjust the boundaries of the Lake Chelan National Recreation Area and the adjacent Wenatchee National Forest in the State of Washington; and a measure to permit the Forest Service to sell their office in Medford, OR in order to fund an add-on to the Bureau of Land Management Medford District Office so they can co-locate. Testimony was heard from Representatives Skaggs and Hastings of Washington; Ron Stewart, Deputy Chief, Forest Service, USDA; and a public witness.

BATTLE OF MIDWAY NATIONAL MEMORIAL STUDY ACT

Committee on Resources: Subcommittee on National Parks and Public Lands and Subcommittee on Fisheries Conservation, Wildlife and Oceans held a joint hearing on H.R. 2800, Battle of Midway National Memorial Study Act. Testimony was heard from John Rogers, Deputy Director, U.S. Fish and Wildlife Service, Department of the Interior; and public witnesses.

AUTHORIZING USE OF CERTAIN LAND

Committee on Resources: Subcommittee on National Parks and Public Lands held a hearing on H.R. 3220, to authorize the use of certain land in Merced County, California, for an elementary school. Testimony was heard from Destry T. Jarvis, Assistant Director, External Affairs, National Park Service, Department of the Interior.

HIGHER EDUCATION AMENDMENTS

Committee on Rules: Granted, by voice vote, a modified open rule providing 1 hour of general debate on H.R. 6, Higher Education Amendments of 1998, equally divided between the chairman and ranking minority member of the Committee on Education and the Workforce. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill, modified by the amendments printed in part 1 of the report of the Committee on Rules shall be considered as an original bill for the purpose of amendment. The rule provides that the amendment in the nature of a substitute shall be considered by title and that each title shall be considered as read. The rule waives all points of order against that amendment in the nature of a substitute. The rule provides that before consideration of any other amendment it shall be in order to consider the amendment printed

in part 2 of the report of the Committee on Rules, if offered by Representative Goodling or his designee. The rule provides that the amendment shall be considered as read, shall be debatable for twenty minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. All points of order are waived against that amendment. The rule provides that if that amendment is adopted, the provisions of the amendment in the nature of a substitute as then perfected shall be considered as original text for the purpose of further amendment. The rule provides that no other amendment to the amendment in the nature of a substitute shall be in order except those printed in the Congressional Record. The rule allows for the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce votes to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives McKeon, Clay, Kildee, and Fattah.

FEDERAL FUNDS PROHIBITION—DISTRIBUTION OF NEEDLES FOR INJECTION OF ILLEGAL DRUGS

Committee on Rules: Granted, by voice vote, a closed rule providing 2 hours of debate on H.R. 3717, to prohibit the expenditure of Federal funds for the distribution of needles or syringes for the hypodermic injection of illegal drugs, equally divided and controlled by Representative Wicker and an opponent. The rule provides one motion to recommit. Testimony was heard from Representatives Hastert and Wicker.

NATIONAL DIALOGUE ON SOCIAL SECURITY ACT

Committee on Rules: Granted, by voice vote, a modified closed rule providing 3 hours of debate on H.R. 3546, National Dialogue on Social Security Act of 1998. The rule provides for consideration of an amendment printed in the Congressional Record, if offered by Representative Rangel or his designee, which shall be considered as read and shall be debatable for one hour equally divided and controlled by the proponent and an opponent. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Archer and Representative Stenholm.

OVERSIGHT—TECHNICAL BARRIERS TO FREE TRADE

Committee on Science: Subcommittee on Technology held an oversight hearing on International Standards: Technical Barriers to Free Trade. Testimony was heard from Ray Kramer, Director, National Institute of Standards and Technology, Department of Commerce; and public witnesses.

WATER RESOURCES DEVELOPMENT ACT—PROPOSALS

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment continued hearings on proposals for a Water Resources Development Act of 1998. Testimony was heard from John Zirschky, Acting Assistant Secretary (Civil Works), Department of the Army; and John H. Parcell, Associate Tax Legislative Counsel, Office of Tax Policy, Department of the Treasury.

Joint Meetings

CHINESE ACCESS TO MILITARY TECHNOLOGY

Joint Economic Committee: Committee concluded hearings to examine potential threats of exporting dual use and military technology to China, and to review a General Accounting Office report on the effectiveness of Tianemen sanctions restricting technology transfer, after receiving testimony from William A. Reinsch, Under Secretary of Commerce for Export Administration; Harold Johnson, Associate Director, International Relations and Trade Group, General Accounting Office; and Peter Leitner, Arlington, Virginia.

ISTEA AUTHORIZATION

Conferees continued to resolve the differences between the Senate- and House-passed versions of H.R. 2400, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, but did not complete action thereon, and will meet again on Thursday, April 30.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS

Conferees met on the differences between the Senate- and House-passed versions of H.R. 3579, making emergency supplemental appropriations for the fiscal year ending September 30, 1998, but did not complete action thereon, and will meet again tomorrow.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D389)*

H.R. 1116, to provide for the conveyance of the reversionary interest of the United States in certain

lands to the Clint Independent School District and the Fabens Independent School District. Signed April 24, 1998. (P.L. 105–169)

H.R. 2843, to direct the Administrator of the Federal Aviation Administration to reevaluate the equipment in medical kits carried on, and to make a decision regarding requiring automatic external defilbrillators to be carried on, aircraft operated by air carriers. Signed April 24, 1998. (P.L. 105–170)

H.R. 3226, to authorize the Secretary of Agriculture to convey certain lands and improvements in the State of Virginia. Signed April 24, 1998. (P.L. 105–171)

S. 493, to amend title 18, United States Code, with respect to scanning receivers and similar devices. Signed April 24, 1998. (P.L. 105–172)

S. 1178, to amend the Immigration and Nationality Act to extend the visa waiver pilot program. Signed April 27, 1998. (P.L. 105–173)

COMMITTEE MEETINGS FOR WEDNESDAY, APRIL 29, 1998

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations, Subcommittee on Defense, to hold hearings on proposed budget estimates for fiscal year 1999 for the Department of Defense, focusing on Army programs, 10 a.m., SD–192.

Committee on Banking, Housing, and Urban Affairs, business meeting, to mark up S. 1260, to limit the conduct of securities class actions under State law by setting national standards for stocks that are traded on the national markets, and S. 1900, to establish a commission to examine issues pertaining to the disposition of Holocaust-era assets in the United States before, during, and after World War II, and to make recommendations to the President on further action, and the consider the nomination of Donna Tanoue, of Hawaii, to be a Member and Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation, 10 a.m., SD–538.

Committee on Finance, to continue oversight hearings to examine the operation of the Internal Revenue Service, 9 a.m., SH–216.

Committee on the Judiciary, to hold hearings to examine opportunities for the blackmarket to raise tobacco prices, 10:30 a.m., SD–106.

Full Committee, to hold hearings on pending nominations, 2 p.m., SD–215.

Committee on Labor and Human Resources, to hold hearings to examine proposed legislation relating to assistive technology, 10 a.m., SD–430.

Select Committee on Intelligence, closed business meeting, on intelligence matters, 2:30 p.m., SH–219.

House

Committee on Appropriations, Subcommittee on Labor, Health and Human Services, on the National Labor Relations Board, 10 a.m., 2358 Rayburn.

Committee on Banking and Financial Services, hearing on Bank Mergers, 10 a.m., 2128 Rayburn.

Committee on Commerce, to consider the following: H.R. 3532, Nuclear Regulatory Commission Authorization Act for Fiscal Year 1999; H.R. 2217, to extend the deadline under the Federal Power Act applicable to the construction of FERC Project No. 9248 in the State of Colorado; H.R. 2841, to extend the time required for the construction of a hydroelectric project; and H.R. 1778, Defense Reform Act of 1997, 10 a.m., 2123 Rayburn.

Committee on Education and the Workforce, Subcommittee on Oversight and Investigations, hearing on Teamsters Investigation, 1:30 p.m., 2175 Rayburn.

Subcommittee on Workforce Protections, hearing on pending OSHA legislation, 10:15 a.m., 2175 Rayburn.

Committee on Government Reform and Oversight, Subcommittee on Human Resources, hearing on Bureau of Labor Statistics Oversight: Fixing the Consumer Price Index (Part II), 11 a.m., 2247 Rayburn.

Committee on International Relations, hearing on U.S. Annual Drug Certification, 10 a.m., 2172 Rayburn.

Subcommittee on International Economic Policy and Trade, hearing on Trade in the Americas: Beyond the Santiago, 1:30 p.m., 2172 Rayburn.

Committee on the Judiciary, to mark up H.R. 3303, Department of Justice Appropriation Authorization Act, Fiscal Years 1999, 2000, and 2001, 10:30 a.m., 2141 Rayburn.

Committee on National Security, Special Oversight Panel on Merchant Marine, to consider recommendations to the committee on H.R. 3616, National Defense Authorization Act for Fiscal Year 1999, 4 p.m., 2216 Rayburn.

Special Oversight Panel on Morale, Welfare and Recreation, to consider recommendations to the Committee on H.R. 3616, National Defense Authorization Act for Fiscal Year 1999, 1 p.m., 2212 Rayburn.

Subcommittee on Military Installations and Facilities, to markup H.R. 3616, National Defense Authorization Act for Fiscal Year 1999, 3 p.m., 2212 Rayburn.

Committee on Resources, to consider the following: H.R. 588, National Discovery Trails Act; H.R. 1021, Miles Land Exchange Act of 1997; H.R. 2556, to reauthorize the North American Wetlands Conservation Act and the Partnerships for Wildlife Act; H.R. 2795, Irrigation Project Contract Extension Act of 1997; H.R. 2863, Migratory Bird Treaty Reform Act; and H.R. 2886, Granite Watershed Enhancement and Protection Act of 1997; and a Committee Report on Mining Regulations promulgated by the Bureau of Land Management, 11 a.m., 1324 Longworth.

Committee on Rules, to consider the following: H.R. 1872, Communications Satellite Competition and Privatization Act of 1997; and S. 1502, District of Columbia Student Opportunity Scholarship Act of 1997, 2 p.m., H–313 Capitol.

Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation,

hearing on the Effect of the Passenger Services Act on the Domestic Cruise Industry, 10 a.m., 2167 Rayburn.

Subcommittee on Railroads, hearing on Federal Railroad Administration Reauthorization: Human Factors Issues, 10:30 a.m., 2318 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Benefits, oversight hearing on operations within the National Cemetery System, 10 a.m., 334 Cannon

Permanent Select Committee on Intelligence, executive, to mark up H.R. 3694, Intelligence Authorization Act for Fiscal Year 1999, 2 p.m., H–405.

Joint Meetings

Conferees, on H.R. 3579, making emergency supplemental appropriations for the fiscal year ending September 30, 1998, 9 a.m., S–5, Capitol.

Next Meeting of the SENATE

11:45 a.m., Wednesday, April 29

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Program for Wednesday: Senate will continue consideration of Treaty Doc. 105–36, NATO Enlargement Treaty.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, April 29

House Chamber

Program for Wednesday: Consideration of H.R. 3717—To Prohibit the Expenditure of Federal Funds for the Distribution of Needles or Syringes for the Hypodermic Injection of Illegal Drugs (Closed Rule, Two Hours Debate);

Consideration of H.R. 3546—National Dialogue on Social Security Act of 1998 (Modified Closed Rule, Three Hours Debate); and

Consideration of H.R. 6—Higher Education Amendments of 1998 (Modified Open Rule, One Hour Debate).

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