HOUSE OF REPRESENTATIVES—*Monday, September 9, 1985*

The House met at 12 o'clock noon.

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

Open our eyes, O God, to see the beauty of the world as well as the pain; open our ears to hear the words of joy, as well as the sounds of defeat; open our minds, O God, to understand the mysteries of life and love, and always to be instruments of Your healing and care. We thank You, gracious God, that You have given us responsibility to be Your people in our day and time, and we most earnestly pray for strength to be faithful to that calling. In Your name we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Chirdon, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On August 2, 1985:

H.J. Res. 164. Joint resolution to designate August 4, 1985, as "Freedom of the Press Day."

On August 5, 1985:

H.R. 2378. An act to amend section 504 of title 5, United States Code, and section 2412 of title 28, United States Code, with respect to awards of expenses of certain agency and court proceedings, and for other purposes.

On August 9, 1985:

H.J. Res. 251. An act to provide that a special gold medal honoring George Gershwin be presented to his sister, Frances Gershwin Godowsky, and a special gold medal honoring Ira Gershwin be presented to his widow, Leonore Gershwin, and to provide for the production of bronze duplicates of such medals for sale to the public.

On August 15, 1985:

H.R. 2577. An act making supplemental appropriations for the fiscal year ending September 30, 1985, and for other purposes; and

H.R. 2908. An act to amend title XI of the Education Amendments of 1978, relating to Indian education programs.

On August 16, 1985:

H.R. 2068. An act to authorize appropriations for fiscal years 1986 and 1987 for the Department of State, the U.S. Information Agency, the Board for International Broadcasting, and for other purposes; and

H.R. 2370. An act to amend the Public Health Service Act to extend the programs of assistance for nurse education.

WATCH WHAT WE DO, NOT WHAT WE SAY

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

Ms. KAPTUR. Mr. Speaker, in listening to President Reagan's statement this weekend on international trade, I was reminded of an old line from a former President, which said "watch what we do, not what we say." Suddenly, after 4½ years, the President says he is concerned about our Nation's trade crisis. After all of these years of blindly swearing allegiance at the altar of free trade, the President now says he is for fair trade. Mr. President, it's too little, too late. Two weeks ago, you rejected the recommendation of the International Trade Commission to limit the number of shoe imports coming into this country. You slammed the door in the faces of America's footwear workers and manufacturers and left it wide open for their competitors in Korea, Taiwan, and Brazil. Last March, you did much the same to America's automobile industry.

Mr. President, tough talk won't stop the flood of foreign imports—from computer chips to shoes—dumped on our markets. No, only a strong, comprehensive, and far-reaching trade policy for our Nation will help us regain our competitive edge in world trade. We in Congress are ready to move ahead quickly on legislation which puts American workers and American businesses first. We urge you Mr. President, to put aside the press releases, roll up your sleeves, and join us.

AMERICA CAN BE PROUD OF BASSETT ARMY HOSPITAL

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

Mr. NICHOLS. Mr. Speaker, in recent months the American public has been reading a number of accounts relating to medical problems in our military hospitals.

As chairman of the Investigations Subcommittee of the House Armed Services Committee, we have looked into many of these allegations and, in all honesty, I must report to the Congress that military hospitals are not immune from matters relating to care of patients and the quality of medical attention, but neither are civilian hospitals for that matter.

Over the August recess period, I had occasion to be closely associated with Bassett Army Hospital located at Fort Wainwright, AK. Mr. Speaker, Bassett Army Hospital is a small 40-bed hospital located adjacent to the city of Fairbanks and which, I would suppose, is as remote a military post as we have in the entire continental United States.

During a long-planned vacation to Alaska, my wife developed a rather serious kidney infection necessitating that I locate medical care, which I found after driving some 300 miles from the Valdez area. I cannot speak too highly of the excellent medical care she received in that remote military hospital, and despite the fact this small hospital did not have all the latest equipment found at the Bethesda Naval Hospital or Walter Reed, the personal attention provided by doctors Jake Allen and Frank Floyd, and by nurses Helen Schotz, Marilynn Harasich, and Holly Buchanan more than made up for these deficiencies.

I have never been prouder of military medical care than that which I witnessed during my wife's 5 days at the Bassett Army Hospital from the dedicated doctors and nurses who, much like the television serial MASH, perform their daily duties in combat boots and camouflage olive drab attire.

America can be just as proud of Bassett Army Hospital and of its counterparts throughout the continental United States wherever American military men and women serve.

PRESIDENTIAL SOMERSAULT

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

Mr. O'NEILL. Mr. Speaker, faced with bipartisan repudiation of his "constructive engagement" policy toward South Africa, the President now says that he will take action by Executive order. Unfortunately, the proposals announced this morning are chock full of loopholes.

He said that he will end loans to the Government of South Africa, but exempted any program directed toward the nation's 24 million blacks, even if that program strengthens apartheid. He can use the money to develop and maintain segregated housing or segre-

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gated education or segregated nationhood Bantustans.

He suggests that he will end imports of the Kruggerand, and says that he will await the approval of our major trading partners. Since when does the United States need to seek such approval for such steps. Certainly we did not do it in the case of Nicaragua.

Third, the President has eliminated the threat of future sanctions contained in the congressional bill. Those sanctions would have put South Africa on notice that Americans are deadly serious about ending apartheid.

This package may play in Pretoria. It will be seen for what it is worth by the people suffering under the yoke of the Government of South Africa.

□ 1210

AN ATTEMPT BY THE PRESIDENT TO CIRCUMVENT CONGRESSIONAL ACTION ON APARTHEID

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

Mr. GRAY of Pennsylvania. Mr. Speaker, I am deeply disturbed this afternoon because of the remarks of the President of the United States with regard to the bipartisan coalition in the House and the Senate on South Africa. Unfortunately, the President has come forward with an ill-disguised, ill-advised attempt to circumvent an overwhelming bipartisan consensus in the Congress.

If the President were truly interested in having our Nation speak with one voice instead of continuing to support the apartheid regime in South Africa, he would sign the legislation that a broad cross-section of Republicans and Democrats have put before him. I fear that the President's tragic refusal to support the compromise legislation will only undermine those moderate forces in South Africa who seek nonviolent reform of apartheid.

In essence, the President has said, "I am going to allow loans by our banks to the apartheid regime as long as they say it is going to help the majority." Second, he is going to go to GATT to ask for permission on a prohibition of Krugerrands. This is the first time we have done our foreign policy by a Gallup poll of other nations rather than acting on what Americans believe in—our values and our interests.

Finally, he has said that there is to be no future sanctions despite the fact that over a thousand of the citizens of the majority have been brutalized and killed in the last few months by the apartheid regime.

Mr. Speaker, it is a sad day for all Americans, and I hope the Members of the other body will have the courage and the strength to continue the bipartisan coalition and approve the compromise legislation in the conference on the Antiapartheid Act.

EXECUTIVE ORDER PROHIBITING TRADE AND CERTAIN OTHER TRANSACTIONS INVOLVING SOUTH AFRICA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 99-103)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

(For message, see proceedings of the Senate of today, Monday, September 9, 1985.)

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2936

Mr. GRAY of Illinois. Mr. Speaker, I ask unanimous consent that my name be removed from the list of cosponsors of the bill, H.R. 2936.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Such rollcall vote, if postponed, will be taken on Tuesday, September 10, 1985.

COORDINATED OPERATION OF THE CENTRAL VALLEY PROJECT AND THE STATE WATER PROJECT IN CALIFORNIA

Mr. MILLER of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3113) providing for the coordinated operation of the Central Valley project and the State water project in California.

The Clerk read as follows:

H.R. 3113

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

SECTION 1. PROJECT OPERATION POLICY.

Section 2 of the Act of August 26, 1937 (50 Stat. 850) is amended by—

(a) inserting at the beginning "(a)"; and

(b) inserting the following new subsection:

"(b)(1) The Secretary of the Interior is authorized and directed to operate the Central Valley project, in conjunction with the State of California water project, in conformity with State water quality standards for the San Francisco Bay/Sacramento-San Joaquin Delta and Estuary unless the Secretary determines that operation of the project in conformity with such standards is not consistent with the congressional directives applicable to the project. Should the Secretary of the Interior so determine, then the Secretary shall promptly request the Attorney General to bring an action in the court of proper jurisdiction for the purpose of determining the applicability of such standards to the project.

"(2) The Secretary is further directed to operate the Central Valley project, in conjunction with the State water project, so that water supplied at the intake of the Contra Costa Canal is of a quality equal to or better than the water quality standards contained in the Water Right Decision 1485 of the State of California Water Resources Control Board, dated August 16, 1978, except under drought emergency water conditions pursuant to a declaration by the Governor of California.".

SEC. 2. NONREIMBURSABLE COSTS.

Section 2 of the Act of August 26, 1937 (50 Stat. 850) is amended by inserting the following new subsection:

"(c)(1) The costs associated with providing Central Valley project water supplies for the purpose of salinity control and for complying with State water quality standards over and above existing water quality objectives identified in the water rights exchange contract dated February 14, 1968, shall be considered nonreimbursable project costs.

"(2) The Secretary of the Interior is authorized and directed to undertake a cost allocation study of the Central Valley project, including the provisions of this Act, and to implement such allocations no later than January 1, 1987.".

SEC. 3. COORDINATED OPERATIONS AGREEMENT.

Section 2 of the Act of August 26, 1937 (50 Stat. 850) is amended by inserting the following new subsection:

"(d) The Secretary of the Interior is authorized and directed to execute and implement the "Agreement Between the United States of America and the Department of Water Resources of the State of California for Coordinated Operation of the Central Valley Project and the State Water Project" dated May 20, 1985: *Provided*, That—

"(1) the contract with the State of California referred to in subarticle 10(h)(1) of the agreement referred to in this subsection for the conveyance and purchase of Central Valley project water shall become final only after an Act of Congress approving the execution of the contract by the Secretary of the Interior;

"(2) if the Secretary determines there is a shortage in the quantity of Central Valley project water available to meet the project's contractual commitments for water and the State water quality standards enacted pursuant to the procedures specified in article 11 of the agreement referred to in this subsection, the Secretary shall apportion available water among the water users capable of receiving water from the project by reducing deliveries to all such water users by the same percentage, unless the Secretary is prohibited by existing contracts, existing law, or has determined that some other method of apportionment is required to prevent undue hardship; and

"(3) the Secretary of the Interior may exercise the termination provisions of the agreement referred to in this subsection

only after the Secretary has submitted a report to the Congress and one hundred and eighty days in which Congress is in session have elapsed. The report must outline the Secretary's reasons for terminating the agreement, and include the views of the Administrator of the Environmental Protection Agency and the Governor of the State of California on the Secretary's decision.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from California [Mr. MILLER] will be recognized for 20 minutes and the gentleman from California [Mr. PASHAYAN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3113 represents the culmination of nearly two decades of negotiations on an agreement to coordinate the operations of the Federal Central Valley project and the California State water project.

I believe that my colleagues from California—Congressman TONY COELHO and Congressman RICHARD LEHMAN—would join me in describing H.R. 3113 as one of the most important bills ever considered in Congress affecting water policy in the State of California.

H.R. 3113 is not simply a piece of legislation. It is a peace treaty which can help to end the water wars which have crippled our State's resource program for over a decade.

In 1960, California prepared to launch its State water project and the Federal Government had just approved a substantial expansion of the Central Valley project. My father, then a State senator, wrote the State Delta Protection Act which clarified the obligation of the State project to provide an adequate water supply for the delta and to operate the State project to prevent the intrusion of ocean salinity which degrades the quality of that water supply.

Today, 25 years later, H.R. 3113 makes it clear that the CVP must be operated so that the water supply and water quality of the San Francisco Bay/Sacramento-San Joaquin Delta and Estuary are protected first, before surplus waters are diverted to users in other areas of the State.

Mr. Speaker, water users in California have been in a state of paralysis for over a decade. We've demonstrated that when we are in disagreement, nothing can happen. Now, a new generation of political leadership intends to demonstrate that when we work together we can make great progress.

I want to publicly say that the compromise embodied in H.R. 3113 would not have been possible without the active involvement and the honest determination of my colleagues and cosponsors, Congressmen TONY COELHO and RICK LEHMAN. They deserve a great deal of credit for this legislation.

H.R. 3113 has the broad support of nearly every group in California, including the Governor, State senators and assemblymen, delta interests, environmentalists, and water contractors from both the State and Federal projects.

Mr. Speaker, the singular goal of this legislation is to resolve, once and for all, the obligation of the Federal Central Valley project to meet State water quality standards for the San Francisco Bay/Sacramento-San Joaquin Delta and Estuary.

This bill clarifies that the Secretary of the Interior, at a minimum, must operate the CVP so as to meet the standards established from time to time for the bay and delta by the State water resources control board, through the board's formal administrative processes.

It is particularly noteworthy that this provision includes the San Francisco Bay, as well as the delta. Protection of the bay has been too long overlooked by the State water resources control board, and we expect that it will be included in the next standards issued by the board. H.R. 3113 makes it clear that the Congress intends for the Federal project to be operated to meet those bay standards should they be promulgated.

It is also important to note that the Federal obligation to meet State water quality standards will exist even if the coordinated operations agreement [COA] becomes inoperative for some reason. Thus, we have for the first time, firm assurances that bay and delta water quality standards will be met regardless of the future of the COA.

Compliance with State water quality standards by the CVP as required by this statute is not intended in any way to prevent or restrict a judicial determination by a court of competent jurisdiction that the CVP has an obligation to maintain water quality standards in the Sacramento-San Joaquin Delta and San Francisco Bay Estuary which exceed and are better that the standards specified in the coordinated operations agreement, and its exhibit A, as directed in this bill.

Mr. Speaker, an important safeguard is provided in H.R. 3113 to the 300,000 customers of the Contra Costa Water District—the first CVP contractor. The bill provides to these customers a guarantee they have never before enjoyed under Federal law: An assurance that specific water quality standards, at least as good as those contained in D-1485, will be maintained at the district's intake at Rock Slough.

Those standards may not be waived unless we confront a catastrophic drought of the sort which affected California in 1976-77, and then, only after complying with California State law and following an emergency drought declaration by the Governor of the State. This waiver of the water quality requirement for Contra Costa will only be invoked on a temporary basis and only in the most extreme conditions where no prudent alternative exists to meeting the State water quality standards.

Mr. Speaker, protecting the delta provides benefits not only for residents of the bay/delta region, but for the customers of the Cental Valley and State water projects. The delta serves as the point of export—the "switching station", if you will—for the State and Federal projects. Maintaining high quality water in the delta is necessary to assure Cental Valley and southern California customers satisfactory water for their crops, their ranches, and their cities.

Maintaining and improving delta water quality benefits a wide variety of other interests as well, including fish and wildlife, salinity control and river and harbor maintenance. It is impossible to enumerate all of the beneficiaries or to send a bill to them for the benefits provided by the project.

Therefore, this legislation makes nonreimbursable all costs associated with providing salinity control and for complying with State water quality standards in excess of the so-called Tracy standards.

It is important to note that making these costs nonreimbursable is not a new idea. The Department of the Interior has been following that same policy since 1978, when the decision was first made voluntarily to comply with State water quality standards.

Mr. Speaker, H.R. 3113 authorizes and directs the Secretary of the Interior to execute and implement the coordinated operations agreement dated May 20, 1985. This agreement, which has been negotiated by representatives of the Bureau of Reclamation and the California Department of Water Resources, provides an additional framework for the management of both water projects and for the benefit of all.

H.R. 3113 authorizes and directs the Secretary to implement the agreement, but only if three statutory conditions are met. We believe these conditions are essential to assure an agreement that permanently resolves the controversies addressed by the COA and H.R. 3113. These provisions are also essential because we do not believe that agreements of this magnitude ought to be entered into or voided without deliberate consideration by the Congress of the United States. There is no better way to protect the Federal investment—which now exceeds $2 billion—in the Central Valley project.

The first statutory provision provides that the contract with the State

of California for the conveyance and purchase of Central Valley project water referred to in article 10(h)(1) of the agreement will become final only after an act of Congress. We believe this contract will be critical to the long-term resolution of the controversies addressed by the agreement and H.R. 3113. It will also fundamentally affect the future of water resource development and management in California for decades. It is for these reasons that H.R. 3113 provides that Congress must approve the contract before its execution.

We want to note specifically and emphatically, that when the Secretary signs contracts for the sale or delivery of CVP water, the full force of Federal reclamation law remains in effect. This bill in no way changes existing law with respect to the contracting and delivery of water.

The second statutory provision provides that when the Secretary determines that there is a shortage in the amount of project water available to meet both the contractual commitments and the State water quality standards, the Secretary shall apportion reductions in deliveries to all users. Exceptions to this rule would be allowed under terms of existing contracts, existing law, or upon a determination that some other method of apportionment is required to prevent undue hardship.

When rare shortages do occur, water diversions and deliveries must inevitably be curtailed, as they were in 1976–77. As was the case during that drought, we anticipate that the first responsibility for enduring reductions will come from agricultural contractors before reductions are imposed on municipal users who lack available alternative sources of water for essential human health and safety needs.

This is not a matter of regionalism or favoritism; it is a recognition that when disaster strikes, plants must suffer before human being. This is the basis upon which the project has been operated in the past, with the cooperation of all parties, and it is a sound priority system for future operations as well.

For we in the delta, who have watched our water quality deteriorate as a result of the export of the two projects, it is essential that this legislation provide us fundamental assurances that a baseline of quality has been established which will not be undermined with the signing of new water delivery contracts, or with the construction of additional units of the CVP.

We intend that section 3(d)(2) provide that long-term assurance by establishing that water sold under future contracts be recallable when necessary to meet State water quality standards. Surplus water will remain available for sale under this law.

But water which is needed to meet lawfully established bay-delta water quality standards is not surplus, and must remain available to meet this fundamental project purpose.

The third and final provision added by H.R. 3113 provides that the Secretary may exercise the termination provisions of the agreement only after the Secretary has submitted a report to the Congress and 180 legislative days have elapsed. The report must outline the Secretary's reasons for terminating the agreement, and include the views of the Administrator of the Environmental Protection Agency and the Governor of California on the Secretary's decision.

There are several issues which we were not able to address in this bill. Among the most important is the lack of a sufficient water supply to adequately protect California waterfowl. It is my sincere hope that the Department of the Interior will make this problem a top priority so that waterfowl populations in the Central Valley are not further jeopardized. This is a critical issue, and we in the Congress will be looking closely at this problem in the coming months.

Mr. Speaker, the time has come to move forward to end the suspicion and the stagnation which has impeded sound water policy in California for too long.

I firmly believe H.R. 3113 provides the framework for accomplishing that goal, and I hope my colleagues will join me in support of my motion to suspend the rules and pass this important bill.

Finally, I want to publicly thank several people who worked very hard to make this legislation possible. We are all indebted to the hard work of Tom Graff, Cressey Nakagawa, Dave Schuster, Stuart Somach, Bob Will, and Dave Kennedy who have worked tirelessly to forge the compromise that is H.R. 3113.

Mr. Speaker, under my unanimous-consent request, I include herewith several editorials and letters in support of H.R. 3113:

STATE OF CALIFORNIA,
GOVERNOR'S OFFICE,
Sacramento, September 5, 1985.

Hon. GEORGE MILLER,
Member of Congress, House Office Building, Washington, DC.

DEAR GEORGE: I support H.R. 3113, which would provide for the coordinated operation of the Central Valley Project and the State Water Project in California, and am writing to request your assistance in obtaining the passage of this legislation when it is considered on the House floor.

H.R. 3113 is the culmination of over 25 years of negotiations between the California Department of Water Resources and the Bureau of Reclamation on the Coordinated Operations Agreement (COA). The COA is essential for orderly and efficient functioning of California's two largest water resources development projects, the Federal Central Valley Project (CVP) and the California State Water Project (SWP). The two projects are operated as separate entities by the Bureau and the Department, but their operations are interrelated, their waters are commingled, and their effects on the environment occur jointly in many instances.

The COA will accomplish several objectives. The Bureau of Reclamation will be required to meet the same Delta protection criteria that the Department of Water Resources meets in operating the State project. The COA will also define the respective quantities of water supply of the two projects and thus provide a basis for the Bureau to resume its contracting program. Finally, the COA will provide the basis for negotiating a wheeling and purchase agreement between the two projects such that the CVP can use extra conveyance capacity in the California Aqueduct and the SWP can use interim water available from the CVP until it is needed in CVP service areas.

H.R. 3113 currently has broad statewide support from water interests, environmentalists, State and Federal water contractors and elected officials. Enactment of this legislation is widely viewed as a significant step in resolving California's longstanding controversy over water development.

Thank you for your consideration of my request.

Most cordially,

GEORGE DEUKMEJIAN.

[Telegram]

SACRAMENTO, CA,
September 6, 1985.

Representative GEORGE MILLER,
Capitol One DC:

California Round Table urges support H.R. 3113 enabling legislation for Federal-State water project coordinated operations agreement. Remaining issues requiring clarification can be resolved through process. COA/HR3113 are major positive steps for California water policy. Urge yes vote on September 9.

CHARLES LYNCH,
Chairman.

LEAGUE OF WOMEN VOTERS
OF CALIFORNIA,
Sacramento, CA, August 19, 1985.

To: California congressional delegation, House of Representatives.
From: Linda Broder, LWVC president.
Re: The coordinated operations agreement and H.R. 3113.

The League of Women Voters of California (LWVC) is pleased to support the proposed Coordinated Operations Agreement (COA) and its reauthorizing legislation, HR 3113, as passed by the House Sub Committee on Water and Power Resources on July 30, 1985. We urge adoption of HR 3113 when it comes before Congress this fall.

Many individuals and organizations in California have expressed great interest in the COA, an agreement to coordinate exports of water through the Delta by the Central Valley Project (CVP) and State Water Project (SWP). LWVC members participated in an Ad Hoc Group that met informally to examine the COA and discuss their differing opinions. The starting point for compromise was the common belief that increased cooperation by the two water projects is essential for improved water quality and management of the Delta. The League commends all participants in this group, which included representatives from state and federal contractors, labor, business, environmental and civic groups, for

their willingness to reach for greater accord on the issues involved. The result was an increased understanding of the scope and complexities of the COA and increased respect for each point of view. We believe this process greatly contributed to the successful passage of HR 3113 from the Sub Committee on Water and Power.

We also applaud the work of the Sub Committee in drafting language in HR 3113 which strengthens the commitment of the federal government to water quality protection. While we recognize that the resolution of federal adherence to future standards is uncertain, we are sure that the reference in the bill to the San Francisco Bay/Sacramento San Joaquin Delta is a vast improvement. This recognizes the necessity to expand water quality protections to an area larger than the Delta. The operation of both the CVP and SWP must recognize this responsiblity. This is—and should be—a statewide and national concern.

HR 3113 addresses and satisfies two League concerns: the termination clause, and the requirement that Congress approve the contract that is provided for in the COA. We accept these provisions as passed out of committee in HR 3113.

Two reservations still exist, however. One concerns the new wheeling contract provided by the COA. We urge that conservation measures and an adequate water supply for fish, wildlife and instream uses be included in the contract. Because of the probable inadequacy of Delta standard, D-1485, these goals are as important as the need to fulfill contractual obligations. Water conservation measures should be required and implementation begun before extra water is made available for agricultural contracts. The LWVC discourages water contracting and marketing policies which build up demand and establish rigid patterns of distribution and use. Instead of increasing reliance on exports, the LWVC would prefer to see the COA emphasize greater cooperation and coordination between the two export projects with increased efficiencies in the use of existing supplies.

We hope the new COA will foster these goals. It seems regrettable that the proposed agreement does not mention water conservation (as meaning the saving of water), or fish and wildlife needs, or the desirability of off-stream storage, conjunctive use of ground and surface supplies and the necessity for groundwater recharge.

Emerging economic trends necessitate that the new contract look at factors other than financial gain from the sale of more CVP water through new contracts. Some experts predict that agricultural irrigation demand in the Central Valley will decline due to higher costs and acute drainage problems. Water trading between districts could become another economical option and a source of additional supply. Because the League wishes to discourage rigid patterns of contracting, we hope the forty year CVP contract will become a thing of the past. It is imperative that Congress recognize economic change when it evaluates the wheeling contract as these factors may significantly impact the amount of water available for export for both projects.

Basically, the LWVC is concerned how the additional CVP water will be used including its allocation between urban and rural users. The League will watch the development of the contract closely. You will receive comments from us again at the appropriate time during the EIS process and Congressional review.

Federal compliance with future state water quality standards is the second major LWVC concern that was not settled in the COA or in its enabling legislation. As stated earlier, the League is pleased with the strengthening language in HR 3113. We are highly gratified also that the COA requires the federal government to accept its share of responsibility for mitigating Delta water quality up to the existing standards, D-1485. This interim standard is under review, however, and has been challenged in courts as inadequate. We had hoped that HR 3113 would show an even greater commitment to water quality as one of the purposes of the Central Valley Project. The League accepts the compromise as written as political reality. We will continue to work for high water quality standards in relation to Delta exports for both public health and environmental reasons. We believe that states may set standards higher than minimum federal standards.

The job before us now is to work for passage of the proposed COA, and for HR 3113 without any weakening amendments. In spite of our concerns we recognize that the COA is an historic accord which has the potential to significantly improve water resource management in California.

LOS ANGELES AREA
CHAMBER OF COMMERCE
Los Angeles, CA, August 28, 1985.

Hon. GEORGE MILLER,
House of Representatives, House Office Building, Washington, DC.

DEAR CONGRESSMAN MILLER: When Congress reconvenes in September, one of the critical issues before the U.S. House of Representatives will be HR 3113 (by Congressmen Miller, Coelho, and Lehman) authorizing implementation of a Coordinated Operations Agreement (COA) between the State of California and the federal government. The Los Angeles Area Chamber of Commerce urges your support of HR 3113.

The COA, which has been in negotiation for nearly three decades, establishes a partnership between the federal Central Valley Project (CVP) and the State Water Project (SWP) for the efficient export of water from the Sacramento-San Joaquin Delta.

Through efficiencies created by this agreement between the state's Department of Water Resources and the Bureau of Reclamation, such a partnership will go a long way toward increasing the supply for those who contract for water from either project. Additionally, the delta itself will benefit through a more certain water supply, especially in dry years, resulting in improved water quality and wildlife conditions.

The Southern California area will grow by more than three million people by the turn of the century. Many of those people will depend on the greater Los Angeles area to provide jobs, housing, and recreational opportunities. All of these things depend on an assured supply of water. Most of this region is heavily dependent on water imported from other areas, including the Sacramento-San Joaquin Delta.

It is this Chamber's policy to actively pursue those activities that both reasonably augment and conserve our water supply and which improve the operation of those importation systems on which we depend. The COA helps accomplish these goals by making the federal government partially responsible for releasing water to maintain delta water quality standards, removing some of that burden from the state. The COA also provides a mechanism for the interim sale of some CVP water to the SWP, as well as transportation of some federal water to its contractors through SWP facilities.

HR 3113 is a nonpartisan issue that blends the strength of two great water projects in order to improve both, at virtually no cost. As the COA legislation moves through the Congress, I hope the Los Angeles Area Chamber of Commerce can count on your support.

Sincerely,

RAY REMY.

CALIFORNIA TROUT,
August 21, 1985.

Hon GEORGE MILLER,
Rayburn House Office Building, Washington, DC.

DEAR REPRESENTATIVE MILLER: Greetings from California Trout, a statewide organization of conservation-minded anglers working to protect, enhance and restore wild trout and native steelhead fisheries around California.

We are happy to throw our support behind your H.R. 3113 to provide for the coordinated operation of the Central Valley Project (CVP) and the State Water Project (SWP) in California. The Coordinated Operation Agreement is an historic document that will have longlasting positive benefits for enlightened water policy throughout the state.

We applaud and fully support your bill and urge you and your colleagues in the House and Senate to pass this measure swiftly. Thank you again for your leadership on this important public policy issue.

Yours truly,

RICHARD H. MAY,
President.

ASSEMBLY, CALIFORNIA LEGISLATURE,
Sacramento, CA, August 20, 1985.

Hon. GEORGE MILLER,
House Office Building, Washington, DC.

DEAR CONGRESSMAN MILLER: I would like to express my support of Senate Bill 1192—Wilson and HR 1331—G. Miller.

As I'm sure you know, the passage of these bills would be beneficial to both the citizens of California and the federal government. They would provide badly needed water to the farming communities of the Central Valley and also allow the federal government to put to good use the excess water in its reservoirs. This coordinated operating agreement will enhance the quality of life in the Delta area and in turn the lives of all Californians.

I urge you to support Senate Bill 1192 and HR 3113 so that the resources of both the state and the federal government can be put to the best and most efficient use possible.

Sincerely,

PAT NOLAN,
Assembly Republican Leader.

RESOLUTION 8070—RESOLUTION OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA ON H.R. 3113

Whereas, The Metropolitan Water District of Southern California relies extensively on the California State Water Project (SWP) to provide vital water supplies from the Sacramento-San Joaquin Delta to 13 million residents of the State living in its service area, and;

Whereas, both the SWP and the federal Central Valley Project (CVP) divert surplus

water from the delta under water rights permits administered by the State Water Resources Control Board, and the relative priority of the respective permits of the SWP and the CVP have long been and continue to be the subject of dispute, and;

Whereas, both projects provide major water supplies of statewide importance and can optimize their respective shares of surplus delta water by coordinating their operations, since the SWP has greater diversion capacity while the CVP has greater storage capacity, and;

Whereas, The California Department of Water Resources (DWR) and the United States Bureau of Reclamation (USBR) formally recognized the need for an agreement to coordinate the SWP and CVP operations in a 1960 agreement, and have spent the intervening 25 years developing a fair and reasonable coordinated operation agreement, and;

Whereas, agreement has been reached on coordinated operations that offer practical solutions to long-standing water disputes centered in the delta, but such agreement cannot be implemented without Congressional authority, and;

Whereas, The Interior and Insular Affairs Committee of the House of Representatives has approved legislation in the form of a House of Representatives' Bill, HR 3113, providing that authority and has referred HR 3113 to the full House for passage, and;

Whereas, enactment of that legislation will significantly benefit Metropolitan as well as California generally, by assuring the delta better water quality, and by providing a mechanism for better managing delta water resources.

Now, therefore, be it resolved that the Board of Directors of the Metropolitan Water District of Southern California does strongly support the swift enactment of HR 3113 and the execution of the Coordinated Operation Agreement between the United States and the California Department of Water Resources.

CONTRA COSTA COUNTY, COMMUNITY DEVELOPMENT DEPARTMENT,
Martinez, CA, August 23, 1985.

Hon. GEORGE MILLER,
Congressman, Seventh District
Pleasant Hill, CA.

DEAR CONGRESSMAN MILLER: On August 13, 1985, The Board of Supervisors endorsed H.R. 3113, sponsored by you, providing for the Coordinated Operation of the Central Valley Project and the State Water Project in California. Attached is a copy of a report from the Board's Water Committee on the bill.

The Board appreciates your efforts in sponsoring H.R. 3113 which is a very important piece of legislation to help insure that the water quality and environmental values of the San Francisco Bay/San Joaquin Delta estuary are protected.

Please let the Board's Water Committee know if the County can be of any other assistance in the passage of this very important bill.

If you have any questions, please contact Dave Okita at 671-4295.

Very truly yours,

ANTHONY A. DEHAESUS,
Director.

PAUL E. KILKENNY,
Assistant Director.

CALIFORNIA WATERFOWL ASSOCIATION,
Sacramento, CA, August 21, 1985.

Hon. GEORGE MILLER,
House Office Building,
Washington, DC.

DEAR GEORGE: This letter is in confirmation of my recent conversation with Dan Beard about the Association's requested amendment to H.R. 3113. As you know, CWA strongly supports the concept of the COA and commends you for introducing H.R. 3113. In particular we support its fine tuning of certain of the COA provisions. However, in our letters to you dated July 10th and Juy 30th we expressed our concern over a major side effect which signing of the COA could have on the water supplies for two-thirds of the remaining wetlands in California's Central Valley. Over the past three weeks we have become aware of the considerations which justify a modification of our July 30th request.

First, this fall the Bureau of Reclamation will start a two year feasibility level study of the duck water problem. This study could be the basis for future Congressional action. The quantity, location, and required time of the year when duck water supplies are needed are already known (see my letter of July 30th) so the study will concentrate on potential water sources and delivery systems. The point is that by the fall of 1987 we will know how much of the 453,800 acre foot duck water requirement would actually have to come from CVP yield as opposed to various other sources. My personal horseback guess is about 150,000 acre feet.

Second, the Sacramento Valley agricultural allocation proposed by the CVP contractors is about 383,000 acre feet. However, we understand that only about 200,000 acre feet could be delivered without Congressional authorization and appropriations to extend the Tehama Colusa Canal and build Oat Reservoir.

Third, the Delta Mendota Canal is currently operating at its capacity (including the annual delivery of 250,000 acre feet of surplus water to Westlands). Therefore, the CVP lacks the conveyance capability which would enable to Bureau to contract for more water without using the California Aquaduct. H.R. 3113 provides for Congressional review and approval of any such agreement between DWR and UBR. Therefore, realistically it appears that no more than 450,000 of the 1,100,000 acre feet of available CVP yield could be contracted for in the next two years.

These two constraints, plus a definite timetable for finalizing a plan to solve the duck water problem leads us to the conclusion that our requested amendment to H.R. 3113 is not needed. In its place we would like the bill's legislative history to show clear Congressional intent that the amount of CVP yield necessary to solve the duck water problem should be reserved until the Congress has had an opportunity to deal with this issue. I understand from Dan that this approach is politically feasible, and we respectfully request that you include it as part of your presentation of H.R. 3113 on the House floor. I have been in touch with Kathy Files of Senator Cranston's staff, and she feels that it might be appropriate for the Senator to take similar action on the Senate side.

We would appreciate it if you would let us know whether this alternative approach is acceptable to you.

Sincerely,

D. CHAPIN,
Chairman, Resources Committee.

[From the Sacramento Bee, June 20, 1985]

WATER BREAKTHROUGH AT LAST

After 25 years of argument, litigation and mutual suspicion, the federal Bureau of Reclamation and the state Department of Water Resources have finally come to an agreement about how to coordinate the operation of their California water projects. That was no small achievement.

Its result should increase efficiency and, therefore, increase water available for use by California farmers and urbanites. Even more important, the new agreement finally commits the federal government to using its own water supplies to help meet the state's current standards for protection of the San Joaquin-Sacramento Delta. In return, the federal government will be able to use the state's facilities to deliver water it used to have no means of transporting. Everyone should benefit.

Before Congress approves the new agreement, however, there is at least one central feature that must be bolstered. The federal and state negotiators left it too easy for the federal government to withdraw from the agreement and renege on its delta protection commitment in five years, after the state has already given up its quid pro quo. The agreement also makes it possible for some future interior secretary to unilaterally decide to ignore any tougher delta protection rules the state might enact in the next few years, even though most experts agree tougher rules are needed. It's left to the interior secretary to decide which delta standards conflict with Congress' intentions.

California Rep. George Miller, chairman of the House Subcommittee on Water and Power Resources, is urging Congress to close these and other potential loopholes. He has proposed, for instance, that any future interior secretary be required to obtain congressional permission before breaking the agreement, just as it takes congressional approval to enter into it. He has also proposed that Congress pass legislation making it perfectly clear that its intention is to have federal water used to help protect the fish and wildlife and the quality of water in the delta, the Suisun marsh and San Francisco Bay. Given the distrust that 25 years of argument have nurtured, such extra assurances would make a great deal of sense.

It's also important for Congress to be clear about what this new agreement has not accomplished. Although it has made it possible to move more water from North to South, this agreement has not removed the last roadblock in the way of new water project development.

Whether the state and federal governments and their water customers' can afford major new construction projects, whether conservation and redistribution of existing water supplies would be more cost-effective and whether any particular new project is environmentally acceptable remain questions to be answered case by case, as they were before this agreement made new water shipments possible. Whether the federal government's stored water should be committed to new contractors or saved for use in maintaining delta and bay water quality during dry years is another question that has not been resolved by this agreement; it remains for state water officials to answer. And arriving at the right answers is no easier than it ever was.

The federal-state agreement provides a new opportunity for rationality in the operation of the California water system, and everyone involved in the negotiations is to be

congratulated for that. But it is an opportunity that can also be badly abused if Californians don't soon come to an agreement among themselves on a rational set of priorities for the use of the water resources the state has.

[From the Los Angeles Times, Aug. 4, 1985]

WATER OUT OF THE ASHES

One of California's most persistent and divisive water problems is nearing solution. In a critical vote last week the House Interior Committee approved legislation to implement a state-federal agreement for joint operation of their giant water systems in the delta of the Sacramento and San Joaquin rivers.

The agreement would permit the pumps of the federal Central Valley Project and the state Water Project to be managed in a fashion that would protect the environment of the estuary and make available a major new supply of water for potential use in the Central Valley and in Southern California. Notably, the pact would require the U.S. Bureau of Reclamation for the first time to help maintain state water-quality standards in the delta.

The state-federal Coordinated Operating Agreement is a complicated technical arrangement that was under negotiation for about three decades between the federal bureau and the state Department of Water Resources.

House Interior approval of the implementing bill was possibly the most rigorous test for the breakthrough pact. It was a major test, as well, of the direction and influence of Democratic Rep. George Miller of Contra Costa County as the new chairman of Interior's water and power subcommittee.

In the past, Miller has been anathema to many Central Valley and Southern California water-development aspirations. But now, working with two Valley Democrats, Reps. Tony Coelho and Richard H. Lehman, Miller has astutely forged a consensus out of the ashes of the 1982 Peripheral Canal battle and related animosities. His legislation serves all California, and may pave the way for creative solutions to other state water problems.

Speedy final approval of the Miller bill should a priority for all California members of Congress when they return to Washington in September.

[From the Sacramento Bee, Aug. 6, 1985]

WATER WAR ARMISTICE

California Congressman George Miller has called the bill the House Interior Committee just passed a historic peace treaty, and he's right. After 25 years of battling between state and federal officials over the extent of the federal government's responsibility for protecting the San Francisco Bay and the Sacramento-San Joaquin Delta, a settlement has finally been negotiated. The committee's bill not only commits the federal government to operating its California water project in a way that meets the state's environmental standards; it also paves the way for coordinated operation of state and federal water projects. The resulting increase in efficiency—and thus in the amount of water available for use—should benefit all Californians.

The first and most important breakthrough in these water-war-peace negotiations came a month ago, when Deukmejian and Reagan administration officials worked out a coordinated operating agreement for the two water projects. Their agreement, however, still left a few too many potential loopholes and thus didn't fully stanch the mutual suspiciousness that 25 years of water warfare has bred. It was under Miller's guidance that his Subcommittee on Water and Power Resources closed enough of those loopholes to produce an acceptable treaty. He deserves to crow.

What the subcommittee added was language requiring a cooling-off period before any future Interior secretary could unilaterally pull out of the agreement and making it clear that not just Delta but also Bay water quality maintenance is a federal responsibility. Those changes should assuage California fears about the original agreement, which would have left it much easier for federal officials to renege on the deal—or alter its meaning—at some future date.

The legislators also added language requiring congressional approval before federal water deliveries from Northern to Southern California could be significantly expanded. The need to reappear before Miller's conservation-minded committee should discourage thoughtless squandering of the water that will be freed for new uses once the two projects are being operated in better coordination.

The Reagan administration apparently is worried about the cost of these firmer environmental commitments; it would prefer to have the freedom to unilaterally limit the amount of water that will have to be devoted to meeting California's environmental standards. The word on Capitol Hill is that the president may yet veto the bill.

But the price of a veto would be high itself—both in renewed warfare and in environmental risk. All the Miller subcommittee has really added to the original agreement is some assurance that it will be carried out as advertised. To veto that assurance would be to confirm the suspicions that have kept the state and federal governments fighting all this time.

Even if this treaty is signed, of course, California's other longstanding, water wars will still be raging. Within the state, consensus has yet to be reached about the best ways to protect and exploit this critical resource. But a first step is a first step. It should be taken.

[From the San Francisco Examiner, Aug. 8, 1985]

"PEACE TREATY" ON WATER

A small but noteworthy step toward ending California's "water wars" was taken in Washington last week when a House committee approved a measure to help protect water standards in the Sacramento-San Joaquin River Delta. The bill, which would require the Interior Department to accept state-set standards for Delta water quality, was hailed as a "peace treaty" that could break the political stalemate over disposition of the state's water riches.

State and federal water officials have been negotiating for years to try to iron out their differences, and this measure is a result of an agreement reached only weeks ago. The Interior Department has until now held that, in operating its huge Central Valley water project, it need not concern itself with Delta standards.

The fate of the environmentally sensitive Delta has been a bone of contention between water-wealthy Northern California and the more populous Southern part of the state, and has hampered the development of an acceptable state water plan.

The problem is that increasing the amount of fresh Delta water shipped south means increasing the amount of salt water that enters the Delta. Several plans offered to meet the growing water needs of Southern California—such as the Peripheral Canal scheme and Gov. Deukmejian's through-Delta channel plan of last year—have come to grief partly because of their failure to provide safeguards for the Delta (and for San Francisco Bay).

Further complicating the "water wars" has been the existence of federal water projects operating under different rules and policies than the state's. The lack of coordination between federal and state projects has been expensive and contrary to the state's best interests. The bill, cosponsored by Reps. George Miller (D-Martinez), Tony Coelho (D-Merced) and Rick Lehman (D-Sanger), seems likely to pass the House, but may face opposition from the White House.

A presidential veto, however, might not only undo years of delicate negotiations but would also deal a serious blow to efforts to develop an environmentally sound water plan acceptable to both Northern and Southern California. We hope the president is made to understand the importance of this bill to his home state, and comes to see it for the "peace treaty" it is.

[Editorial from KBIG, FM 104, July 26, 1985]

WATER WAR DISPATCHES III—THE SACRAMENTO COA

This is Rob Edwards with a KBIG editorial.

This week, the dispatches from California's water wars are generally good news. Looking south, there's the "Imperial Swap," a deal between San Diego's Imperial Irrigation District and our Metropolitan Water District. Up north, something similar has been worked out between the Federal Bureau of Reclamation and California's Department of Water Resources.

The Federal Central Valley Project and the State Water Project both draw on some of the same Northern California rivers, and they both transfer water south through the Sacramento-San Joaquin Delta. The conflict: water contracts to fill on the one hand, and water-quality standards that restrict delta pumping on the other. The solution: an historic "coordinated operating agreement" between the two projects. We help the feds ship their water, and they use some of it to meet state environmental needs.

Such local agreements are worthwhile, and buy us time. But new facilities remain essential for future needs. Until we face that fact, they'll run hot and they'll run cold—but California's water wars will continue. That's KBIG's opinion—and we welcome contrasting views from responsible individuals.

□ 1225

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

Mr. Speaker, I rise today in support of H.R. 3113, a bill by the chairman of the subcommittee, the gentleman from California [Mr. MILLER], and others, to implement the coordinated operations agreement, the so-called COA.

Mr. Speaker, as has been said, the underlying COA represents more than 20 years of negotiation to coordinate the operation of two massive water

supply projects, the Federal central valley project, owned and operated by the Bureau of Reclamation, and the State water project, owned and operated by the State of California.

Mr. Speaker, I shall leave to others the technical description of the COA. Suffice it to say, the COA is a very complex document which goes a long way in the direction of satisfying environmental concerns for water quality in the Sacramento-San Joaquin Delta.

This is not to say, however, that I should not prefer a bill that would simply authorize the Secretary of Interior to execute the COA as negotiated. In my view, it is not necessary to amend the 1937 Central Valley Project Act itself; however, it is also fair to say that the form of H.R. 3113 passed by the Interior Committee on July 31 represents a substantial improvement over the earlier versions of the bill. Moreover, I am generally satisfied with the form of the report as it relates to article 10(H) of the COA.

For example, future Federal water contracts originally required the approval of Congress, but now under the bill they do not.

I am compelled to say for the record that my own decision to support this bill was founded upon my earnest hope and expectation that it will lead to prompt and serious consideration by the Water and Power Subcommittee of various worthy proposals of water project development and finance in California generally and in the central valley in particular. I am hopeful that the subcommittee will proceed in an expeditious manner to consider various proposals including, but of course not limited to, solutions to the problems of serious ground water overdraft in the poor quality water drainage from the San Joaquin Valley, the midvalley unit of the central valley project, a relocation of the headworks of the Contra Costa Canal, the Pleasant Valley service area addition, indexing or reauthorization of the San Luis unit to allow completion of distribution facilities at the Auburn Dam, and section 203(b) of the Reclamation Reform Act of 1982.

My support is also founded upon the expectation that the Bureau of Reclamation will expeditiously lift the 1978 Andrus moratorium on further Central Valley Project water supply contracts and will proceed to contract with Federal contractors in the central valley.

Furthermore, I look forward to a new spirit of cooperation within California between the delta and the central valley, between farmers and environmentalists, between northern and southern Californians; in a word, among all Californians.

Mr. Speaker, H.R. 3113 is in the nature of a genuine compromise and, as such, is imperfect. However, I urge my colleagues to support this measure as a reasonable effort for the moment and as a hopeful vehicle for the future.

Mr. Speaker, I should wish for a moment to engage in an exchange with my colleague, who I cannot but notice appears in a slightly different fashion today that in the past. It is a wonderful growth.

Mr. Speaker, a lot of people in the central valley have placed their good faith not only in the agreement, but in the people who have participated in the making of the agreement.

I should like to ask my colleague, who has worked very hard on this for sometime now, and my congratulations to him for the efforts that he and the staff have put in in bringing together a very difficult and very interesting compromise. I should like to ask the gentleman to make a comment or two, please, in expansion of his comments already made on his view of future water development in California and what the gentleman will do to encourage future water developments and what cooperation we in the central valley can expect.

Mr. MILLER of California. Mr. Speaker, if the gentleman will yield, I would say to my colleague from California that it clearly is the intent of all parties that have been involved in the drafting and negotiations of the COA and of this legislation that the expectations will be realized that we have speculated on for many years, and that is a coordinated operation of these two very large water projects, one operated by the State of California and the other operated by the Federal Government, that that coordinated operation will provide for an additional yield of water, will free up additional water at various times of the year and in various years, depending on the rainfall in our State and our ability to store that water; but in any event, the freeing up of that water, the exact yield is open to speculation, that that water would then be used to move along with the advancement of water development throughout the State of California, be that for central valley agricultural needs or for municipal water needs; but as the gentleman well knows, all these projects have been stymied over the past decade because of our inability to reach this kind of cooperation.

What the COA does is to provide the residents of the San Francisco and the bay and the delta region the assurance that when we go forward with the development of those projects, and I fully expect to go forward with the development of those projects, there is a threshold which we will now be able to measure, the projection of the bay and the delta region by. If those projects can go forward and we can continue to meet those standards, then I believe it is incumbent upon us to do that.

As the gentleman knows, he has some projects for consideration, other members of the committee have projects for consideration. We now for the first time have the ability to yield water from Federal projects to State projects, back to Federal contractors, so that we now also have the possibility of dramatically reducing the amount of money that we may have to spend and yet be able to put water in the land by the more efficient use of these projects. That is the long answer.

The short answer is that it is expected that the committee will now be free again to start to embark upon the consideration of the various projects that have come before the committee from time to time, but have been lacking in support because of the regional wars that have gone on over water development in the State of California.

I must say, as chairman of that subcommittee, I look forward once again looking for positive and progressive water development in our State.

Mr. PASHAYAN. Then we from the San Joaquin Valley can take it as an assurance that the chairman of the subcommittee will make it the subcommittee's business to expeditiously and thoroughly consider a whole host of projects that we need not decide at this moment the order of or the sequence of.

Mr. MILLER of California. As always, the chairman of the subcommittee will be fair and impartial and would not show any kind of regional bias on the consideration of those projects.

Mr. PASHAYAN. Well, I appreciate that and a lot of people also in the San Joaquin Valley appreciate that.

Mr. MILLER of California. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. COELHO], a very valuable member in the construction of this compromise legislation.

Mr. COELHO. Mr. Speaker, I just want to rise and to compliment the chairman of the subcommittee and the other members of the subcommittee for their work on this particular piece of legislation.

I think that as we look back on this particular bill, we will find that this is indeed a very historic piece of legislation and that it will break the log jam that has existed for 25 years in California and that we will be able to get on with the business at hand.

I want to compliment the gentleman from California [Mr. MILLER] for his willingness to put up with all the interfights that take place over California water.

□ 1240

If my colleagues are intrigued with some of the divisions that take place here in the House or between parties

and so forth, they would find it rather intriguing and interesting to participate in California water politics. The fact that the gentleman from California [Mr. MILLER] was able to do this, hold hands and listen, and be tough at difficult times, but to be able to keep this thing going together is a credit to he and his staff, and I want to compliment him for it.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume to just thank my colleague from California [Mr. COELHO] for his remarks. I take them as a compliment from one who has mastered both the politics of the House and the politics of California water.

I would also like to pay tribute to one of our colleagues who could not be here today. That is the gentleman from California [Mr. RICHARD LEHMAN] from the central valley who again participated in every aspect of forging this compromise. Unfortunately, the gentleman from California [Mr. LEHMAN] could not be here. His father is very ill and he simply could not make the trip back for today's session. But I would like to submit for the RECORD his statement on this legislation and to clearly recognize the time and effort the gentleman poured into making this compromise work, again having the difficult chore of representing very, very diverse uses for the water within our State of California. I would like to acknowledge his participation and to thank him publicly for that.

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

Mr. PASHAYAN. Mr. Speaker, I yield myself such time as I may consume just for one concluding remark, expanding on what my colleague said. This is a historic piece of legislation, but historic only to the extent that those of us involved in water carry forth from this moment on. This legislation is very good for a particular part of California, but I take heart in the words of the chairman as he uttered them a few minutes ago that this will not be the end but the beginning of further water development in California. It is the further water development in California that will make this bill truly historic.

Mr. LEHMAN of California. Mr. Speaker, I would like to join the many other Members of the California delegation who support H.R. 3113, legislation implementing the Coordinated Operations Agreement, and I would like to congratulate my colleague and good friend, Congressman GEORGE MILLER, chairman of the House Interior Water and Power Subcommittee for his role in fashioning this historic legislation.

This agreement will end 25 years of heated discussion and negotiations over the manner in which the Federal Government and State of California will operate their statewide water projects with respect to San Francisco Bay and Sacramento-San Joaquin Delta and Estuary water quality standards.

Not only will this agreement and legislation protect a vital and pivotal natural resource area by ensuring water quality standards, but it will also make available additional water which will benefit the water users in the entire State.

The legislation is historic because it represents a compromise not only between the State and Federal Governments on how to operate the two main water delivery systems in the State, but it reflects a compromise among all water factions in a State where water has historically been the most precious resource and cause of the most devisive and contentious debate. North and south, environmentalist and water developer, and urban and rural interests have all participated in shaping this particular agreement and all agree that this legislation represents the best compromise that could be achieved.

As with all compromises, the legislation is not perfect; however, failure to approve H.R. 3113 would only renew the debate and could cause irreparable damage to both the environment and water development in California. The legislation as drafted contains a number of important safeguards to ensure that the integrity of the Federal Government's interests are preserved without compromising the environmental concerns and water development needs of the State of California.

As one who is intimately aware of the water needs and problems of California and as one active in the center of the debate as a State legislator and now U.S. Representative, I am proud to be associated with this legislation and those who helped fashion it.

I urge my colleagues in the House to join the California delegation and support this important legislation.

Mr. FAZIO. Mr. Speaker, it is important to recognize good things as they occur. The presentation of H.R. 3113 to allow and direct the Bureau of Reclamation to cooperate directly with the State of California on the mutual operations of two vast water projects in the same drainage basin represents the culmination of a peace process that began literally years ago. Congratulations are due to many people for this development, Federal officials in both the Carter and Reagan administrations, State officials in both the Brown and Deukmejian administrations, water developers and wildlife protectors from both northern and southern California, and Members of Congress from both the North and South and from both political parties.

There people represent many different interest, interests which inherently conflict, particularly over a commodity as passion-inducing as water in a State where it is the blood of the economy. Nonetheless, they came together to do something which common sense tells us is in the ultimate interest of all. To the very great extent California's future depends on the allocation of water, this bill lays out the principle upon which California's future will be determined.

We need to know what the rules for water sharing will be in times of drought and surplus, in the North and South, for wildlife, fisheries, cities, and farms, and for repulsion of salt water from the Pacific Ocean. Moreover, the rules must be fair. This Coordinated Operating Agreement, which establishes how much water will be required to maintain quality standards in the Sacramento-San Joaquin Delta, meets both these difficult tests.

Negotiating the agreement was quite an achievement. Developing the political consensus to support it was another achievement. For the first our congratulations go to David Kennedy, current director of the California Department of Water Resources, and to his predecessor, Ron Robie. They also go to David Houston, current director of the Bureau's Mid-Pacific Region, and to his predecessors Mike Catino and Billy Martin. David Shuster at the Bureau and Larry Mullnix at the DWR were the principal staff people who hammered out the concepts and fit them together some years ago. They had support from many others whom I regret not being able to mention here.

None of their work have borne results had it not been for the skill and determination with which the Interior Subcommittee on Water and Power Resources pushed this measure through. Chairman GEORGE MILLER handled the volatile subject with the required blend of firmness and tact. California subcommittee members TONY COELHO, RICK LEHMAN, and CHIP PASHAYAN exercised a similar balance between representing the interests of their constituents and the interests of the State as a whole to their constituents. This is a bill where a sense of the common good had to prevail over the fears and needs of particular regions. For their good faith and for holding firm to their consensus the Water and Power Subcommittee deserves a lot of credit.

This bill is remarkable for what it does not contain, as well as for what it does. We all know that there remain many specific needs which we have agreed to put aside so that we could settle the basic question about the Bureau's authority and obligation to meet water standards in the Delta. As do other Members, I have my own set of priorities: Area of origin protections for the North in future allocations of water, an enlarged Oat Reservoir, and facilities to assure the Susiun Marsh adequate water to sustain it as a key portion of the Pacific flyway. I hope we can negotiate these needs between us in the same spirit of cooperation with which we agreed to this bill for the Coordinated Operating Agreement.

The administration has recently taken the position that the Suisun Marsh facilities must be authorized in this legislation as a condition for the President's signature. As one who began legislating on behalf of the Marsh as a State legislator in 1975, and who has legislated and sought appropriations for it in Congress since, and in whose

district the Marsh lies, I deeply appreciate this interest. I intend on introducing a separate Suisun Marsh bill in the very near future, now that the State and Federal water agencies have agreed upon a final plan for the facilities construction and operation. I welcome the administration's support for the measure. I would of course have no objection should we add the Suisun Marsh authorization to the H.R. 3113.

However, I consider that I am part of the agreement between California water legislators to keep the Coordinated Operating Agreement free of additional issues, and I will adhere to that agreement. I do not think that Marsh legislation should be established as a condition for the President's signature either, partly because of the clean bill principle—to which the administration subscribed—and mostly because the Coordinated Operating Agreement is simply too important.

The immediate objective of this bill is to set standards for the Delta itself. My Delta constituents have long worried about their fate during the tumultuous statewide debates over water supplies. I share their relief that now our obligations to the Delta will be determined and statutorily protected. However, there are many benefits elsewhere to establishing the basic rules for the Delta. Among them is the nearly 1 million acre feet of water which the agreement establishes as firm yield for the Federal water contractors. I hope this new resource will be allocated soon and fairly to the many real needs around the State, and I hope that we can keep our appetites within the limits of the supplies. I have constituents who have been waiting many years for a water supply which was promised to them many years before that, the Yolo-Zamora water district. I have other constituents—the northern Sacramento area and the city of Folsom—which have been developing chronic groundwater quality and pumping cost problems over the past decades, and who are anxious for solutions to them. We anticipate that once the Bureau has its supplies assured it under the provisions of the COA that the it will find itself able to enter into new water supply contracts once again.

There are certain provisions in this bill which are particularly beneficial to my people. For instance, the Bureau is anxious to sell "surplus" water on an "interim" basis to areas in the State which are not now Federal customers. This plan—motivated by a real need for revenue—worries Federal water contractors in the North (and elsewhere) who do not have their contracted supplies assured yet. The contracts under which this interim water will be sold must come back to the Congress for approval.

There is a provision that Federal contractors do not have to finance that quantity of water required to meet the higher standards required under D-1485 than were required to meet the former Tracy standards. Many think that Federal contractors get their water too inexpensively, but it is true that their costs are rising and will continue to rise. The financial consideration in the bill for federal contractors is a genuine benefit to them.

Last, the bill acknowledges that the water cut backs will not be demanded in order to share Delta shortages where existing contracts do not already empower the Secretary of Interior to make such cutbacks. New contracts will provide for such cutbacks, of course, as they have in recent years, and it will be necessary for all contractors to share the burden of the Delta in the future. However, for those water districts who have relied for years on contracts without cutback provisions, this bill recognizes this agreement for the remaining life of the contracts.

These provisions were difficult for some of my colleagues to accept. It is typical of the spirit in which this whole effort has unfolded that they were accepted. We will all benefit if this attitude prevails, and if this bill has a quick and unchanged passage through the Senate. It will be an experience which all water legislators will find refreshing, and hopefully will teach us that harmony need not be so rare in the future.

Congratulations again to Chairman MILLER and the members of the Water and Power Subcommittee.

Mr. PASHAYAN. I have no further requests for time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. MILLER] that the House suspend the rules and pass the bill, H.R. 3113.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 3113, the bill just passed.

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

There was no objection.

COMMUNICATION FROM THE HONORABLE JOSEPH P. ADDABBO, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOSEPH P. ADDABBO:

HOUSE OF REPRESENTATIVES,
Washington, DC, September 9, 1985.

Hon. THOMAS P. O'NEILL, Jr.,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you, pursuant to Rule L (50) of the Rules of the House, that I have been served with a subpoena issued by the United States District Court for the Southern District of New York. After consultation with the General Counsel to the Clerk of the House, I will inform you of the determinations required by the House Rule.

Sincerely yours,

JOSEPH P. ADDABBO,
Member of Congress.

COMMUNICATION FROM THE HONORABLE GUY V. MOLINARI, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable GUY V. MOLINARI:

HOUSE OF REPRESENTATIVES,
Washington, DC, September 9, 1985.

Hon. THOMAS P. O'NEILL, Jr.,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you, pursuant to Rule L (50) of the Rules of the House, that I have been served with a subpoena issued by the United States District Court for the Southern District of New York. After consultation with the General Counsel to the Clerk of the House, I will inform you of the determinations required by the House Rule.

Sincerely yours,

GUY V. MOLINARI,
Member of Congress.

THE GREAT ARKANSAS CLEANUP

(Mr. ALEXANDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks, and include extraneous material.)

Mr. ALEXANDER. Mr. Speaker, last weekend, thousands of citizens volunteered to continue the tradition of the great Arkansas cleanup. This is an annual event organized by Carl Garner, Resident Engineer, U.S. Army Corps of Engineers, to clean up the parks, lakes, and waterways after a summer of fun.

The idea began 15 years ago when Carl Garner conceived the idea and organized the first effort. Since that time, thousands of tons of trash have been collected and hauled away. Now the Keep America Beautiful Committee is promoting the Garner idea as a goal to establish a public lands day for the Nation. One day each year would be set aside for citizens throughout our country to come together to clean up our lakes, rivers, and parks.

When this comes to pass, the next thing that remains to be done is to haul these mounds of trash to a nearby processing plant to be converted into ethanol fuel which will then he used as a fuel for our automobiles. Figures show that there is enough trash collected annually which, if converted into ethanol, would be equal to the energy from 5 billion barrels of oil and 3 trillion cubic feet of natural gas.

The following article provides additional information:

[From the Arkansas Gazette, Sept. 6, 1985]

STATEWIDE CLEANUP A TRADITION

(By Dorothy Cox)

One stormy Saturday in late September 1970, about 40 to 50 volunteers showed up at Greers Ferry Lake to clean up an accumulation of six years' worth of trash along 300 miles of shoreline.

Last year thousands of volunteers statewide cleaned up enough trash to fill 70 dump trucks. That was in addition to 15,000 pounds of aluminum cans.

This year, volunteers will be carrying on the tradition by cleaning up trash at 13 lakes and along the Arkansas River, and getting some free food and entertainment in the process.

The one-day event, called the "Great Arkansas Cleanup," is being sponsored by the Army Engineers, Coca-Cola and the Keep Arkansas Beautiful Association.

Carl Garner, a resident engineer with the Army Engineers at Greers Ferry, first thought of using volunteers when he saw a small article in the newspaper about volunteers who cleaned up the shoreline of a little lake in New York state.

The Army Engineers "had been operating Greers Ferry Lake since 1964 and there had been a lot of trash accumulated," Garner said. "We had a budget to clean up the park but not 300 miles of shoreline. Volunteers were what we needed."

It worked so well in 1970 and the years following, that the cleanup campaign was expanded to other Army Engineers-operated lakes seven years ago. The event has gained national recognition, including four first-place awards from Keep America Beautiful, Inc.

About 1,200 volunteers showed up at the Murray Park site last year and Rob Gardner, cleanup chairman for the Little Rock-North Little Rock area, said about 2,000 persons this year are expected to help clean up trash north and south of the Arkansas River.

He said that beneath the I-430 bridge traditionally is the worst area, but that volunteers also will be needed for stations at the Murray Lock and Dam parking lot on Rebsamen Park Road, Cook's Landing in North Little Rock, the Coast Guard Auxiliary post on the Little Rock side of the river, Burns Park, Riverfront Park, Riverview Park in North Little Rock and the area just west of the Main Street Bridge in North Little Rock.

Volunteers should go to any of the above reporting stations or to Murray Park, where they will be assigned a station. Volunteers will be assigned until all the trash is picked up in all the areas, Garner said.

It's recommended that volunteers bring gloves and wear protective clothing.

The Central Arkansas area cleanup will last from 9 to 11:30 a.m. and a free lunch, provided by McDonald's and Coca-Cola, will be served from 11:30 a.m. to 1 p.m.

The entertainment begins in earnest at 1 p.m. and continues into the afternoon.

Entertainers include "River Port Revue," a group of 100 professionals and nonprofessionals who will be presenting "old-time, show boat music," the Joel Ruminer Dancers, the Dixie Outlaws, Dealer's Choice, and *Gazette* editorial cartoonist George Fisher.

As they go through the lunch line, volunteers will be given tickets that will be put into a hopper and drawn for prizes. The grand prize is free air fare for two to any American Airlines destination in Mexico.

Other prizes include a color television set from Radio Shack Computer Center, two bicycles from Kmart, a gas barbecue grill from Wal-Mart, dinner for two at Coy's Restaurant and a $25 gift certificate from the Butcher Shop, to name a few.

"We don't want to take anyone away from the Little Rock cleanup" but anyone who will be in the Greers Ferry area Saturday is invited to that cleanup, which will be held from 8 a.m. to noon at nine commercial marinas in the area, Garner said.

A catfish fry and music show will be held at the Narrows Park from 2:30 to 6:30 p.m. with entertainment provided by such diverse entertainers as Jo Ann Castle, Jimmy Driftwood and a choir from Harding College. Hotair balloons will fly over during the festivities.

Other cleanup programs are being held at Lake Ouachita, Beaver Lake, Bull Shoals, Norfork Lake, Lake Greeson, DeGray Lake, Millwood Lake, Lake Gilham, De Queen Lake, Dierks Lake, Lake Dardanelle and Ozark Lake.

Anyone interested in joining in any of the cleanup campaigns across the state should call or go by the nearest Army Engineers resident office or call Garner at 378-6902 for more information.

PERSONAL EXPLANATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. PEPPER] is recognized for 5 minutes.

Mr. PEPPER. Mr. Speaker, I was unavoidably absent on September 4 and 5, 1985, while attending the Interparliamentary Union Conference in Ottawa, Canada. Had I been present, I would have voted "no" for the McCollum amendment, roll No. 291 and "aye" for roll No. 292, the national development investment bill.

On September 5, 1985, I would have voted "aye" for roll No. 293, approving the Journal of the previous day. I would have voted "aye" as well for roll No. 294, agreeing to House Resolution 250. Had I been present, I would have responded to the quorum call, roll No. 295, of course, and I would have voted "no" for roll No. 296.

STUDENT LOAN MATERNITY DEFERRAL ACT OF 1985

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon [Mr. WYDEN] is recognized for 5 minutes.

Mr. WYDEN. Mr. Speaker, I am pleased to introduce the Student Loan Maternity Deferral Act of 1985.

This legislation will make the Higher Education Act of 1965 more flexible for the special needs of new mothers. It amends the Higher Education Act to allow women, during maternity to have a 6-month period of deferment on repayment of Federal student financial aid loans.

Current law mandates that a student must begin repayment of Federal education loans 6 months after the end of a term of study, if the student will not be enrolled full time for the following term. In special hardship cases, such as injury or unemployment, an individual can re-enroll on a part-time basis and maintain their loan deferral as well as be eligible to receive Federal financial aid.

The Student Loan Maternity Deferral Act will make maternity one of these conditions. Hence, new mothers would be able to take a leave from school, return after 6 months, and be eligible to attend school part time for a period of 6 months so that they can spend more time with their newborn.

A recent case in Wisconsin points out an inequity in current law. A woman took a semester off to have a baby and when she returned to school, she wished to continue as a part-time student. She did not want to take on a full course load because she wanted to spend time with her newborn son.

She hoped her situation would allow her to fall into the hardship category so that her loan would be deferred for a period of time. However, under current law, the physical incapacitation of maternity does not qualify a woman for loan deferral under the hardship definition.

By not extending the hardship definition for maternity, the Federal Government is discouraging women from having children while they are in school. If they do have a child, they feel they must return immediately to full-time education. The alternative: begin payback on their Federal student loans.

The law was written to discourage students from unnecessarily prolonging their education and their financial debt to the Federal Government by taking too many leaves from full-time education. However, the law does not allow sufficient flexibility for the special circumstances of new mothers.

This change in the law is essential. It provides a new mother the flexibility needed to continue her education while spending important time with her child during the first months of life.

This change will not cost the Federal Government. It merely defers the student loan repayment for 6 months to allow the new mother additional time to balance her many financial and time commitments.

I ask my colleagues for their support for this simple and sensible adjustment in the law. Thank you.

H.R. 3249

A bill to permit, for not more than 6 months of maternity leave, the deferral of repayment of Federal insured, guaranteed, and direct student loans

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 "Student Loan Maternity Deferral Act of 1985".

SEC. 2. DEFINITION OF MATERNITY LEAVE.

Section 435 of such Act is amended by adding at the end thereof the following new subsection:

"(k) The term 'maternity leave' means a period during which a female borrower is pregnant, caring for a newborn child, or recovering from childbirth and during which such borrower is not carrying one-half or more of the full-time academic workload at

an eligible institution and is not gainfully employed half-time or more.".

SEC. 3. ESTABLISHMENT OF MATERNITY LEAVE DEFERRALS FOR FEDERALLY INSURED STUDENT LOANS.

Section 427(a)(2)(C) of the Higher Education Act of 1965 (20 U.S.C. 1077(a)(2)(C)) is amended—

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

(2) by striking out "full-time employment," in clause (viii) and inserting in lieu thereof the following: "full-time employment; or (ix) not in excess of 6 months of maternity leave for female borrowers.".

SEC. 4. ESTABLISHMENT OF MATERNITY LEAVE DEFERRALS FOR FEDERALLY GUARANTEED STUDENT LOANS.

Section 428(b)(1)(M) of such Act is amended—

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

(2) by inserting before the semicolon at the end thereof the following: ", or (ix) not in excess of 6 months of maternity leave for female borrowers.".

SEC. 5. ESTABLISHMENT OF MATERNITY LEAVE DEFERRALS FOR NATIONAL DIRECT STUDENT LOANS.

Section 464(c)(2)(A) of such Act is amended—

(1) by striking out "or" at the end of clause (vi);

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

(3) by inserting after clause (vii) the following new clause:

"(viii) is on maternity leave, as defined in section 435(k) of this Act."; and

(4) by adding at the end thereof the following new sentence: "The period during which repayment may be deferred by reason of clause (viii) shall not exceed 6 months.".

SEC. 6. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to any loan to cover the costs of instruction for periods of enrollment beginning on or after the date of enactment of this Act.

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 Member (at the request of Mrs. MEYERS of Kansas) to revise and extend her remarks and include extraneous material:)

Mrs. JOHNSON, for 60 minutes, on September 11.

(The following Members (at the request of Mr. MILLER of California) to revise and extend their remarks and include extraneous matter:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. WYDEN, for 5 minutes, today.

Mr. GONZALEZ, for 60 minutes, today.

Mr. GAYDOS, for 30 minutes, on September 10.

Mr. DURBIN, for 60 minutes, on September 11.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mrs. MEYERS of Kansas) and to include extraneous matter:)

Mr. FRENZEL.

Mr. PORTER.

Mr. CHAPPIE.

Mr. YOUNG of Florida.

Mr. KEMP.

Mr. GALLO.

Mr. DORNAN of California.

Mr. GILMAN.

(The following Members (at the request of Mr. MILLER of California) and to include extraneous matter:)

Mr. MAZZOLI.

Mr. GEPHARDT.

Mr. GORDON.

Mr. CLAY.

Mr. LIPINSKI.

Mr. JACOBS.

Mr. ANDERSON in 10 instances.

Mr. GONZALEZ in 10 instances.

Mr. BROWN of California in 10 instances.

Mr. ANNUNZIO in six instances.

Mr. JONES of Tennessee in 10 instances.

Mr. BONER of Tennessee in five instances.

Mr. MURTHA.

Mr. WALGREN.

Mr. GARCIA.

Ms. KAPTUR.

Mr. FUQUA in five instances.

Mr. FUSTER.

Mr. KASTENMEIER.

ADJOURNMENT

Mr. MILLER of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 47 minutes p.m.) the House adjourned until tomorrow, Tuesday, September 10, 1985, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1935. A letter from the Assistant Secretary of Agriculture for Science and Education, transmitting the third progress report on the human nutrition research and information management [HNRIM) system; to the Committee on Agriculture.

1936. A letter from the Director, Office of Management and Budget, transmitting a cumulative report on rescissions and deferrals of budget authority, pursuant to 2 U.S.C. 685(e) (H. Doc. No. 99-104); to the Committee on Appropriations and ordered to be printed.

1937. A letter from the Director, Federal Emergency Management Agency, transmitting a report on the administration of the Strategic and Critical Materials Stockpiling Act for October 1984 through March 1985, pursuant to the act of June 7, 1939, chapter 190, section 11(a) (93 Stat. 324; 95 Stat. 382); Executive Order 12155, section 1-105; to the Committee on Armed Services.

1938. A letter from the Auditor, District of Columbia, transmitting a report entitled "Review of University Supported Travel by UDC President's Spouse," pursuant to Public Law 93-198, section 455(d); to the Committee on the District of Columbia.

1939. A letter from the Secretary of Education, transmitting final regulations for the Handicapped Special Studies Program, pursuant to GEPA, section 431(d)(1) (88 Stat. 567; 90 Stat. 2231; 95 Stat. 453); to the Committee on Education and Labor.

1940. A letter from the Chairman, Equal Employment Opportunity Commission, transmitting a report on coordination of Federal equal employment opportunity activities, pursuant to Public Law 88-352, section 715 (86 Stat. 111); Executive Order 12067, section 1-401; to the Committee on Education and Labor.

1941. A letter from the Secretary of Energy, transmitting notification of further delay in submission of the national energy policy plan, pursuant to 42 U.S.C. 7321 (b), (c); to the Committee on Energy and Commerce.

1942. A letter from the Acting Assistant Attorney General, transmitting the Department's views on the Railroad Safety Improvement Act (H.R. 2372); to the Committee on Energy and Commerce.

1943. A letter from the Director, Defense Security Assistance Agency, transmitting notification of the Air Force's proposed letter of offer to the Federal Republic of Germany for defense articles, pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

1944. A letter from the Under Secretary of State for Security Assistance, Science and Technology, transmitting notification of changes in allocations of foreign assistance and authorization of additional military assistance of El Salvador, pursuant to 22 U.S.C. 2413(b) and 2364(a)(1); to the Committee on Foreign Affairs.

1945. A letter from the General Counsel, U.S. Arms Control and Disarmament Agency, transmitting an errant sheet and corrected versions of the Nuclear Proliferation Assessement Statements Relating to the Agreement for Cooperation Between the United States of America and the People's Republic of China Concerning Peaceful Uses of Nuclear Energy, Pursuant to AEA, section 123d (92 Stat. 145); to the Committee on Foreign Affairs.

1946. A letter from the Acting Assistant Secretary for Health, Department of Health and Human Services, transmitting notice of an altered Federal Records system, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

1947. A letter from the Assistant Attorney General for Administration, transmitting notification of a revised Federal Records system, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

1948. A letter from the Benefits Program Manager, NAF Personnel Division, Department of the Army, transmitting a report on the U.S. Army Element, Stars and Stripes, Europe, Elective Annunity Contract for the plan year ending June 30, 1985, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Operations.

1949. A letter from the Chairman, Federal Communications Commission; transmitting a report on compliance with the laws relating to open meetings of agencies of the Government (Government in the Sunshine Act), pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

1950. A letter from the Chairman, U.S. Nuclear Regulatory Commission, transmitting a report on compliance with the laws relating to open meetings of agencies of the Government (Government in the Sunshine Act), pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

1951. A letter from the Administrator, Veterans' Administration, transmitting a supplemental report on independent hiring services and assistance programs, pursuant to 38 U.S.C. 1520 (94 Stat. 2185); to the Committee on Veterans' Affairs.

1952. A letter from the Secretaries of Agriculture and the Air Force, transmitting notice of intention to interchange military and national forest lands, pursuant to the act of July 26, 1956, chapter 736, section 1; jointly, to the Committees on Agriculture and Armed Services.

1953. A letter from the Chairman of the Board, U.S. Synthetic Fuels Corporation, transmitting the unaudited quarterly report for the quarter ended June 30, 1985, pursuant to Public Law 96-294, section 177(c); jointly, to the Committees on Banking Finance and Urban Affairs and Energy and Commerce.

1954. A letter from the General Counsel of the Treasury, transmitting a draft of proposed legislation to authorize appropriations for the Department of the Treasury for unforseen emergencies of a confidential character; jointly, to the Committees on Banking, Finance and Urban Affairs and Ways and Means.

1955. A letter from the Federal Inspector, Alaska Natural Gas Transportation System, transmitting the quarterly report on the status of the Alaska Natural Gas Transportation System for April through June 1985, pursuant to Public Law 94-586, section 7(a)(5)(E); jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

1956. A letter from the Railroad Retirement Board, transmitting the 1987 budget submission, pursuant to 45 U.S.C. 231f (Public Law 93-445, title I, section 7(f) (97 Stat. 436)); jointly, to the Committees on Energy and Commerce, Ways and Means, and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 3113. A bill providing for the coordinated operation of the Central Valley project and the State water project in California (Rept. 99-257). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2032. A bill to amend the Securities Exchange Act of 1934 to provide improved protection for investors in the government securities market, and for other purposes; with an amendment (Rept. 99-258). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. EDGAR:

H.R. 3245. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and for other purposes; jointly, to the Committees on Energy and Commerce, Public Works and Transportation, and Ways and Means.

By Mr. KASTENMEIER:

H.R. 3246. A bill to amend title 35, United States Code, relating to the implementation of the Patent Cooperation Treaty; to the Committee on the Judiciary.

By Mr. KILDEE:

H.R. 3247. A bill to amend the Native American Programs Act of 1974 to authorize appropriations for fiscal years 1987 through 1990; to the Committee on Education and Labor.

By Mr. WILLIAMS (for himself, and Mr. FORD of Michigan):

H.R. 3248. A bill to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes: to the Committee on Education and Labor.

By Mr. WYDEN:

H.R. 3249. A bill to permit, for not more than 6 months of maternity leave, the deferral of repayment of Federal insured, guaranteed, and direct student loans; to the Committee on Education and Labor.

By Mr. YOUNG of Florida:

H.R. 3250. A bill to amend title XVI of the Social Security Act to provide that certain aliens may not qualify for Supplemental security income benefits unless they not only are permanent residents of the United States but have also continuously resided in the United States for a period of 5 years, and to provide that an alien may not be admitted to the United States unless a citizen of the United States agrees to provide support to such alien for a period of 5 years after admission, and for others purposes; jointly, to the Committees on Ways and Means, and the Judiciary.

By Mr. DORNAN of California:

H.J. Res. 377. Joint resolution to designate December 5, 1985, as "Walt Disney Recognition Day"; to the Committee on Post Office and Civil Service.

By Mr. YOUNG of Florida:

H. Con. Res. 184. Concurrent resolution expressing the sense of the Congress that no amnesty should be granted to aliens present illegally in the United States; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 3: Ms. OAKAR.

H.R. 39: Mr. WILLIAMS and Mr. ANDREWS.

H.R. 97: Mr. WEAVER, Mr. SHUMWAY, and Mr. MONSON.

H.R. 695: Mrs. JOHNSON.

H.R. 1021: Mr. LAGOMARSINO.

H.R. 1207: Ms. SNOWE, Mr. BURTON of Indiana, Mr. BOEHLERT, Mr. DIOGUARDI, Mr. EVANS of Iowa, Mr. BEREUTER, Mr. SOLOMON, Mr. PURSELL, Mr. DERRICK, and Mr. GONZALEZ.

H.R. 1345: Mr. SHUMWAY.

H.R. 1458: Mr. FORD of Michigan.

H.R. 1577: Mr. LAGOMARSINO.

H.R. 2001: Mr. DWYER of New Jersey.

H.R. 2078: Mr. FISH.

H.R. 2236: Mr. STRANG.

H.R. 2950: Mr. DURBIN, Mr. VISCLOSKY, Mr. KASTENMEIER, Mr. MARTINEZ, Mr. MCCURDY, Mrs. COLLINS, Mr. CROCKETT, and Mr. MARKEY.

H.R. 3006: Mrs. HOLT, Mr. BUSTAMANTE, and Mr. PETRI.

H.R. 3172: Mr. FOGLIETTA and Mr. GALLO.

H.J. Res. 51: Mr. CHAPMAN.

H.J. Res. 52: Mr. CHAPMAN.

H.J. Res. 218: Mr. CHAPPELL, Mr. ASPIN, Mr. LANTOS, Mr. GRADISON, Mr. THOMAS of California, Mr. SCHUETTE, Mr. WHEAT, Mr. MCKINNEY, Mr. LENT, Mr. FOLEY, Mr. PASHAYAN, Mr. RICHARDSON, Mr. GREEN, Mr. DICKS, Mr. OLIN, Mr. CHANDLER, Mr. PETRI, Mr. MOORE, Mr. GROTBERG, Mr. BENNETT, Mr. COBLE, Mr. ANNUNZIO, Mr. FUQUA, Mr. GREGG, Mr. THOMAS of Georgia, Mr. HENRY, Mr. DORGAN of North Dakota, Mr. PURSELL, Mr. SYNAR, Mr. BARNARD, Mr. LUKEN, Mr. KASICH, Mrs. BURTON of California, Mr. MILLER of Washington, Mr. ROBERTS, Mr. DANNEMEYER, and Mr. LEWIS of California.

H.J. Res. 221: Mr. ADDABBO, Mr. AKAKA, Mr. APPLEGATE, Mr. BADHAM, Mr. BARNES, Mr. BARTLETT, Mrs. BENTLEY, Mr. BERMAN, Mr. BONER of Tennessee, Mr. BORSKI, Mr. BOSCO, Mr. BROWN of California, Mr. BRUCE, Mrs. BURTON of California, Mr. BUSTAMANTE, Mr. CARNEY, Mr. CARPER, Mr. CHAPPIE, Mr. COELHO, Mr. CONYERS, Mr. CROCKETT, Mr. DANIEL, Mr. DANNEMEYER, Mr. DARDEN, Mr. DAUB, Mr. DIOGUARDI, Mr. DORNAN of California, Mr. DWYER of New Jersey, Mr. DYMALLY, Mr. ERDREICH, Mr. FASCELL, Mr. FAZIO, Ms. FIEDLER, Mr. FIELDS, Mr. FISH, Mr. FRENZEL, Mr. FROST, Mr. FUSTER, Mr. RALPH M. HALL, Mr. HANSEN, Mr. HAYES, Mr. HEFTEL of Hawaii, Mr. HEFNER, Mr. HORTON, Mr. HOWARD, Mr. HUGHES, Mr. JONES of North Carolina, Mr. KEMP, Mr. KOLBE, Mr. KOLTER, Mr. KOSTMAYER, Mr. LANTOS, Mr. LENT, Mr. LEVIN of Michigan, Mr. LEWIS of California, Mr. LIVINGSTON, Mr. LUNGREN, Mr. MARTINEZ, Mr. MCDADE, Mr. MCKINNEY, Mr. MITCHELL, Mr. MOLINARI, Mr. ORTIZ, Mr. PEPPER, Mr. PERKINS, Mr. PURSELL, Mr. RODINO, Mr. ROSE, Mr. ROWLAND of Georgia, Mr. SCHEUER, Mr. SOLOMON, Mr. SUNIA, Mr. SWINDALL, Mr. TAUKE, Mr. TAUZIN, Mr. TORRICELLI, Mr. TOWNS, Mr. TRAFICANT, Mr. TRAXLER, Mr. VALENTINE, Mr. WALGREN, Mr. WAXMAN, Mr. WEBER, Mr. YOUNG of Alaska, Mr. YOUNG of Florida, Mr. DE LA GARZA, Mr. GALLO, and Mr. RAHALL.

H.J. Res. 222: Mr. COBLE and Mr. HUCKABY.

H.J. Res. 296: Mr. RUDD, Mr. GRADISON, Mr. DOWDY of Mississippi, Mr. CLAY, Mr. LIGHTFOOT, and Mr. STUMP.

H.J. Res. 308: Mr. TOWNS, Mr. WEBER, Mr. WIRTH, Mr. WYLIE, Mr. YOUNG of Alaska, Mr. BARNARD, Mr. BEREUTER, Mr. BONER of Tennessee, Mr. BURTON of Indiana, Mr. CAMPBELL, Mr. CARR, Mr. CHANDLER, Mr. DANIEL, Mr. DAUB, Mr. DE LUGO, Mr. DERRICK, Mr. DIOGUARDI, Mr. EVANS of Iowa, Mr. FOGLIETTA, Mr. FRENZEL, Mr. FUQUA, Mr. GEJDENSON, Mr. HERTEL of Michigan, Mr. KANJORSKI, Mr. KLECZKA, Mr. KOSTMAYER, Mr. LEHMAN of California, Mr. LEWIS of California, Mr. LIVINGSTON, Mr. MACKAY, Mr. MCKINNEY, Mr. MILLER of Washington, Mr. MOODY, Mr. MOORE, Mr. MOORHEAD, Mr. MURPHY, Mr. MURTHA, Mr. PASHAYAN, Mr. PURSELL, Mr. RAY, Mr. ROBINSON, Mr. ST GERMAIN, Mr. SOLOMON, Mr. STANGELAND, Mr. TAUKE, Mr. BOSCO, Mr. CONYERS, Mr. EDGAR, Mr. KASICH, Mr. MARTIN of New

York, Mr. RAHALL, Mr. RANGEL, Mr. RUDD, and Mr. SILJANDER.

H.J. Res. 351: Mr. SMITH of New Hampshire.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2936: Mr. GRAY of Illinois.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

197. By the SPEAKER: Petition of the city of College Station, TX, relative to the Fair Labor Standards Act; to the Committee on Education and Labor.

198. Also, petition of the Commissioners Court of Morris County, TX, relative to the Fair Labor Standards Act; to the Committee on Education and Labor.

199. Also, petition of the city of San Jose, CA, relative to the establishment of United States/Soviet crisis control centers; to the Committee on Foreign Affairs.

200. Also, petition of the city of Eden Prairie, MN, relative to the Baha'i community in Iran; to the Committee on Foreign Affairs.

201. Also, petition of Stefan Pfouner et al, Vienna, Austria, relative to Navajo and Hopi Indians; to the Committee on Interior and Insular Affairs.

SENATE—*Monday, September 9, 1985*

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

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

Let us pray.

Except the Lord build the house, they labor in vain that build it; except the Lord keep the city, the watchman waketh but in vain.—Psalm 127:1.

Blessed is every one that feareth the Lord; that walketh in his ways.—Psalm 128:1.

God of peace and rest, thank Thee for a profitable recess—for work accomplished, for safe travel, for time with families, for rest, relaxation, recreation, and renewal. May the Senate enjoy Thy strength and wisdom in the pressing days ahead.

Gracious Father in Heaven, impress upon the Senators their accountability to Thee as they enter these final days of the 1st session of the 99th Congress. Help them to give their very finest leadership at this desperately critical time for our Nation. Save them from pretention and behavior that is simply cosmetic—which not only will not address the crises, but actually compound them. Give the Senators courage to be committed to truth and justice and the willingness to sacrifice purely political aims for the sake of the people. For Thy glory, we pray. Amen.

RECOGNITION OF THE MAJORITY LEADER

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

OPENING REMARKS OF THE MAJORITY LEADER

Mr. DOLE. Mr. President, I thank the distinguished Chaplain for his very timely remarks. I hope that we can follow the advice in the coming weeks and months.

THE MISSION TO MOSCOW

Second, I welcome all of my colleagues back and particularly commend the distinguished minority leader, Senator BYRD, and others who have just returned from a very constructive visit ot the Soviet Union. I wait with interest the report from the distinguished minority leader, the President pro tempore, and others, who were on that mission to Moscow.

SOUTH AFRICA

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the Executive order issued this morning by the President concerning South Africa, a fact sheet which outlines in a briefer way, a succint way, the President's actions; also a fact sheet on the difference between the bill, the so-called conference report that is pending, and the President's Executive order along with a letter that Senator LUGAR received from the President concerning South Africa, the apartheid policies in South Africa, and the actions that the President has taken this morning.

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

THE WHITE HOUSE,
Washington, DC, September 9, 1985.

Hon. RICHARD G. LUGAR,
U.S. Senate,
Washington, DC.

DEAR DICK: I am writing to you today to ask for your support on an issue that has touched some of the most sensitive nerves in our body politic but which I feel strongly need not and must not divide us. That issue is South Africa. All of us agree that a system that deprives 73 percent of that country's population of basic political and human rights on the basis of race is an affront to our national values. We all know that such a system is also a threat to the long-term stability of a region that is important to our national interests. The question before us is how we best exercise the influence we have to work for a more just and stable order—without adding fuel to the fire and providing opportunities for greater Soviet influence.

To this end, I am issuing an Executive Order which is consistent with these objectives and provides us with a platform from which we can move forward together. The Executive Order incorporates many of the ideas that have come out of the Congress to disassociate ourselves from the system of apartheid. It also adopts the positive provisions of the legislation now before the Senate which will allow the United States to step up its help for the victims of that system. The Executive Order will allow us to execute these proposals in a responsible and effective manner. It is designed to signal the strong feelings all Americans share about apartheid, but it is clearly aimed against the machinery of apartheid, not the victims of that system.

If we all join together behind a common program, we can have so much more influence for good. Let us go forward with a clear vision and an open heart, working for justice, brotherhood and peace.

Sincerely

RONALD REAGAN.

EXECUTIVE ORDER: PROHIBITING TRADE AND CERTAIN OTHER TRANSACTIONS INVOLVING SOUTH AFRICA

By the authority vested in me as President by the Constitution and laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), the Foreign Assistance Act (22 U.S.C. 2151 *et seq.*), the United Nations Participation Act (22 U.S.C. 287), the Arms Export Control Act (22 U.S.C. 2751 *et seq.*), the Export Administration Act (50 U.S.C. 2401 *et seq.*), the Atomic Energy Act (42 U.S.C. 2011 *et seq.*), the Foreign Service Act (22 U.S.C. 3901 *et seq.*), the Federal Advisory Committee Act (5 U.S.C. App. I), Section 301 of Title 3 of the United States Code, and considering the measures which the United Nations Security Council has decided on or recommended in Security Council Resolutions No. 418 of November 4, 1977, No. 558 of December 13, 1984, and No. 569 of July 26, 1985, and considering that the policy and practice of apartheid are repugnant to the moral and political values of democratic and free societies and run counter to United States policies to promote democratic governments throughout the world and respect for human rights, and the policy of the United States to influence peaceful change in that country, as well as the threat posed to United States interests by recent events in South Africa.

I, Ronald Reagan, President of the United States of America, find that the policies and actions of the Government of South Africa constitute an unusual and extraordinary threat to the foreign policy and economy of the United States and hereby declare a national emergency to deal with that threat.

SECTION 1. Except as otherwise provided in this section, the following transactions are prohibited effective October 11, 1985:

(a) The making or approval of any loans by financial institutions in the United States to the Government of South Africa or to entities owned or controlled by that Government. This prohibition shall enter into force on November 11, 1985. It shall not apply to (i) any loan or extension of credit for any educational, housing, or health facility which is available to all persons on a nondiscriminatory basis and which is located in a geographic area accessible to all population groups without any legal or administrative restriction; or (ii) any loan or extension of credit for which an agreement is entered into before the date of this Order.

The Secretary of the Treasury is hereby authorized to promulgate such rules and regulations as may be necessary to carry out this subsection. The initial rules and regulations shall be issued within sixty days. The Secretary of the Treasury may, in consultation with the Secretary of State, permit exceptions to this prohibition only if the Secretary of the Treasury determines that the loan or extension of credit will improve the welfare or expand the economic opportunities of persons in South Africa disadvantaged by the apartheid system, provided that no exception may be made for any apartheid enforcing entity.

(b) All exports of computers, computer software, or goods or technology intended to service computers to or for use by any of the following entities of the Government of South Africa:

(1) The military;

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

(2) The police;

(3) The prison system;

(4) The national security agencies;

(5) ARMSCOR and its subsidiaries or the weapons research activities of the Council for Scientific and Industrial Research;

(6) The administering authorities for the black passbook and similar controls;

(7) Any apartheid enforcing agency;

(8) Any local or regional government or "homeland" entity which performs any function of any entity described in paragraphs (1) through (7).

The Secretary of Commerce is hereby authorized to promulgate such rules and regulations as may be necessary to carry out this subsection and to implement a system of end use verification to ensure that any computers exported directly or indirectly to South Africa will not be used by any entity set forth in this subsection.

(c)(1) Issuance of any license for the export to South Africa of goods or technology which are to be used in a nuclear production or utilization facility, or which, in the judgment of the Secretary of State, are likely to be diverted for use in such a facility; any authorization to engage, directly or indirectly, in the production of any special nuclear material in South Africa; any license for the export to South Africa of component parts or other items or substances especially relevant from the standpoint of export control because of their significance for nuclear explosive purposes; and any approval of retransfers to South Africa of any goods, technology, special nuclear material, components, items or substances described in this section. The Secretaries of State, Energy, Commerce, and Treasury are hereby authorized to take such actions as may be necessary to carry out this subsection.

(2) Nothing in this section shall preclude assistance for International Atomic Energy Agency safeguards or IAEA programs generally available to its member states, or for technical programs for the purpose of reducing proliferation risks, such as for reducing the use of highly enriched uranium and activities envisaged by section 223 of the Nuclear Waste Policy Act (42 U.S.C. 10101) or for exports which the Secretary of State determines are necessary for humanitarian reasons to protect the public health and safety.

(d) The import into the United States of any arms, ammunition, or military vehicles produced in South Africa or of any manufacturing data for such articles. The Secretaries of State, Treasury, and Defense are hereby authorized to take such actions as may be necessary to carry out this subsection.

SEC. 2. (a) The majority of United States firms in South Africa have voluntarily adhered to fair labor principles which have benefited those in South Africa who have been disadvantaged by the apartheid system. It is the policy of the United States to encourage strongly all United States firms in South Africa to follow this commendable example.

(b) Accordingly, no department or agency of the United States may intercede after December 31, 1985, with any foreign government regarding the export marketing activity in any country of any national of the United States employing more than 25 individuals in South Africa who does not adhere to the principles stated in subsection (c) with respect to that national's operations in South Africa. The Secretary of State shall promulgate regulations to further define the employers that will be subject to the requirements of this subsection and procedures to ensure that such nationals may register that they have adhered to the principles.

(c) The principles referred to in subsection (b) are as follows:

(1) Desegregating the races in each employment facility;

(2) Providing equal employment opportunity for all employees without regard to race or ethnic origin;

(3) Assuring that the pay system is applied to all employees without regard to race or ethnic origin;

(4) Establishing a minimum wage and salary structure based on the appropriate local minimum economic level which takes into account the needs of employees and their families;

(5) Increasing by appropriate means, the number of persons in managerial, supervisory, administrative, clerical, and technical jobs who are disadvantaged by the apartheid system for the purpose of significantly increasing their representation in such jobs;

(6) Taking reasonable steps to improve the quality of employees' lives outside the work environment with respect to housing, transportation, schooling, recreation, and health;

(7) Implementing fair labor practices by recognizing the right of all employees, regardless of racial or other distinction, to self-organization and to form, join, or assist labor organizations, freely and without penalty or reprisal, and recognizing the right to refrain from any such activity.

(d) United States nationals referred to in subsection (b) are encouraged to take reasonable measures to extend the scope of their influence on activities outside the workplace, by measures such as supporting the right of all businesses, regardless of the racial character of their owners or employees, to locate in urban areas, by influencing other companies in South Africa to follow the standards specified in subsection (c) and by supporting the freedom of mobility of all workers, regardless of race, to seek employment opportunities wherever they exist, and by making provision for adequate housing for families of employees within the proximity of the employee's place of work.

SEC. 3. The Secretary of State and the head of any other department or agency of the United States carrying out activities in South Africa shall promptly take, to the extent permitted by law, the necessary steps to ensure that the labor practices described in section (2)(c) are applied to their South African employees.

SEC. 4. The Secretary of State and the head of any other department or agency of the United States carrying out activities in South Africa shall, to the maximum extent practicable and to the extent permitted by law, in procuring goods or services in South Africa, make affirmative efforts to assist business enterprises having more than 50 percent beneficial ownership by persons in South Africa disadvantaged by the apartheid system.

SEC. 5. (a) The Secretary of State and the United States Trade Representative are directed to consult with other parties to the General Agreement on Tariffs with a view toward adopting a prohibition on the import of Krugerrands.

(b) The Secretary of the Treasury is directed to conduct a study to be completed within sixty days regarding the feasibility of minting and issuing gold coins with a view toward expeditiously seeking legislative authority to accomplish the goal of issuing such coins.

SEC. 6. In carrying out their respective functions and responsibilities under this Order, the Secretary of the Treasury and the Secretary of Commerce shall consult with the Secretary of State. Each such Secretary shall consult, as appropriate, with other government agencies and private persons.

SEC. 7. The Secretary of State shall establish, pursuant to appropriate legal authority, an Advisory Committee on South Africa to provide recommendations on measures to encourage peaceful change in South Africa. The Advisory Committee shall provide its initial report within twelve months.

SEC. 8. The Secretary of State is directed to take the steps necessary pursuant to the Foreign Assistance Act of 1961 and related legislation to (a) increase the amount of internal scholarships provided to South Africans disadvantaged by the apartheid system up to $8 million from funds made available for Fiscal Year 1986, and (b) increase the amount allocated for South Africa from funds made available for Fiscal Year 1986 in the Human Rights Fund up to $1.5 million. At least one-third of the latter amount shall be used for legal assistance for South Africans. Appropriate increases in the amounts made available for these purposes will be considered in future fiscal years.

SEC. 9. This order is intended to express and implement the foreign policy of the United States. It is not intended to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any person.

FACT SHEET—PRESIDENT'S DECISION ON SOUTH AFRICA MEASURES

President sending a strong signal to South African Government: apartheid must go; time is now for bold action; actions assert his strong leadership on this issue.

U.S. policy has long included measures to disassociate ourselves from apartheid.

Actions are consistent with President's intent to maintain active presence and influence of American companies, churches, teachers, diplomats, in pushing for change in South Africa.

President shares concerns of American people about racism; his action designed to speak for entire Nation and pull American people together on this important issue.

President's measures not designed to damage South African economy and hurt those we are trying to help; targeted on specific elements of government apparatus.

President wants to work wtih Congress, on a bipartisan basis, to achieve positive and productive changes in the policies of the South African Government.

E.O. commits U.S. to maintain strong presence in South Africa, supports fair employment practices of U.S. companies, increases USG funds for scholarships and human rights activities.

E.O. prohibits U.S. banks lending to South African Government, except loans which would promote welfare of all South Africans.

E.O. bans all computer exports to military, police, and other apartheid-enforcing agencies.

E.O. prohibits U.S. nuclear exports to South Africa except for items needed for health and safety or for IAEA safeguard programs.

E.O. requires firms to adhere to principles similar to voluntary Sullivan program; goal

is to maintain voluntarism, but those who do not adhere will be denied USG trade assistance.

E.O. requires USG to consult with GATT partners on Krugerrand ban.

E.O. requires the Secretary of Treasury to study feasibility of minting and issuing gold coins.

E.O. directs the Secretary of State to establish advisory committee of distinguished Americans to provide recommendations on measures to encourage peaceful change in South Africa.

E.O. will implement U.N. resolution, which U.S. supported, banning imports of South African arms.

DIFFERENCES BETWEEN BILL AND E.O.

BANK LOANS

E.O. eliminates an excessive extraterritorial application of U.S. law. Applies to making or approving loans to the SAG by financial institutions in U.S. It prohibits U.S. banks from approving in any way loans to the SAG by any foreign bank or affiliate.

The blanket exceptions (housing, education, health) are identical to those in the bill.

The bill's bank loan provisions would enter into force in 90 days; the E.O.'s in 60.

Treasury and State would be authorized under the E.O. to authorize a loan otherwise prohibited by it which would clearly benefit the victims of apartheid.

COMPUTERS

Essentially the same. The E.O. removes some of the ambiguities in the bill.

NUCLEAR

The E.O. incorporates the bill's prohibition. However, the E.O. includes a reasonable exception for IAEA safeguards and exports which the Secretary of State determines to be necessary for humanitarian reasons for reasons of public health and safety.

KRUGERRANDS

The bill would require an immediate ban on Krugerrand imports. The E.O. requires the Secretary of State and the STR to complete the measures needed pursuant to the GATT prior to a ban.

ARMS

The bill does not contain a provision on arms imports. The E.O. simply implements a Security Council decision of last December.

SCHOLARSHIPS AND HUMAN RIGHTS

Essentially the same. Both contemplate up to $8 million for internal scholarships in FY 86 for those disadvantaged by apartheid and $1.5 million for the Human Rights Fund. Implementing the E.O. will require certain notices to Congress.

DEFINITIONS

The bill contains certain definitions. Most definitions for purposes of the E.O. will be in the Federal agency regulations that will implement the E.O.

EXIM

The bill authorizes certain acts involving South Africa now prohibited by law. The E.O. does not contain such a provision, since an E.O. does not contain such a provision, since an E.O. cannot change a statute.

PROCUREMENT

Both the E.O. and the bill encourage U.S. agencies in South Africa to meet their local needs by procuring goods to the extent practicable from firms of those disadvantaged by the apartheid system.

LABOR PRACTICES

The bill requires U.S. firms in South Africa employing at least 25 persons to implement the Sullivan principles. If they do not, the U.S. Government will not intercede on their behalf with regard to their export marketing activities anywhere in the world. The State Department would also, in effect, be required to establish a new bureaucratic body to regulate the labor practices of such firms.

The E.O. requires U.S firms to adhere to the same fair labor principles stated in the bill. Firms can do so by joining the Sullivan Code and its implementing procedures.

The penalty prescribed for not adhering to the E.O. is the same as that contained in the bill

The main difference is that the bill would in effect end the excellent and efficient system currently in place for monitoring compliance with the Sullivan Code. The E.O. eliminates the need to create a cumbersome new bureaucracy.

STATEMENT OF LABOR PROVISIONS

The E.O. is shorter. It states the actual principles and does not specifically include all the examples provided in the bill. There is no difference in substance.

EMPLOYMENT PRACTICES OF THE U.S. EMBASSY IN SOUTH AFRICA

The E.O. and the bill are essentially the same.

ADVISORY COMMITTEE

The bill's advisory committee deals with labor matters. The E.O.'s advisory committee has a far broader mandate to make recommendations on how to influence peaceful change in South Africa.

FUTURE SANCTIONS

The bill contemplates possible future sanctions based on a Presidential determination on progress in South Africa and a subsequent act of Congress. The E.O. does not have a specific provision on this, but does not rule out this possibility.

REPORTS

The bill contains a requirement for several reports to the Congress (e.g., on progress in South Africa, on how each U.S. firm implements Sullivan). The E.O. does not contain such reporting requirements.

AMENDMENTS TERMINATION

The bill has no real waiver authority, and any change to its terms or terminating the act requires an act of Congress. This is also the case with respect to the so-called waiver provision on Krugerrands. The E.O. can be amended or terminated by the President at any time.

(Mr. COCHRAN assumed the chair.)

Mr. DOLE. Mr. President, the President states in the last paragraph of his letter: "If we all join together behind a common program, we can have so much more influence for good. Let us go forward with a clear vision and an open heart working for justice, brotherhood, and peace."

Mr. President, I make the same point, that we have an opportunity now in Congress, Republicans and Democrats alike, to join—in fact, the President has joined with us. It seems to me that what we should do now is to postpone any final action on the conference report, go forward together, Congress and the President, send the strongest possible signal to the South African Government, which this would do. Then, if for some reason, and I do not know of any, but if for some reason some provisions of the Executive order are not properly complied with or not adhered to as Members of Congress think they should have been, then the conference report would still be available, and it could still be acted upon. I also indicate the only real difference between the Executive order and the conference report is the fact that there are no sanctions in the Executive order but they are not percluded, and the sanctions in the conference report do not take effect until January 1987.

So for all practical purposes, anything that would have taken effect immediately or in the near future is in the Executive order with the exception of the Krugerrand issue, and on that issue the President, as he indicates in his order, will address the other GATT countries before taking that action.

I commend the President for his willingness to move in this direction, and I commend my colleagues, all my colleagues who have been interested in this issue. I hope that we can work out a bipartisan agreement, if not sometime today, then later and that at this time we simply postpone further action on the conference report until some time next year, March, April, some reasonable time in the future.

Mr. President, again I indicate to my colleagues that we will probably have a very busy September and October, possibly November, and someone even indicated December, but I hope to have an opportunity to meet this week with the distinguished Speaker, Congressman O'NEILL; the distinguished minority leader, Senator BYRD; along with the House Republican leader, Congressman MICHEL, so that we can advise our colleagues as clearly as possible when we would adjourn sine die.

I will indicate at a later time our proposed schedule during the Jewish holidays. We will not have votes prior to 6 p.m., and then there is likely to be a proposed recess that would come sometime, I think from the 10th to the 15th of October.

Mr. President, today we will have morning business until 1 p.m., a special order in favor of the Senator from Wisconsin [Mr. PROXMIRE] for not to exceed 15 minutes, and at the hour of 1 p.m. there will be 3 hours, or there are proposed to be 3 hours of debate on the antiapartheid conference report, to be equally divided, and then at 4 p.m. today, there is scheduled to be a vote on cloture.

It would be my hope that we might be able to alter the debate period because there will be a Republican conference at 2 p.m. in S. 207 to discuss the antiapartheid conference report, and hopefully we could reach some

agreement where we would not have any debate on the antiapartheid bill until that conference is completed.

Mr. President, I reserve the remainder of my time.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. Under the previous order, the Democratic leader is recognized.

THE MISSION TO MOSCOW

Mr. BYRD. Mr. President, I thank the distinguished majority leader for his references to the trip which I and other Senators on both sides of the aisle made to Moscow during the break. I am delighted that the distinguished President pro tempore, Mr. THURMOND, and the distinguished Senator from Virginia, Mr. WARNER, were also on that trip. It was a very hard-working trip. Our time with Mr. Gorbachev was 3 hours and 35 minutes. We feel that we accomplished some things. We will be going down to see the President at the White House tomorrow at 3 p.m. The President had indicated before we left that he would like to have a report on our return and we will be prepared to talk with the President tomorrow afternoon. We look forward to visiting with him.

THE MAJORITY LEADER'S TRIP TO CHINA

Mr. BYRD. Mr. President, I again thank the distinguished majority leader. I am happy that he was able to visit the People's Republic of China. I have been there on two previous occasions. I know that it takes a lot of time and it is a very important thing that he has done. I think it is well that we keep open these windows to the People's Republic of China. Mr. Deng and others there have always been gracious to American's and particularly to elected public officials, whether they are in the Federal Government or in the State governments. I think that such visits are enlightening and helpful, particularly to Members of this body, a body that has certain foreign relations responsibilities.

So I compliment the distinguished majority leader and I say that I am happy that he returns looking as though he has had some rest and has been rejuvenated, both in spirit and in physical strength. I will be looking forward to talking with him further about this visit to the People's Republic. It is a country that just cannot be overlooked, a country that has a population of a billion people or perhaps more. It is not a country that one can just put out of view.

It is impossible to forget or to overlook—and very unwise to attempt to do so—the fact that the People's Republic of China consists of a billion people; some say 1.2 billion. It is only at the peril of having political glaucoma to fail to recognize that there is this country with a fourth of the world's population which cannot be hidden. It cannot be brushed off the international chessboard, whether we are concerned with trade or the economy or national defense or whatever. It is an increasingly important country.

Mr. Nixon opened up the doors for a normalization with that country. I am glad that Mr. Nixon did that. He is probably the only individual who could have done it.

It is good we do whatever we can to press forward with that normalization. We cannot be blind to all of the potential that this involves. It is in the best interests of our country that we better our relations and that we cooperate where we can with the People's Republic. Vice Premier Den has shown his inclination time and time again.

He visited here on Capitol Hill about 5 or 6 years ago. He spoke in the Russell Building, I believe. He visited my office at that time when I was majority leader.

More and more Members of the Senate ought to go to China, to talk with Chinese Government officials. It can create goodwill toward this country on the part of the People's Republic.

So I commend the majority leader again, express gratitude that he has been able to make this trip—and make it safely back home. I look forward to hearing more about what he has to say about China as a result of the visit.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, let me thank the distinguished minority leader.

We will be filing a report, hopefully tomorrow, on our trip. Again, I know that some times Members of Congress are criticized for going anywhere outside the United States, or anywhere in the United States by some. But it seems to me, as the distinguished minority leader knows, these are working trips. I think we can count about 43 meetings in a 14-day period. But it was worthwhile. We are excited about it.

I share the view expressed by the distinguished minority leader that it is not only worth our time and effort, but I think it is worth whatever costs might be involved to the American taxpayer. We deal with these problems affecting the Soviet Union, the People's Republic of China, and you have just discussed trade. We visited Korea, Japan, the Republic of China, and Hong Kong. We have big trade deficits with our neighbors in the Far East that were certainly the subject of many of our meetings.

So it seems to me it is a good use of Members' time. I agree with the distinguished minority leader that more Members on both sides should be encouraged, notwithstanding some little criticism, to make this extra effort. It is not a vacation. It is certainly an experience.

SCHEDULE

Mr. DOLE. Mr. President, as I indicated earlier, and I have only recently delivered the memo to the distinguished minority leader's office, I have proposed that on the 16th and the 25th of September there be no votes until after 6 p.m. for Rosh Hashanah and Yom Kippur—the 2 Jewish holidays which occur in September. And I have also proposed that from close of business on October 10 until Tuesday, October 15, the Senate would be in recess, and probably there would not be any votes on the 15th because there will be a number of Members on both sides, I understand, involved in a very important conference in San Francisco, among other things.

Mr. President, I also delivered to the distinguished minority leader personally a first cut at matters that I think we must complete before sine die adjournment. There are other items that committee chairmen have called to my attention. I am certain that the distinguished minority leader will also have some priorities. My list was simply one way to start.

Mr. BYRD. I thank the distinguished majority leader. I assume from what the distinguished majority leader has said that it is somewhat likely that the Congress will be in session past the middle of October. Otherwise, the distinguished majority leader would not be laying out a possible recess. Of course, the majority leader is in a position where he has to do this because he cannot foresee what is going to happen with respect to the tax bill.

I welcome the opportunity to visit with the Speaker, and the minority leadership on the other side of the Capitol, as the distinguished majority leader has said to me privately, and just now publicly.

I would assume that whether the Congress is in beyond November 1, will largely be decided by what progress the House makes in getting the tax bill over to the Senate, and when.

Am I correct in that assumption?

Mr. DOLE. That is correct. As to the House bill, my latest information is that they are going to move very quickly on the tax bill in the next couple of weeks—at least have it drafted by then.

I am not certain when it will pass the House. But I am advised by the chairman of the Finance Committee, Senator PACKWOOD, that his deadline

for action this year—at least unofficially the deadline is that at a minimum a bill would arrive here not later than October 15 because he may need additional hearings. Once it arrives, it would still likely take considerable time.

So, yes, I think whether it is Thanksgiving or Christmas will depend on the rate of progress on tax reform.

Mr. BYRD. I thank the distinguished majority leader.

THE TRADE CRISIS: THE COST IS TOO HIGH

Mr. BYRD. Mr. President, I call attention to the President's radio address on Saturday, September 7. He made a major statement on trade policy.

After 5 years of burgeoning trade deficits that have left millions of Americans permanently out of work or underemployed; after at least three nonpartisan reports to the President, several major studies by the Congress—including an excellent project by Senate Democrats—and countless private and university-conducted studies; after nearly every House and Senate leader, both Democrat and Republican, has sharply criticized the inaction, this administration has decided that there is a serious problem in America's trade relations. I have spoken to the Senate well over a dozen times; I have introduced several pieces of broad-ranging legislation; I have supported serious legislative proposals offered by my colleagues on both sides of the aisle; and I have established a Senate Democratic Working Group on Trade Policy. That working group is chaired by the distinguished Senator from Texas, Mr. BENTSEN. I have done these things with a view to filling the void that has thus far existed in this administration in the area of trade.

After 5 years of abdication in the face of the growing international challenge, and 5 years of a big deficit, big dollar policy that shows a total disregard for the fate of American exports and export-related jobs, the administration has announced that it will use the authority it has always had from Congress to take action on a narrow group of products to a few select countries. This decision comes just days after the administration's decision to deny any relief to the American footwear industry, despite the International Trade Commission's finding that the footwear industry deserves such relief because it is suffering serious harm as the result of import penetration that has captured 70 percent of the American market. In a year when the administration's own economists predict that America's trade shortfall will exceed $150 billion, is this the appropriate response? Can we look after a few products in a few countries and call that a trade policy?

In their preliminary report, Senate Democrats called for a comprehensive trade strategy to assure American leadership in the world marketplace and a growing export sector that will provide jobs and support global trade expansion. The President's own Commission on Industrial Competitiveness called for an aggressive and comprehensive approach to the global competition and urged that "The President should pursue initiatives to make trade a permanent national priority." Certainly the steps the President outlined in his Saturday radio statement offer no broad-ranging trade policy. At most, they are an effort to buy time while the administration struggles with the question of how to deal with the growing congressional discontent over its lack of action on trade policy.

We have to be honest with ourselves. The time for a halting symbolic approach to trade policy is over. If the administration is unwilling or unable to fashion a comprehensive trade policy, then Congress is prepared to reassert its constitutional role as the body of Government charged with "authority to regulate Commerce with foreign Nations and among the several states." The administration cannot hope to buy time at this late hour, because we know that such time will be purchased with more American jobs, and further decline in our competitiveness. We have seen what 5 years of inaction have cost, and no one who has thought about the issue is prepared to buy time when the currency is our future. Senate Democrats are on record as being committed to a serious trade strategy, and I invite my Republican colleagues to join with us in our efforts to keep America competitive.

Mr. DOLE. Mr. President, do I have any time remaining?

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mr. DOLE. I yield 3 minutes to the Senator from South Carolina.

Mr. THURMOND. Mr. President, would it be in order to ask unanimous consent for an additional 5 minutes? If so, I so ask unanimous consent for 5 additional minutes.

The PRESIDING OFFICER. Is there objection to the request?

Mr. BYRD. Mr. President, I have 4 minutes remaining. I yield to the majority leader for his further use.

Mr. DOLE. Mr. President, I yield that 4 minutes to the distinguished Senator from South Carolina.

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

TRIP TO THE SOVIET UNION

Mr. THURMOND. Mr. President, I had the pleasure of going on the trip to the Soviet Union which was headed by the distinguished Democratic leader, Senator BYRD. I think it was a very helpful trip. We will be making a report to the Congress within the next few days. I wish to commend the Democratic leader, Mr. BYRD, for the excellent leadership he provided on that trip. I think that some good can come out of it. I feel we laid some groundwork for the summit meeting that is to be attended by our President, Mr. Ronald Reagan, and Mr. Gorbachev, the Soviet leader, in November.

THE GARCIA DECISION

Mr. THURMOND. Mr. President, during the recess, I was informed by the South Carolina Division of Human Resource Management that the financial impact of the recent U.S. Supreme Court decision in Garcia versus San Antonio Metropolitan Transit Authority will exceed $6 million per year to the State government of South Carolina.

I take this opportunity to once again emphasize that Garcia has set the stage for a devastating economic impact on State and local governments. Moreover, that decision is contrary to the principles of federalism set forth in the 10th amendment to our Constitution.

S. 1434 and S. 1570 would exempt State and local governments from the maximum hours provision of the Fair Labor Standards Act. As an original cosponsor of both bills, I urge my colleagues to join Senator NICKLES, Senator WILSON, and me in our efforts to achieve speedy passage of these critically important legislative initiatives.

Mr. President, I ask unanimous consent that the following editorials from the State of Columbia, South Carolina, dated July 30, 1985, the News and Courier of Charleston, SC, dated August 1, 1985, and the Gaffney Ledger of Gaffney, SC, dated August 2, 1985, be printed in the RECORD as further evidence of the necessity of these legislative initiatives.

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

[From the State (Columbia, SC), July 30, 1985]

"SENATE BILL ADDRESSES OVERTIME PAY PROBLEM"

The impact of the U.S. Supreme Court's Feb. 19 ruling requiring state and local governments to pay overtime to their employees is now being felt.

Officials of these lower-level governments have been forced to budget additional amounts to handle the extra personnel costs. Some predict that there will be a reduction of essential services, such as police, fire, and ambulance, in some areas.

On the other hand, many government employees are clearly pleased over the prospect of additional pay. Chief J.P. "Pete" Strom of the State Law Enforcement Division, noting that police officers have always

worked long hours in emergencies without extra pay, thinks the ruling is overdue.

Not content with getting overtime pay at the beginning of the fiscal year, several Calhoun County deputies and a host of North Charleston firemen filed suit to obtain retroactive overtime back to April 15, the effective date of the ruling.

Regardless of what one thinks about the desirability of making state and local governments comply with the Fair Labor Standards Act (FLSA), it is certain that the Supreme Court's 5-4 decision in *Garcia v. San Antonio Metropolitan Transit Authority* raised a serious constitutional question.

In it, the court's thin majority reversed its own eight-year-old ruling in *National League of Cities v. Usery*, which overturned a 1966 congressional act that, relying on the Commerce Clause of the Constitution, extended for the first time FLSA minimum wage and overtime standards to state and local governments.

The *National League of Cities* case was bottomed on the Tenth Amendment, which established the principle of federalism by reserving to the states all power to make decisions on employees pay.

Now the court has done an about-face. Justice Harry Blackmun, writing for the majority, said the states are amply protected by their ability to elect the President and members of Congress. "The political process ensures that laws that unduly burden the states will not be promulgated," he said.

Justice Lewis Powell, speaking for the four-person minority, questioned how "the states' role in the electoral process guarantees" Congress "will not infringe on residual state sovereignty." He also lamented that the majority opinion "effectively reduces that Tenth Amendment to meaningless rhetoric when Congress acts pursuant to the Commerce Clause."

Justice Powell was on the mark with both assertions, but he and his like-minded colleagues did not prevail. *Garcia* stands as the law of the land and must be complied with as long as it stands.

But an effort is underway in the U.S. Senate to overturn the *Garcia* decision. California's Pete Wilson and South Carolina's Strom Thurmond have introduced legislation to exempt state and local govenments from the FLSA and permit, among other things, compensatory time in lieu of overtime pay.

Senator Thurmond noted the decision's "devastating economic impact" on local governments already operating on tight budget, due in part to a reduction of federal aid. He said the ruling might force them to cut other important programs or reduce manpower in vital public safety areas. The bill, he said, "would allow governments to better manage their budgets while giving employees the benefits of "comp time."

If the ruling stands, it will fall particularly hard on smaller units of government that doen't have enough employees to easily adjust work schedules. But it will also hurt bigger units in such ways as interfering with lengthy police investigations. Even voluntary extra work related to the job is not permitted without overtime.

The states, counties and cities need more flexibility than the FLSA permits, particulary in the public safety fields. Congress should give it to them.

[From the News & Courier (Charleston, SC), Aug. 1, 1985]

PAY RULE NOT A FEDERAL ISSUE

Mayor John Bourne's plan to shift the hours and pay schedules of North Charleston's firefighters in response to a recent U.S. Supreme Court ruling went into effect this week. Before debating the merits, or lack thereof, of the plan, the motivating factor—the Supreme Court ruling—was itself unconstitutional.

Historically, federal wage and labor laws have never applied to state and local governments. This is as it should be under the guarantees of the 10th Amendment, which reads: "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." That amendment was the basis for a 1976 Supreme Court decision that exempted states and their political subdivisions from the federal minimum wage law.

But last February, in Garcia v. San Antonio Metropolitan Transit Authority, the Supreme Court, on a 5-4 majority vote, reversed that earlier decision and decreed that state and local governments were, in fact, subject to federal wage laws. By so ruling, the Court invalidated the 10th Amendment and states' rights took another thrashing from the hands of the courts.

But there's more here than just another states' rights issue. This ruling could cost the nation's taxpayers as much as $3 billion as firemen and policemen come under the minimum wage law plus overtime. For years, state and local governments sat down with employees and resolved overtime problems through the use of compensatory time off. That system benefited public employees and taxpayers alike.

If Mayor Bourne had not put the new hours and schedule changes in effect—thereby reducing overtime pay for firemen—the Supreme Court ruling could have cost his city about $1 million a year. But, under the Bourne plan, instead of a full staff of firefighters after 5 p.m. at the city's six fire houses, there will be a skeleton crew ready to be augmented by a centrally based "flying squad" or from firemen on standby at home.

The acid test of the new system will come when the first major fire is called in after 5 p.m. We agree with City Council member Patsy Hughes, who expressed her reservations on response time and her hopes that "we don't lose a house over this idea."

Some firemen are pleased with the plan because they will be working fewer hours. Others aren't too pleased because the new schedule just does not have the latitude of the old system that allowed second jobs during their off-time.

On Capitol Hill, at least four bills have been introduced to overturn portions of the Supreme Court's ruling. One, co-sponsored by Sen. Strom Thurmond and Sen. Pete Wilson of California, would go directly to the heart of the matter by amending the Fair Labor Standards Act to exempt state and local governments from its wage and hour regulations. That's a right reserved to local government by the Constitution and one that deserves to be restored.

"LEAVE IT UP TO THE STATES"

[From the Gaffney Ledger (Gaffney, SC), Aug. 2, 1985]

Taxpayers nationwide should support California Sen. Pete Wilson's effort to amend the federal Fair Labor Standards Act and exempt state and local governments from its wage-and-hour regulations.

Historically, federal labor laws have not applied to state and local governments, which is as it should be in a federal system such as ours. But in February, in Garcia v. San Antonio Metropolitan Transit Authority, the U.S. Supreme Court, by a 5-4 vote, reversed a nine-year-old precedent and decreed that state and local governments indeed were bound by such federal regulations.

The court majority ruled, in effect, that the 10th Amendment to the Constitution is no longer valid. That amendment reads, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States respectively, or to the people." The 10th Amendment was the basis for a 1976 Supreme Court decision that exempted states and their political subdivisions from the federal wage laws.

But there is considerably more at stake here than the two-centuries-old argument over states' rights under our federal system. There is also the matter of about $3 billion a year in taxpayers' money.

This is how much state and local governments could be forced to pay in additional overtime under the Fair Labor Standards Act as decreed in the Garcia ruling. The alternative, of course, would be to reduce overtime. But because most of that overtime is worked by public safety employees—police and firefighters—that's neither practical nor desirable.

For years, state and local governments and their employees have solved the overtime problem through negotiation and the use of compensatory time to offset overtime. This system has benefited public employees and taxpayers alike and should be continued.

Congress should move quickly to amend the Fair Labor Standards Act and restore the right of state and local governments to determine their own wage-and-hour standards.

THE TEXTILE INDUSTRY

Mr. THURMOND. Mr. President, turning to another subject, I hold in my hand a sheet that says 117 textile workers will lose jobs in Inman. "Several hundred fabric-finishing looms will be removed at Inman Mills and 117 people will lose their jobs this month in the first layoffs of the mill's 83-year history."

It further goes on to say, "Inman Mills is one of the top 10 employers in Spartanburg County. The company has spent nearly $50 million in recent years updating equipment at its four plants, Chapman said.

"Cheaper imported goods have made it unprofitable for Inman to produce unfinished fabric on the looms, Chapman said.

"We originally planned to continue running those 320 looms. It got down below costs so fast, so rapidly, that there was nothing we could do about it, and all was because of imports."

Then the last paragraph says "Mayfair Mills laid off about 35 workers in mid-July and Spartan Mills laid off 250 at its Beaumont Plant in mid-August."

Mr. President, the mills keep closing. Jobs are disappearing.

Mr. President, I hope the American people will wake up and see what is happening. What is happening in my State is happening in other States on account of excessive imports coming into this country.

Mr. President, I have another clipping that came out during the time we were in recess, headlined "250 Jobs Eliminated as Spartan Mills Shuts Weaving Operations."

To quote some paragraphs from this article, it states:

About 250 employees of Spartan Mills will lose their jobs as the company phases out weaving operations at its Beaumont plant, the company chairman said Thursday.

The phaseout, which began Thursday, will leave the plant producing only yarn, chairman and chief executive officer Walter Montgomery Sr. said.

"This is a most difficult time for me," Montgomery said. "It's the first time we've ever had to lay off people since we've been in business, and I've been with Spartan Mills for 63 years."

Mr. President, the last paragraph in the article states:

Montgomery blamed the phaseout on a "flood" of textile imports allowed by Federal trade polices.

Mr. President, this is further evidence that the trade policies being followed by the administration on textiles is not working. We cannot stand much longer. These jobs will all be gone, not only in my State, but in every State in this Nation, unless something is done to preserve these textile jobs. I am so anxious for the proper steps to be taken.

Mr. President, I would like to call to the attention of my colleagues an article printed in the July 10, 1985, issue of the Gaffney Ledger. It plainly tells the way of life in a small textile-mill community. The residents of Bath, SC, which happens to be in my home county of Aiken, recall how their lives have been woven into the operations of the communty's major employer, the Bath Mill. One generation after another has entered the mill during their teenage years, and have worked their way up to promotions and satisfactory retirement from a job well done. Families for generations have worked at the Bath Mill. The economic futures of many have been smashed. Bath Mill is closing in September. The flood of textile imports makes it impossible for it to remain competitive in the market. Employees who have spent their lives working at the mill and whose livelihood depends on the textile production now face unemployment.

Mr. President, many of these people have no hopes for retraining for other skills or finding other employment. I am deeply concerned about these people and other textile workers who are facing unemployment due to the flood of textile imports on our markets. We must act to protect American jobs and provide hardworking Americans a livelihood.

Mr. President, passage of S. 680 is crucial to this effort.

Mr. President, the article to which I just referred clearly reminds us that imports are hurting hardworking Americans, Americans who have spent their lives working to provide for others.

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

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

[From the Gaggney Ledger, July 10, 1985]

NO REGRETS: FAITHFUL EMPLOYEES OF DOOMED BATH MILL HAVE SEEN GOOD, BAD DAYS

BATH, SC.—If you add up the time Junior Reese and members of his family have worked at Bath Mill, it adds up to about 700 years.

Junior Reese could celebrate his 39th year at the mill this year. His wife, Betty Reese, has been there 34 years.

Long stays like that are common. People usually come to work when they're mere children and never work anywhere else.

Not any more. The mill is closing in September.

Reese said he went to work sweeping in the spinning room when he was 15. Mrs. Reese started work as a hand draw-in learner when she was 17.

People assumed Bath Mill was the company they would work for when they get old, Mr. Jones said.

"That was all there was," Jones said and shrugged.

"It was just a way of life," Mrs. Jones added.

The Joneses and Reese are natives of the Bath area. Reese was born in a Bath Mill company house.

The mill closing has left them unsure of their futures. The Reeses have applied for jobs with the Graniteville Company, and Jones plans to retire.

"Textile is all I know," Mrs. Reese said. "And this is the only place I've ever worked. I've never filled out an application for a job."

Reese said he's never even set foot in another mill.

Jones was planning on retiring anyway, but he says he had been hoping to finish out the end of the year, "but it doesn't look like I'll make it."

"There are some working here that just won't get another job because of their ages," Jones added.

Mrs. Jones says she hopes she won't have to try to find another job. Textile jobs are scarce, and she said it's probably hopeless to try to be retrained.

When Jones took his job sweeping the floor, he was making $9 a week. He lived with his uncle, who made $12 a week, and between the two of them, they fed eight people.

Both of them have worked their way up. Reese is now a supervisor and his wife works in the designing area of Bath Mill.

Neither of them ever had any desire to go anywhere else, they said, and two of their friends, Preston and Jessie Mae Jones agreed with them.

Jones has worked at Bath Mill since the 1930's. He said the only days he missed work were the two years he spent in the army during World War II. And Mrs. Jones began work two weeks earlier than Mrs. Reese did.

"There's no need of me trying to be retrained in other areas," she said. "This is all I've ever done."

Plant management has allowed other companies to take applications from Bath Mill workers. If workers have a job interview, they are encouraged to take time off.

Most of them do not know how long they have left because everyone won't be laid off at once. The operation is being phased out department by department.

The mill workers said working your way up from the bottom is part of the Bath Mill tradition.

The Reeses have a son who is doing cleanup work at the mill one day a week.

"He would've taken a job if they'd offered him one," Reese said.

The Joneses have a daughter and a son-in-law who both work at Bath Mill. Mr. Jones said that now he would advise his relatives "not to go into textiles."

"If I had my life to do over again. I'd come back," Reese said. "We've seen the good days and the bad days, and that's why we loved our plant."

Mr. THURMOND. Mr. President, here is one other item entitled "117 Textile Workers to Lose Jobs In Inman." Two hundred fifty jobs are being lost at Spartanburg textile mills, and an entire mill is closing in Bath, SC, involving probably 700 people.

Mr. President, how much longer is this administration going to wait before taking some action? The only action I see to be taken is to pass S. 680. Even if some immediate action is taken now, how do we know next year or 3 years from now the same situation will not come again? I think we need a sound bill, sound legislation, and S. 680 will meet that concern.

I want to say if we will merely keep the imports in line with the domestic growth, that is all we are asking. Why is that not fair? Yet the import growth is 33 percent and domestic growth is 3 percent.

Mr. President, the textile mills will fade out entirely in a few years. Then where will we get uniforms for military men? Where will we get the textile material used in parachutes and other items? According to the Defense Department, textiles rank second to steel in national defense.

Mr. President, it is important that this bill be passed as early as possible.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DOLE. Mr. President, let me indicate that I had the privilege of meeting with a number of the CEO's of textile plants at the request of the distinguished President pro tempore, Senator THURMOND, and the distinguished Senator from North Carolina, Senator HELMS. We met in Greensboro, NC, about 3 or 4 weeks ago. We had a 2-hour meeting and discussed at length many of the problems that the

distinguished President pro tempore has just informed the Senate about.

Mr. THURMOND. Mr. President, I wish to commend the majority leader for his going to North Carolina and meeting with the textile leaders. I am sure the information that was brought out at that time was very helpful to him as it was to others who attended that meeting. We are deeply indebted to our able majority leader.

SENATE RESOLUTION (S. RES. 217)—HONORING THE 98TH BIRTHDAY OF FORMER GOV. ALFRED MOSSMAN LANDON

Mr. DOLE. Mr. President, on behalf of Senator THURMOND, Senator BYRD, and myself, I send a resolution to the desk and ask for its immediate consideration. I have cleared this with the distinguished minority leader.

The PRESIDING OFFICER. The clerk will report the resolution.

The assistant legislative clerk read as follows:

S. RES. 217

To honor Alfred Mossman Landon.

Whereas Alfred Mossman Landon, former Governor of Kansas and 1936 Republican nominee for President, is celebrating his ninety-eighth birthday today, September 9, 1985;

Whereas Alf Landon has a firm foothold in American political history of another period, and is ever ready to comment on current affairs with an expertise and sensibility that reveals his unique position as a grand old man of the GOP;

Whereas his blend of morality, humanity and practical politics, has led politicians, labor leaders, reporters, and academicians to seek advice and counsel at his west Topeka home over the last forty-nine years;

Whereas as early as 1936, Alf Landon was a man ahead of his times, reminding Americans of the evils of inflation and pointing to the dangers of uncontrolled Government spending;

Whereas his record of fiscal integrity and balanced budgets during his tenure as Governor of Kansas would be the envy of any contemporary President;

Whereas Alf Landon has contributed much to the development and education of young people;

Whereas for over fifty years, Alf Landon has been one of our most respected and inspiring citizens, earning a permanent niche in American history; and

Whereas as a statesman, politician, businessman, counselor, sportsman, and friend, Alf Landon is a model for all who know him: Now, therefore, be it

Resolved, That the Senate hereby extends to the Honorable Alf Landon our affectionate greetings and best wishes on the occasion of his ninety-eighth birthday.

The PRESIDING OFFICER. Without objection, the Senate will proceed to its immediate consideration.

The Senate proceeded to consider the resolution.

Mr. DOLE. Mr. President, today, September 9, 1985, is the 98th birthday of a great American—who also happens to be a great Kansan and the father of my distinguished colleague from Kansas, NANCY LANDON KASSEBAUM. Alf Landon is one of the most respected public figures in this country. Besides being an outstanding political leader for Kansas and the Nation, he has also been a successful businessman, wise counselor, caring friend, and family man.

It is a pleasure for the Senator from Kansas to introduce this resolution honoring Alfred Mossman Landon, former Governor of Kansas and 1936 Republican nominee for President, on the occasion of his 98th birthday. Alf Landon is one of those figures of American politics who remain timeless—he is as comfortable addressing the issues of today as he was addressing the issues of the 1936 campaign. Over the years, he has become a political institution—the GOP's grand old man, full of wisdom and experience and a lively sense of humor. He continues to represent the best of prairie populism, integrity, and independence. It is fitting that the Senate of the United States pay tribute to this great American today. He has been a personal inspiration to me, and he has certainly left a lasting imprint on the history of American politics.

POLITICAL ACCOMPLISHMENTS

Mr. President, Alf Landon has been present on the American political scene for longer than just about anyone still with us. He caught the political bug back in 1912, when he accompanied his father and William Allen White, the newspaperman, to that year's Republican Convention in Chicago. After a stint of activity with the Bull Moose movement, he established himself in the progressive wing of the GOP and moved up through the ranks of State politics to become Governor of Kansas in 1932, by a margin of 6,000 votes. At a time when Republican candidates nationwide were being swept out of office during the Roosevelt era, he was reelected by an increased plurality of 60,000 votes—the only Republican Governor elected in 1934.

STRONG STATE LEADERSHIP

National party leaders were attracted to Landon in 1936 because of his strong image and solid record in office. During the Depression, while the Federal Government was spending heavily and getting into enormous debt in the process, Governor Landon's antidote was to initiate a shoestring, no-frills budget in Kansas—and balance it. Twice Governor of Kansas, from 1933-37, Landon introduced more sweeping changes in his first term in office than Kansas had seen since the Populists took over in 1890.

One of his memorable first moves was pushing a bank bill through the State legislature in 2 hours. Having heard that a large Kansas City bank was about to collapse, Landon walked into the office of the Speaker of the House and explained the need for an emergency bill to keep Kansas banks from closing. The bill passed unanimously in both houses.

FISCAL AUSTERITY STILL IN VOGUE TODAY

Mr. President, Alf Landon was a man ahead of his times. At the top of the Governor's priority list was balancing the State budget during tough economic times. He began by implementing an across-the-board cut of 24 percent that extended to his own $5,000 a year salary and expenses of the Governor's mansion. However, when the legislature refused to cut the Governor's salary, he mailed back a 25-percent refund from each of his paychecks.

By the end of his first term in 1934, Governor Landon had managed to reduce the State per capita cost of Government from the previous $71 5 years before to $51. This is the kind of fiscal leadership that we see all too little of today. Perhaps what this country needs is a new dose of Alf Landon medicine. The issues that he fought so hard for back then are still with us today, even though the context may have changed.

TIMELESS LEADERSHIP

Mr. President, as Alf Landon describes himself, he is "an oil man who never made a million, a lawyer who never had a case, and a politician who only carried Maine and Vermont." His good natured response to the loss of the 1936 Presidential election has endeared him to the countless people who have sought his advice and wisdom since those times. Above the loss of the moment, he has remained a statesman, contributing to the political life of this country from behind the scenes—an inspiration to those who have walked similar paths in Kansas politics and tried their hand at the national level when the opportunity presented itself.

Those who know the Governor, and listen to his views, realize that, even if he had not been the 1936 Republican nominee for President, he would still attract the attention of those who continue to admire and respect his solid leadership, integrity, and practical political wisdom. He continues to give good, honest advice, and preserves a solid perspective of events, both past and present.

HAPPY BIRTHDAY, GOVERNOR!

Mr. President, Alf Landon's personal qualities are too many to enumerate—they are readily apparent to all those who visit with him. Like Truman of Independence and Eisenhower of Abilene, he presents an image of plain-speaking Midwestern values, decorated by a self-effacing humor that is refreshing today.

Family has always been important to Alf Landon. His loving wife Theo has been a strong, quiet, capable influence in his life. She is celebrating this occasion with him back in Topeka.

Their daughter Nancy contributes her graceousness, intelligence and wisdom to this body on a daily basis—she is their legacy to the national political scene today. It is a pleasure having NANCY LANDON KASSEBAUM as a distinguished Senate colleague. A granddaughter, Mary, is a valuable member of my staff, as well.

Mr. President, we celebrate this occasion with Governor Landon and his wife. This man represents a timeless political influence, and we wish him health and happiness on his 98th birthday. The sincere greetings, affectionate thoughts, and best wishes of the U.S. Senate are with Alf Landon today.

Mr. President, I ask unanimous consent that copies of news articles honoring Governor Landon be printed in the RECORD.

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

[From the Kansas City Kansan, Sept. 5, 1985]

WITH A TWINKLE, ALF LANDON CELEBRATES 98

(By John C. Braden)

TOPEKA.—On the threshold of his 48th birthday, just 50 years ago, Alfred M. Landon was sitting in the Kansas governor's office, hatching a campaign to keep President Franklin Roosevelt from a second term.

A bunch of Kansas University grads and veterans of the World War were just starting to talk up the "old Budget Balancer"—Landon—as the GOP's hope to unseat Roosevelt.

On the threshold of his 98th birthday, Sept. 9, Alf Landon was sitting on the front porch of his west Topeka mansion. He beams at the memory of those days, making one forget for a moment that, as the 1936 Republican presidential nominee, he got buried in a massive New Deal landslide.

A lot has happened since. Landon came back to Kansas and built a white-columned mansion on a knoll in sight of the current governor's mansion. That's where he's remained to this day with his wife, Theo.

He returned to punching oil wells in the rolling countryside of eastern Kansas, assembled a chain of radio stations and became a confidant, pundit and patriarch to the GOP.

The Landon name has remained valuable in Kansas politics and the former governor's daughter, Nancy Landon Kassebaum, used it and him (in television commercials) to good effect to capture a Senate seat in 1978 and win a second term in 1984.

Age is catching up with Landon, although it took longer than it does for most mortals. His eyesight has weakened and his hearing dimmed, but there's still a sharpness in his eye and a tart answer on his tongue.

Seated between the soaring columns of his front porch, the balding patriarch in blue-and-green plaid flannel shirt says he's not doing too well, but he hasn't seen such nice weather for 150 years.

Then he gives you that grin.

In 1956, the late William Allen White, a famous Kansas newspaperman who knew Landon from his Kansas University days, described Landon's "brown, squinty eyes which opened sometimes like a flash and closed behind the shutters of a grin."

Same grin.

Gone are the horseback rides that were an every-morning ritual well into Landon's 90s, replaced by a walk around the grounds of "about a mile."

Failing eyesight has limited Landon's once-voracious reading, but he has other amusements.

"I watch football, but I haven't had very damn much to cheer and lately," he said, in reference to his alma mater's record.

No big bash is planned for his birthday. Vice President George Bush is expected to pay a courtesy call when he delivers a Landon Lecture Sept. 9 at Kansas State University, in Manhattan. Kansas, then stops in Topeka for a Republican Party fundraiser.

Landon has stopped making the 55-mile trip to K-State for the lectures, but still looks forward to these annual birthday visits from dignitaries. President Reagan came in 1982.

"It's pretty good coverage for an old man," he said.

As for Bush's chances of winning the 1988 GOP presidential nomination, "It's a pretty hard question to answer this far ahead of the convention, but there's no question about his being a strong contender," he said.

Landon also mentions Senate Majority Leader Robert Dole, R-Kan., and "that senator from down South," Sen. Jesse Helms, R-N.C., among the possibles.

Wasn't the populist Landon, in his heyday, considerably more liberal than Helms, and even President Reagan?

"I was. And I am," he said.

Although "a good many people" were frightened by Roosevelt's New Deal back when Landon was stumping against it, the former governor now allows that it didn't turn out to be that bad.

[From the Kansas City Star, Sept. 8, 1985]

ALF LANDON TO OBSERVE 98TH BIRTHDAY MONDAY

(By Lew Ferguson)

TOPEKA.—It was, Alf Landon confessed, one of the hardest things he has had to do in his long and eventful life.

Last July, the former Kansas governor and 1936 Republican presidential nominee gave away Red, the horse he once rode almost daily from his estate in northwest Topeka up the Kaw River and back 10 miles or more.

"It was very hard, my golly, yes," Mr. Landon said in an interview before his 98th birthday. His birthday will be on Monday.

"I hadn't been able to ride the old boy for two years, so I found him a wonderful place to live. I didn't sell him. I gave him away."

Red, owned by Mr. Landon for more than 20 years, was given to a family that has other horses on a farm east of Topeka. It was a relief to find pleasant surroundings for the old horse, Mr. Landon confided.

He spoke about Red as one would a valued friend with whom many memories are shared.

"We used to ride up the Kansas River, and the morning Rock Island train would go by," Mr. Landon recalled. "They'd blow the whistle and wave at us. I'd wave back. Old Red and I really had a reception committee."

Mr. Landon rode the horse well into his 90s but could no longer climb aboard him after he fell and broke his hip in April 1983.

Even after he quit riding, Mr. Landon would feed apples to the old horse.

The hip fracture and a fall last month that jammed a shoulder and caused pain in his tailbone—but broke no bones—have slowed Mr. Landon's physical activity. But he still walks, with the aid of a cane, 100 yards or so down his driveway and back, sometimes twice in a day.

Mr. Landon also has lunch once a week with two longtime friends at Barnett's Restaurant a mile from his home. Some weeks he goes out for lunch an additional time or two with other friends or visiting family members.

"I'm feeling a little better all the time," he said of his recovery from the recent fall, which occurred at his home.

On Monday, Mr. Landon will be the center of attention once more, as Kansas and the nation note his birthday.

Vice President George Bush will be in Topeka to help him celebrate.

When President Reagan came calling three years ago for Mr. Landon's 95th birthday, he promised him a flight to Washington aboard Air Force One for a party observing his 100th.

Mr. Bush will deliver a lecture at Kansas State University in nearby Manhattan Monday morning, then travel to Topeka for a visit in early afternoon at the Landons' big white colonial style home on the northwest outskirts of town.

Mr. Bush also will attend a fund-raising reception staged by the state Republican Party on Monday night.

The vice president will be there when the students and marching band of Landon Middle School come calling on Mr. Landon at his home in midafternoon, a tradition begun about a dozen years ago.

"I'm not going to say anything this year," said Mr. Landon, who in past years had a few words of advice for the students of the school that bears his name. "The vice president will be there, and I hope he'll say something to them for me.

"It impresses me that he will be there on my birthday. That's a real honor, having the president come for my 95th and the vice president this year."

Mr. Landon served as Kansas governor from 1933-37 and retired from candidate politics after losing the presidency in 1936, but nothing has dimmed his interest in state, national and world affairs—especially politics.

Getting caught up on the latest political gossip usually dominates his weekly luncheon sessions with friends.

Some of Mr. Landon's recent observations on the political scene:

Mr. Reagan is the most popular president since Franklin Roosevelt, who crushed Mr. Landon's challenge for the presidency 49 years ago this fall by winning 46 of the 48 states. He also calls Mr. Reagan "a pretty astute politician" who is able to marshal public opinion like no one since FDR.

He sees Mr. Bush, Kansas Sen. Bob Dole, New York Rep. Jack Kemp and Illinois Gov. Jim Thompson as leading contenders for the 1988 GOP nomination. While meticulously avoiding endorsing any of those contenders, Mr. Landon confirmed he likes Mr. Bush's campaign style.

New Russian leader Mikhail Gorbachev holds the key to future U.S.-Soviet relations. "He is the most important individual facing us," Mr. Landon said. "What's he going to do? Does he mean what he says? I hope we know the answers after the summit conference."

ALF LANDON'S WISDOM, BORN IN DEFEAT 40 YEARS AGO

By Michael Satchell

TOPEKA, KANSAS.—Alf Landon was tired. Dead beat. Utterly exhausted. At 8 o'clock on this morning, he had pulled on his jodhpurs, given his handmade English riding boots a lick or two with a polish cloth, had a confidential word with his arthritic old collie Shep, saddled up Red, his Morgan horse, and cantered down to the river for the benefit of CBS television.

The day before, he had done the same thing for ABC. The day before that or NBC. For three days, he had been questioned, filmed, posed, prodded and patronized by the news media from breakfast to suppertime. And now there was more.

Late in the scorching afternoon, he slumped down in an old leather chair in his library looking as frail and wilted as a Kansas sunflower growing in a vacant lot. His eyes closed. His jaw slackened. He wore every one of his 89 years in a single expression. It seemed almost cruel to ask him, quietly, what he thought of President Ford's campaign so far.

For several moments, nothing. Then he stirred. His eyes opened. He sat up. The juices began flowing and the words followed. "Ford is a good man, but dadgummit, he's got to get his campaign organized. Get rid of that Rogers Morton fella. Take the initiative and run Carter into the ground."

Politics, politics. Red meat to Alf Landon. And in a 15-minute discourse on the Ford campaign, he hardly paused, except to allow his interviewer time to catch up writing down the old man's words.

Alf Landon is unique, a living footnote to the American political history. After his crushing defeat in 1936 when he ran against an incumbent, Franklin Roosevelt, Landon never again sought public office, but he didn't retire from politics.

For 40 years, he has sat in his mansion in West Topeka while politicans, labor leaders, reporters and academics have tropped to his study for advice and counsel. He offered his opinions only when asked.

Over the years, he has become something of an institution, respected and admired, not an elder stateman in the sense of, say, Everett Dirksen, but more like the GOP's Grand Old Man, full of years and honors and good sense. It is a role that he loves, and with an old charmer like Alf Landon, it's impossible not to be entranced when he delivers a long lecture on deficit spending and Keynesian economics, then cadges a cigarette, sneaks a few drags and whispers: "Don't tell the missus, now."

Landon's wife is a woman of impeccable beauty named Theo. When she tells you that she is, in retrospect, rather pleased that her Alf didn't win back in '36, you know she means it in the kindest way.

"He wouldn't be here today if he had gone to the White House," she said "Washington would have killed him. He works too hard and he cares to much. It's a blessing really. Perhaps if more people had known him and what he stood for back them, he might have had a chance."

Ironically, in terms of public exposure, Landon is probably going to be seen or read about by more people today than when he stumped in 1936 before the days of mass media. He has been interviewed by major newspapers and the wire services, and the three networks have prepared profiles for use during the Republican convention coverage.

Tonight he is scheduled to make his only appearance at the convention. He will introduce his old friend, Sen. Robert F. Dole, R-Kan., the temporary convention chairman.

Had Landon been able to get his message—and image—across to America better in 1936, he just might have been able to make a race of it with FDR for his record was good and he was an attractive candidate.

He was schooled as a lawyer but never practiced. In 1908, after getting his law degree, be became a bookkeeper in Independence, Kan., and during summer vacations, learned the oil business from his father. In 1912, he started wildcatting in Oklahoma and Kansas, drilling his share of dry holes but hitting enough gushers to put him solidly into the oil business.

He caught the bug for politics in 1912 when he went with his father and William Allen White, the newspaperman, to the 1912 Republican convention in Chicago. After a brief fling with the Bull Moose forces, he settled into the progressive wing of the GOP and moved up through the ranks of state politics to become Kansas governor in 1932.

What attracted national party leaders to Landon in 1936 was his solid image and sound record in office. With the federal government spending heavily and getting into enormous debt in fighting the Depression, Landon put Kansas on a shoestring, no-frills budget and balanced it.

In 1932, he won his first gubernatorial term with 6,000 votes and in 1934, when Republican candidates nationwide were being swept out of office, he increased his plurality to 60,000 votes and was the only Republican governor elected that year. Back in the 1920s, when conventional wisdom dictated that such matters were best undiscussed, Landon was publicly denouncing the Ku Klux Klan and urging improved treatment of blacks.

There were personal qualities, too. Like Harry Truman of Independence, Mo., and Dwight Eisenhower of Abilene, Landon exhibited that reassuring, plain-speaking Midwestern decency.

A large oil painting of Landon hanging in his library and completed during his years as governor shows a man with a gentle smile and friendly eyes peering from behind rimless spectacles.

He looks for all the world like a seed salesman or the man bringing the Sears and Roebuck catalog, riding onto your farm on a buckboard or behind the wheel of a Model T. You would buy anything from Alf Landon. He had electability. But Roosevelt had more.

With a sunflower symbol, an "Oh Susanna" campaign ditty and a bulletproof speaker's lecturn, Landon went campaigning, but he knew he had little chance of becoming president.

"Running against Roosevelt," he recalled, "was like trying to get on a moving express train and stop it. There was no chance for me—but it was a good fight and a fair one and we respected each other."

The tally was 27,476,673 votes to 16,679,583, and FDR carried Kansas by 67,000 votes. Landon took only Maine and Vermont. But it bothered Landon not one whit. He spent election day fishing in the Kaw River and when his wife began weeping as the dimensions of the stunning defeat became apparent, Landon just laughed.

"How can you laugh at a time like this?" asked Theo.

"It's just the completeness of it," Landon replied.

So Landon stayed in Topeka, running his oil and natural gas business, his four radio stations, living with dogs and horses and good port, a comfortable life not unlike an English country squire.

The Landon home is a splendid residence, albeit a curious mixture of styles with eight white Doric columns fronting a three-story brick house ensnarled by climbing ivy. Behind, the fields sweep down to the Kaw River. Most mornings, Landon saddles up Red and rides for five or six miles before driving downtown to spend three or four hours at this office.

Inside, in the main area and library, there is little obvious clue that the man who lives here had a distinguished career in state politics and ran for the nation's highest office. But downstairs, Landon has converted his basement into a small museum, a sort of mini-presidential hopeful's library.

There are posters, neckties, pocket knives, salt and pepper shakers, drinking glasses and coffee mugs bearing the smiling, 1936 visage of Landon. There are political cartoons and plaques, awards and honorary degrees. Hundreds of mementoes are arranged in large display cases with "Please Do Not Lean On The Glass" signs. And there is the steel campaign lectern that takes four men to move it.

All of Landon's political memorabilia are here, and the way they are displayed tells you that the memories are very, very important. It almost makes you forget that Landon was the loser.

In his library ("Mein Kampf," "Khrushchev Remembers," "The Imperial Presidency," "Tom's Town,") Landon settled into his easy chair, on this hot afternoon, sipped a glass of water and chatted about two political campaigns 40 years apart.

"You know, you don't have to say I said this but I think I had a lot of foresight back then," Landon said. "My main messages were reduce inflation by cutting back on deficit spending . . . improved relations with other nations . . . and halt the growth of the federal government. Now look what has happened. Inflation is our worst problem at home . . . detente is a major goal . . . and Watergate showed us what can happen when the government gets so big and presidents start thinking they have the divine right of kings."

"I was advocating recognition of Red China years before Nixon went there. Watergate aside, I think Nixon's foreign policy was excellent."

Landon likes Ford and says he's so confident that the President will be renominated he won't even bother to discuss Reagan's chances. Being a Republican progressive, Landon has little time for the Californian, although he isn't eager to articulate his apparent dislike.

As for the November election, Landon thinks the Washington news media and the pollsters are a bunch of fools. "Everybody's saying it will be a landslide for Carter, but mark my words, it will be close, I'd hate to call it, but it will be close."

Wishful thinking perhaps, from a man who can probably identify better than anyone else with the Republican who will be chosen to run against Carter. Or maybe it's political foresight from a man who has had 40 years to reflect on a wealth of political years to reflect on a wealth of political experience that strangely began in defeat, rather than victory.

[From the Boston Globe, Sept. 9, 1985]

'I WOULD HAVE MADE A GOOD PRESIDENT'

(By L. David Harris)

TOPEKA, KANSAS.—Age requires fit surroundings. The room is baronial; his portrait as governor is above the fireplace. There's a desk, table, dark carpet, lounging chairs, work chairs, large windows that overlook an expanse of green estate, a wall of books. It's a place to read, to study, to work, to confer. And it's immense: there's room to pace.

The old gentleman—Kansas' own Alfred Mossman Landon, Alf to the country and the world—is there waiting, sitting at his desk. He's 95 today: 46 years ago he ran for the President of the United States.

Something like a country squire, Landon still rides his favorite horse, Big Red, around his 24-acre Topeka estate first thing each morning, weather permitting. Then he holds court: His days are filled with visitors who talk the politics of warhorse campaigns of 40 or 50 years ago and the national politics of today. They seek his counsel, but mainly they seek his presence; he is something of a shrine to them.

Later today, Ronald Reagan will court him, visit him, honor him, wish him many more years. The feeling is mutual. At the last election, Landon, known as an independent thinker and usually aligned with Republican moderates, supported Reagan. "I thought he would make a good President," he says. "And now, well, I think he's making an excellent one."

And Landon is feeling generous: "Look," he says, "Reagan put through his last tax legislation with the assistance of House Speaker Thomas P. O'Neill, Jr. and Sen. Edward M. Kennedy, and they should get credit for that. They put their country above their party. They were all able to work together."

There's a certain dignity about Alf Landon. At midmorning, it's already hot, but his shirt is crisp white and his tie is straight. He is almost bald, with wisps of white hair. Behind the framed glasses his eyes can still twinkle, but they can appear tired, too. He seems at one time durable, yet vulnerable.

STILL ACTIVE AT 95

"My health?" he answers a question. "Well, I'm feeling my age—otherwise, I'm all right."

Landon still has his oil wells. He owns radio stations in Topeka, Dodge City, Liberal, Kan., and Fort Collins, Col., and in Liberal and Fort Collins he also owns television outlets. He talks with his broadcasting people every day on the telephone; he phones the supervisor of his Greenwood County, Kan., oil leases every night. And they regularly confer with him in person at his home. He has more than 40 stripper wells in Greenwood County, and, while he keeps in touch by telephone, he likes to be on the scene.

"I was always an old-fashioned oil producer," he says during an interview. "I believed in being on the derrick floor when they were drilling the formations. I drilled one well down there years ago, guess it was. I didn't go down. But the last well I drilled down there, I was up all night. Any oil man will tell you—the biggest thrill is hitting a good one."

His voice is a little raspy, and there are long pauses as he talks. Landon knows interviewers want to know about the past, but he works to weave it into his views of the present. He struggles for correct words, the right phrases; he struggles so that even the nuances of his thoughts are understood.

He has expectations of interviewers. He wants good questions, specific questions; interviewers should be informed. "Do you understand the terms I'm using?" he asks. And again: "Have you read up on that issue? Have you read what Scotty Reston wrote about that? And another time, when asked about the source of his outlook on life, he gently replied, "Why waste time on a very speculative question? You either have it or you don't.

Landon's life is politics. He likes nothing more than a good discussion of national and world issues. He talks faster, his eyes light up, he seems more alive, in love with his subject. And talks with him about politics and government always include a recurring theme—a theme he plays to the hilt and is absolutely, totally sincere about; namely, that today's problems are the same ones, only magnified, that plagued the country 46 years ago when he ran for president against Franklin Delano Roosevelt.

Further, he says FDR's deficit spending and rigid government controls were the beginnings of today's "inflation running wild." He sees bureaucracy as a virtually uncontrollable, "inexorable fourth branch of government" and he is appalled at what he perceives as the "fraud" of a poorly financed social security program. He still rails about the "many governmental regulations and abuses of power" that put the country "only steps behind what we have seen operating in the economic and fiscal and political policies of fascists states."

It's hard for him not to say, "I told you so."

He does say, however, "I would have made a good President. In some things, I would have been aggressive. In other things not so aggressive, But I would have done very well.

REAGAN IS "ON THE RIGHT TRACK"

He adds that he thinks Reagan is doing very well. No, he says, he has no advice for the President. "I think he's on the right track. Reagan's got a start in the right direction in the way of a balanced budget which is essential, not only to good government, but to meeting the problems of the unemployed."

Landon stays informed. He often reads six newspapers a day; he hears from his political and government friends. Issues, politics, are his regular fare. He say he remembers way, way back when he was pondering ideas that are just coming into vogue today.

In the Republican Party, Landon is known as a middle-of-the-roader and independent in his ways. He's been known to describe himself as a populist Republican, although he also says he's wary of labels and mistrusts them.

Landon called for the recognition of China before it was popular; he advocated that Eisenhower get rid of John Foster Dulles for his "negative" approach to US-Soviet relations; he pushed Nelson Rockefeller, then William Scranton, against Goldwater in 1966, fought the Kansas "right to work" amendment, showed concern about Richard Nixon's "capacity to be a good president'" even before Watergate, and enthusiastically endorsed the Panama Canal Treaty.

"I'm my own man," he says flatly.

Landon was born in West Middlesex, Pa., the grandson of a carpenter, and a Methodist minister and the son of an oil man. In 1904, his father brought the family to Independence, Kan., where his father took over the presidency of a gas company and directed the start of a natural gas pipe from Montgomery County to Topeka and Kansas City. "At that time the longest pipeline anywhere in the world," he says

Landon was graduated with a law degree from the University of Kansas, worked the oil fields, picked up his first oil wells and followed the politics of his father. Father and son went to the 1912 Republican Convention, where they watched their hero, Teddy Roosevelt, lose out to William Howard Taft for the presidential nomination.

They came back to Kansas where with their close friend, William Allen White, of Emporia, they formed the bulwarks of the Kansas "Bullmoose" movement, then finally returned to the Republican fold. Later, too, in 1924, they again joined with William Allen White in a crusade against the Ku Klux Klan, which at that time was active in Kansas political parties.

Landon was twice governor of Kansas (from 1933 to 1937). Kansas saw more sweeping changes in Landon's first term in office that it had since the Populists roared into the capital in 1890.

Among the new governor's first moves, and one he particularly remembers, was pushing a bank bill through the legislature in two hours. Motivated by secret news that a large bank in Kansas City was about to fall, Landon broke precedent by walking to the office of the Speaker of the House and explaining the need for a bill to keep Kansas banks from closing. Although one vote in either the House or the Senate could have brought passage of the bill, it passed unanimously in both Houses.

One of Landon's initial acts as governor, and one that later attracted wide attention in his presidential campaign, was his balancing the state budget. He began with an across-the-board cut of 24 percent that extended to his own $5000 salary and the expenses of the governor's mansion. The Legislature refused to cut the governor's pay, so Landon mailed back a 25 percent refund from each of his paychecks.

Near the end of his first term in 1934, he had reduced the state per capita cost of government to $51 from the $71 it had been five years previously. Kansans rewarded him by returning him to the governor's office for a second term with a 6000-vote margin. He was the only Republican governor re-elected in 1935.

Landon was named by acclamation by his party to run against FDR in 1936 and the campaign call was "Life, Liberty and Landon." But he was defeated in landslide. With a sense of humor and a gift for the turn of a phrase, he once told an interviewer. "I'm an oil man who never made a million, a lawyer who never had a case and a politician who only carried Maine and Vermont."

While he still speaks critically of FDR's politics and policies, he adds, "Personally, we were friends."

He once illustrated his morning-after presidential election blues by telling a story that only a Kansan would know. The story told of a Kansas rancher who was wiped out by a tornado—he lost his house, barn, fences, stock, everything. Surveying the destruction, the rancher burst out laughing.

"How can you laugh at a time like this?" asked his weeping wife. "It's just the completeness of it," the man replied.

During the interview, Landon's wife Theo, is in the next room. She doesn't enter the conversation, yet there is a sense that she is near. Landon's supervisor of his oil leases

has arrived and she is quietly conversing with him, maintaining that conversation until her husband is free.

Mrs. Landon is 83. Family friends said she can talk business and politics, too. They say she is warm, gentle, humorous, talented. When her husband was running for President, she was profiled in national publications, complimented for her dedication to social welfare causes and admired for her talent as a harpist and pianist. Now, at their home, harp sits nearby. A few feet from it is an old elegant grand piano.

There are three children. Margaret Landon Mills, who lives in Topeka, is Landon's daughter by his first wife, Margaret Fleming, who died about a year after her daughter was born. Landon was a widower for about 10 years, then he married Theo. Their children are Jack, who lives in Colorado, and Nancy Kassebaum, one of Kansas' Republican senators.

He is known to be proud of his senate daughter, but scoffs when asked if I would like her to someday be the first woman to run for the presidency. "Assuring it would be possible, I wouldn't be around to see it," he says.

In politics, Landon has been called "the man from Kansas." Does that have a particular meaning for him?

"I don't know how the country interprets that," he says, "I think there's been some tendency by the big-city press to underestimate the role that Kansas has made in public affairs. But when you look back and see the legislation that we have sponsored in Kansas that's become national legislation . . .

"I mean the state's regulation of the railroad, direct primaries, the popular election of United States senators instead of the by the House—all those, about the turn of the century. We sent a Populist to Congress. Those Populist platforms, Populist policies, along with the law of the land. Some of the best things this country has going for it got their start in Kansas. And I feel strongly about that . . ."

[From the Wall Street Journal, Apr. 17, 1984]

ALF LANDON AND AMERICAN POLITICS

(By Dennis Farney)

TOPEKA, KANSAS.—"There you are," chuckles Alf Landon, an elfin man in a big armchair, savoring his memories. "My father took me to the 1912 Republican convention. That was my introduction to national politics. Now, my daughter is a U.S. senator.

"There you are."

He is 96 years old. Now, wispy-haired and fragile-looking, but with a sudden, zestful grin that surprises you. Nearly a half-century has passed since this moderate, independent-minded Republican challenged Franklin D. Roosevelt in the 1936 presidential race, and stepped in front of a landslide. The memories of this man from Kansas encompass a lifetime of politics—and of political change.

But change for the better, or the worse? Now there's a question to ponder on this sunny April morning. Alf Landon considers it silently, then smiles a sly smile.

"When I consider some of the things this country has survived, with some of the men who've been president, I guess I'm an optimist."

There remains a playful quality to Alfred Mossman Landon, who likes to describe himself as "An oil man who never made a million, a lawyer who never had a case and a politician who carried only Maine and Vermont." He once said his 1936 defeat reminded him of the rancher who lost everything in a Kansas tornado—house, barn, stock, the works—and burst out laughing.

"How can you laugh at a time like this?" asked his tearful wife.

"It's just the completeness of it," the rancher replied.

And there is an engaged, involved, quality as well. Alf Landon still confers by phone, almost nightly, with the supervisor of his Kansas oil wells. He still tends Big Red, his Morgan horse that, as horses measure time, is about as old as he is. He knows the latest gossip about the governor. He pores over the daily papers. And he studies politics as a professional does, appreciating events on several levels at once.

"Oh, I do admire a smart political move," he told the Salina, Kan., Journal in 1979. Like, for example, the way then-President Jimmy Carter called attention to opponent Edward Kennedy's performance at Chappaquiddick—then wrote Sen. Kennedy to say he hadn't meant Chappaquiddick at all. That was smooth.

"Got it in the paper twice."

ACUTE INSTINCTS

His political instincts remain acute. In 1979, when pundits were debating whether Sen. Kennedy would challenge Mr. Carter, Alf Landon advised his daughter, Kansas Sen. Nancy Landon Kassebaum, to watch for a telltale sign. She could be sure Sen. Kennedy was running if he announced his own energy program. Sure enough, the senator did announce an energy plan and, soon after that, jumped into the race. Later, when many political observers still predicted an easy Kennedy victory, Mr. Landon publicly predicted that "Kennedy will have a tougher time getting Carter out of the White House than may be generally supposed." Right again.

Today, Mr. Landon hasn't any doubt that Ronald Reagan will win reelection this fall. "Regardless of whom the Democrats nominate, they aren't together," he concludes.

But, determinedly going his own way, Alf Landon also persists in views that go against the grain of his own party and Mr. Reagan. He's a man who counted George Meany a personal friend, who fought an anti-union Kansas "right-to-work" amendment in 1966. And so, when asked whether the GOP has erred by being too antagonistic to organized labor, he leaves no doubt of his feelings.

"O, for God's sake, yes," he bursts out.

In 1950, Mr. Landon startled both parties by urging that the U.S. recognize China. "I wanted to work out a deal with them before Russia did," he explains. Today, he wishes President Reagan, who is about to visit China, would move more aggressively to exploit Richard Nixon's China opening. He has little patience with the argument, sometimes used by Mr. Reagan himself, that the U.S. must never "abandon" Taiwan for China.

"Taiwan isn't worth a dime to us," he says bluntly. "Everything they've built up is with our money."

And, in sharp contrast to conservative Republicans, he deplores the transformation of issues once a matter of personal conscience—abortion for example—into political issues. "That's bad," he declares. "What business has it got to be an issue? There are too many other important things."

It is tempting to conclude that politics was somehow simpler, less abrasive, in Alf Landon's day—before the rise of divisive social issues, before the rise of television. "When I ran for the Senate," his daughter recalls. "Dad told me two things to remember. 'When you go into a town, visit the newspaper editor. And if you're in a cafe, go back and talk to the cook.' "

Tempting, but probably wrong.

AN ABRASIVE LIFE

For Alf Landon's message is that political life has always been abrasive, and no less a noble calling for that. Approvingly, he once described the Founding Fathers as "rough, tough cookies with fire in their bellies." And listening to him now, re-fighting old battles, the description seems to fit him, too.

Take his battle during his first term as governor (1933-1935) to enact a state income tax. An industry lobbyist informed him he was going to lose in the state senate—by one vote.

"Well, there was one senator, a very nice man, who'd been elected with the money of a man who had a lot of highway contracts," Mr. Landon relates. "Somehow or other—I don't know how, because I was above such things—that contractor got the idea that unless he got his boy in line, he wasn't going to get any more state highway contracts." The senator got in line, the tax carried and the next day the industry lobbyist stuck his head into the governor's office.

"I said, 'I thought you had me beat,' He said, 'You got to our SOB,' "

"For Alf Landon," the Baltimore Sun noted upon printing an op-ed page piece by him in 1979, "time has confirmed more than it has mellowed." It's true. With fierce conviction, he argues that experience has only validated the arguments he made 48 years ago—that the Social Security system was unsoundly financed, that the New Deal would bring rigid regulations and higher taxes in its train.

Always deficit-conscious—he balanced his state budget with 25% across-the-board cut, from his own salary "to the janitor in the basement"—Mr. Landon is following closely the budget-freeze proposal advocated by his daughter. Sen. Kassebaum generally would hold authorizations for programs, including defense, to current levels through fiscal 1985. But the ever-independent father breaks with the daughter in one area: He wouldn't tamper much with the costly Reagan defense buildup. The Russians worry him.

"What do the Russians have to be afraid of us for?" he demands over roasted chicken and coffee at Tommys, his favorite retaurant. "We're so far behind militarily." He peppers his guest with questions about the huge Soviet naval exercises off the coast of Norway. Why so many ships? Why now?

When the check comes, Mr. Landon gathers it in. But, upon learning that Wall Street Journal reporters have expense accounts, he pushes it across the table just as promptly. "You didn't think I was going to be bighearted did you?" he asks. Then when a solicitous family friend asks him whether he'd like to rest or continue the interview, his reply is immediate: "Keep going!"

And that's what this feisty man from Kansas clearly intends to do—keep going. A year and a half ago, on Mr. Landon's 95th birthday, President Reagan visited him here and promised to fly him to the White House for his 100th birthday celebration. Later, some of Mr. Landon's friends suggested to him that, all things considered, he might be prudent to consider making that trip a bit sooner—say, for example, on his 97th birthday this Sept. 9.

Alf Landon pondered that for a while, then brightened with an inspiration. "I can go both times," he suggested.

Mr. DOLE. Mr. President, I would indicate that the distingusihed chairman of the Judiciary Committee has no objection to taking action on this resolution today.

Mr. THURMOND. Mr. President, I am happy to join with the distinguished majority leader in offering this resolution. I believe it is entirely appropriate. We are pleased to waive the jurisdiction of the Judiciary Committee and have action taken at this time. I commend the majority leader.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 217) was agreed to.

The preamble was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. DOLE. Mr. President, let me say that Governor Landon, as he is affectionately known in Kansas, is very actively celebrating his 98th birthday. He has promised on his 100th birthday he will visit Washington, DC. So we are looking forward to having him in the gallery in a couple of years.

I thank the distinguished minority leader and the distinguished chairman of the Judiciary Committee for permitting the Senate to proceed to consider the resolution.

RECOGNITION OF SENATOR PROXMIRE

The PRESIDING OFFICER. Under the previous order, the Senator from Wisconsin [Mr. PROXMIRE] is recognized for not to exceed 15 minutes.

THE HARVARD AGENDA FOR AVOIDING NUCLEAR WAR

Mr. PROXMIRE. Mr. President, this summer marks the 40th anniversary of the dawn of the nuclear age with the obliteration of Hiroshima from the explosion of a single relatively small atom bomb. For weeks, we were reminded with a steady drumbeat of media reports of the continuing threat of nuclear annihilation. We know of the overwhelming power of the superpower nuclear arsenals, poised and ready to fire—literally at the touch of a button. Our most prestigious scientific body, the National Academy of Sciences, tell us that if the button is touched igniting a superpower nuclear war, there is the clear possibility that it would trigger a nuclear winter throughout the world. That would be the worst environmental disaster in 65 million years. Mankind as a species might vanish. Certainly civilization, as we know it, would disappear. Not only the Soviet Union but the United States, too, would cease to function as an organized society.

Obviously, we need to focus the best intelligence in this country on how we can avoid such a terrible catastrophe. Every other issue pales into significance. Where do we find this intelligence? One of the great institutions of enlightenment in this country is Harvard University. A few years ago, several of Harvard's most distinguished professors collaborated on a book entitled, "Living With Nuclear Weapons." The authors called on Americans to recognize that nuclear weapons are here to stay. We have to learn to live with them. Painful and dangerous as that prospect is, we have no alternative. As Omar Khayyam wrote in his Rubaiyat: "The moving finger writes and having writ moves on; nor all your piety, nor wit shall lure it back to cancel half a line, nor all your tears wash out a word of it." Nuclear weapons are a fact of life and always will be as long as civilized man dwells on this planet.

Now these same Harvard wise men have once again come forward with some very useful advice in this unclear world. Jospeh Nye, Graham Allison, and Albert Carnesale teach at the John F. Kennedy School of Public Administration at Harvard. They have written a short article that appeared in the New York Times on July 31, entitled: "Of Hawks, Doves—and, Now, Owls." In less than a thousand words, this article suggests what we can do to reduce the chances of nuclear war that could come through inadvertence.

Why is this so important? Because the prospect of a superpower nuclear war resulting from the planned premeditated calculations of a sane superpower leadership are, thankfully, just about nil. The enormous deterrent power of 25,000 nuclear weapons on each side, guaranteeing the sure and swift devastation of any superpower involved in a nuclear war, has seen to that. But a nuclear war of inadvertence is a terrible and very real possibility. Here is where the "owls" come in. As the Harvard experts see it in their article:

> Owls believe the greatest risks of such war come from events getting out of control. History is full of cases where rational decision makers were tripped up by nonrational factors, with disastrous results.

Accidents can happen in an infinite variety of ways: Mental stress, missed communications, faulty computer chips or sensors giving false alarms of nuclear attack. The "owls" suggest a series of steps to avoid inadvertent war. Some of those steps would require cooperation with the Soviet Union; some this country can take independently. The "owl" cooperation steps include: Regular bilateral talks with the Soviet Union on crisis prevention; establishment of additional hot lines among all five countries with nuclear arsenals; multinational measures against nuclear terrorists; sanctions against nuclear proliferators; improvement of warning systems by placing unmanned tamper-proof sensors in each other's missile fields.

Here are the independent steps recommended by the "owls" to be taken by this country on its own: Install on nuclear weapons on naval ships electronic safety locks like those on land-based nuclear weapons; pull back from the East German-West German border the short-range nuclear artillery that would be difficult to control from Washington in a crisis; improve procedures for maintaining civilian control over nuclear weapons; prepare top leaders "far better than we do" for dealing with nuclear crises. The "owls" call these steps suggestive. There are many more that can and should be taken.

These Harvard professors concede that both the hawks and the doves have legitimate contributions to a balanced approach to keeping the nuclear peace. The hawks are right in insisting on a strong and conspicuous deterrent capability to make it clear that any nuclear attack on the United States would provoke a devastating nuclear response. The doves are right in urging mutual, verifiable arms control, easing tensions and seeking for improved ways of cooperation. But the owls have been neglected. Their concern may be the most serious and realistic of all. Inadvertent war through human fallibility in this complex technological world certainly constitutes a grave threat, probably the gravest threat to the survival of this country in this nuclear age. Wars have begun repeatedly throughout history because of human fallibility and inadvertence. Today, a war sparked by a simple human or mechanical blunder is far more likely. Technology has become so complex, it has obviously raced ahead of human judgment. And the destructive power is so infinitely more dangerous than ever before. This is why the owls deserve an attentive audience.

And, Mr. President, because the owls do deserve such an audience, I ask unanimous consent that the article to which I have referred in the July 31, 1985, New York Times entitled "Of Hawks, Doves—and, Now, Owls" and written by Nye, Allison, and Carnesale, be printed at this point in the RECORD.

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

[From the New York Times, July 31, 1985]

OF HAWKS, DOVES—AND, NOW, OWLS

(By Joseph S. Nye, Graham T. Allison and Albert Carnesale)

(CAMBRIDGE, Mass.—Forty years ago, one bomb devastated Hiroshima. Today, there are more than 50,000 nuclear weapons, and a nuclear war could destroy civilization. Avoiding war has become a necessity. How? Hawks have had their say; doves, theirs. Now, listen to the owls.

Public debate focuses heavily on the number of weapons. Hawks fear that fewer on our side might raise the risk of war by tempting the Soviet Union to try to exploit what might look like a military advantage. They point to the weakness of the democracies in the 1930's and their failure to deter Hitler. The way to reduce the risk of nuclear war, hawks say, is to strengthen our arsenal. Their motto is "peace through strength," and Munich is their historical metaphor.

Doves believe that overarming increases the risk of war: Even though we might intend to deter the Russians by adding more weapons, we may increase their fear of attack and provoke them into rash action that could lead to war. Doves draw a lesson from 1941, when America cut off oil supplies to Japan in an effort to deter it from attacking Southeast Asia. Instead, this helped provoke the attack on Pearl Harbor.

Hawks and doves have a point. If we want to reduce war risks, we need policies that steer a middle course between the dangers of temptation and provocation. But the hawk-dove battle misses a more important point: If nuclear war breaks out, it may be less because of deliberate decisions than because events get out of control.

A nuclear weapon is like a crystal ball. Any sane leader can foresee the outcome of nuclear war. But a ball can be shattered by inadvertence.

Owls believe the greatest risks of such war come from events getting out of control. History is full of cases where rational decision-makers were tripped up by non-rational factors, with disastrous results. World War I is the owls' historical methaphor: Most leaders expected a short war, a quick return to business-as-usual. Instead, four years of carnage destroyed 20 million people, three empires and Europe's central position in the global balance of power.

Events get out of control various ways. During a crisis, mental stress can produce a breakdown. Stalin went into seclusion for weeks after Hilter's attack on the Soviet Union in 1941. Or in the heat of a crisis, complex organization may be difficult to control, as President John F. Kennedy discovered when a reconnaissance plane strayed over Soviet territory at the height of the Cuban missile crisis in 1962 Communications may be sent to the wrong place or misunderstood, as happened just before Pearl Harbor. Of course, accidents can happen. False alarms of nuclear attack have occurred. When there is time, we can correct the effects of faulty computer chips or sensors, but at the height of a crisis, there may be no time.

Faced with the dangers of inadvertent nuclear war, what is to be done? Some of the owls' steps would require Soviet cooperation—for example, regular bilateral talks on crisis prevention; establishment of additional hot lines among all five countries with nuclear arsenals; multinational measures against nuclear terrorists, and sanctions against nuclear proliferators; improvement of warning systems by placing unmanned tamper-proof sensors in each other's missile fields.

Owls want America to take some independent steps. We could install on nuclear weapons on naval ships electronic safety locks similar to those on land-based weapons; we could pull back from the East German-West German border the short-range nulcear artillery that would be difficult to control from Washington in a crisis; we could improve procedures for maintaining civilian control over nuclear weapons, we would prepare top leaders far better than we do for dealing with nuclear crises.

These are only a few of the owls' recommendations, the list can be expanded. Owls have no monopoly on wisdom. Hawks and doves also posess part of the truth, but their preoccupations have overly dominated national debate. If we are serious about reducing the risks of nuclear war, we should pay attention to owls.

MYTH OF THE DAY

Mr. PROXMIRE. The myth of the day today is that the Reagan administration has aggressively pursued alleged procurement abuses by defense contractors. Of approximately 400 incidents of suspected contract fraud uncovered by Pentagon auditors over the past 5 years, how many has this administration pushed to prosecution? Three hundred? No. Two hundred? No. One hundred? No. Fifty? No. The fact: only 11 of 400 incidents have resulted in prosecutions. This fact consigns to the shadowy realm of myth the President's oft repeated assertion that this administration was pursuing vigorously contractors who overcharged the Pentagon and that the administration should receive praise and not blame for uncovering payments of $600 for a toilet seat and $400 for a claw hammer.

As reported recently in the St. Louis Post-Dispatch, James H. Curry, assistant inspector general at DOD, sent a memorandum to Inspector General Joseph Sherick, lamenting that "the detecting and reporting of fraud is a waste of time" because of the unlikelihood that contractors will be prosecuted.

Mr. President, let me repeat that. An internal memorandum in the inspector general's office from the assistant inspector general to Inspector General Sherick says that the detection and reporting of fraud in the Defense Department is a waste of time because of the unlikelihood that contractors will be prosecuted.

Who is to blame? According to a report issued in April by the Justice Department's Economic Crime Council, the Defense Department is at fault for referring an "alarmingly low" number of contract fraud cases, many of which were of poor quality, to the Justice Department for prosecution. Mr. Curry disputed the Justice Department's criticism, but responded: "What good is it to increase fraud referrals if nothing happens with the current referrals?"

Mr. Curry continued by stating that the failure to prosecute "regardless of blame, is undermining [the Defense Contract Audit Agency's] interest and support of * * * efforts to detect and prosecute procurement fraud."

Mr. President, this Senator does not know where the fault lies—whether with the Defense Department or the Justice Department—but he does know that President Reagan's assertion that his administration is tough on contractor abuses is a myth. It is a whale of a costly myth. It is costing the taxpayers of this Nation vast sums of money. Once again, it appears that the President is coated with impenetrable teflon. If the Defense Department could coat its missiles with that Reagan quality teflon, no defense could ever stop them. As the popular Washington euphemism has it, President Reagan is "detached" from a very real problem that demands his attention. It is time for him to convert myth into reality by directing the Defense Department and the Justice Department to stop pointing fingers at each other and put the finger on crooked defense contractors. Let's have fraudulent defense contractors prosecuted—all of them—not less than 3 percent.

DETROIT'S HOLOCAUST MUSEUM

Mr. PROXMIRE. Mr. President, the Wall Street Journal of July 12 reported the success of the Holocaust Memorial Center in West Bloomfield, MI, in its first 7 months of operation.

Nearly 100,000 people have visited the museum since it opened its doors 7 months ago.

Rabbi Charles H. Rosenzvig, founder of the center, believes its success is due to an unprecedented level of interest in the Holocaust at this time.

Rabbi Rosenzvig, a Holocaust survivor himself, raised the $7 million necessary to build the center from private contributions. He remembers that 20 years ago he couldn't find the support for the project.

The architecture of the museum has been called striking for the feeling of the death camp experience it has given to visitors.

The building has been described as tomblike. The doors through which visitors enter remind many of the rough riding of the cattle cars that carried Jews to the camps.

The heart of the museum is videotaped interviews with Detroit area survivors of the Holocaust. Several years ago it would have been very difficult to get these people to speak openly about their experiences.

Rosenzvig believes survivors are more willing to speak about the death camps because the number of survivors is dwindling and "revisionist" his-

torians have begun to claim that the Holocaust never happened.

The planners of the proposed Holocaust Museum in Washington have visited the Holocaust Memorial Center in Michigan to gather ideas. The two museums have the same objective of educating those who may know little about the Holocaust.

As each new generation is born, the memory of the Holocaust needs to be maintained and its lessons remembered. I applaud Rabbi Rosenzvig's accomplishment.

Mr. President, virtually every day in the major media in this country there are stories remembering the Holocaust or reporting the work of those committed to keeping its memory alive.

In the arts, the influence of the Holocaust is still strong. Think of all the popular books and movies that evidence the interest the American people have in the subject.

Ratification of the Genocide Treaty is a constructive act that we can take to show our determination that a Holocaust never occur again.

Ninety-six nations have already ratified the treaty. They must wonder why a nation that has always made much of its stand in protecting human rights would choose not to ratify this fundamental human rights treaty.

The Genocide Treaty has been reported to the Senate floor, now for the sixth time.

The treaty has enjoyed the support of every President since World War II.

Mr. President, we committed ourselves to taking up the Genocide Treaty early in the 99th Congress.

The International Convention on the Prevention and Punishment of Genocide is now on the calendar.

We have waited 35 years for this.

There are many important issues to resolve this session. The Genocide Treaty must be one of them.

SEPTEMBER GOLDEN FLEECE TO NATIONAL INSTITUTE OF NEUROLOGICAL AND COMMUNICATIVE DISORDERS AND STROKE

Mr. PROXMIRE. Mr. President, I am awarding my Golden Fleece of the Month for September to the National Institute of Neurological and Communicative Disorders and Stroke, for tossing away $160,000 to study in part whether someone can "hex" an opponent during a strength test by drawing an X in front of his opponent's chest. Look out, Hercules, here comes the 98-pound weakling who is good at drawing X's in the air.

Those bulging biceps and swollen pectorals can be pounded into submission by a hocus-pocus move. That is a thesis the Institute is testing with taxpayers' money. We have had voodoo economics, now we may get voodoo physiology.

The Institute is paying to determine whether a hulking, muscle-bound subject will lose in a strength test, like arm wrestling, to an obviously weaker opponent. That opponent, however, knows a secret—making an X causes those muscles to turn into jelly.

The Institute is sponsoring a series of tests. In one case, the spaghetti arms will be tested against the hulk's without performing the X. Other times, they will use this secret technique and see if they do better.

The X is not the only technique which will be tested. On other occasions, the wimps while gently resisting defeat will concentrate on sapping their opponent's energy as their opponents become weaker, weaker, weaker. This Senator has a different idea of whose strength is being sapped—the taxpayers' by the Institute.

On second thought, maybe the Secretary of Defense should be involved in this study. Think of the money we could save if we bought the X instead of the MX.

This Senator thinks that the only people who will really be pinned as a result of this study are the taxpayers, because the Institute has already put the hex on them. Clearly, taxpayers and vital health research have been double-crossed.

In a memo justifying support for the project the Institute states:

> * * * The phenomenon under investigation cannot be understood or explained by information currently available and it is of obvious interest to determine what other heretofore unknown factors or mechanisms significantly influence muscle strength and movement, particularly as they relate to diseases such as cerebral palsy, Parkinsonism, and stroke.

The United States is faced with many serious health problems and a staggering deficit that limits the amount of money we can spend. It is important that limited medical research dollars be spent as wisely as possible.

No one can deny that cerebral palsy, Parkinson disease and stroke are serious health problems which must be addressed through private and Government research. But in this time of severe economic distress, this Senator can only ask: is this particular expenditure the best approach for solving these problems.

Mr. President, I yield the floor.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER (Mr. SYMMS). Under the previous order, there will not be a period for the transaction of routine morning business not to extend beyond 1 p.m., with statements therein limited to 5 minutes each.

H.R. 1460, THE ANTI-APARTHEID ACTION ACT OF 1985

INVOLVEMENT OR RETRENCHMENT?

Mr. HATCH. Mr. President, I would like to go on record as a vigorous opponent of this bill for two reasons: First, I believe it would be counterproductive in terms of helping South African blacks, and second, its net effect is not in the best interest of our national security.

There are two basic schools of thought on how the United States can best encourage the South African Government to dismantle the abhorrent and immoral system of apartheid. On the one hand, there are those who believe that sanctions are the answer. Mr. President, the bottom line of those who favor imposing sanctions against South Africa can be summed up in one word: "retrenchment." The retrenchers believe that we can punish South Africa, thereby inducing that country to reform.

A recent 700-page study by Gary Clyde Hufbauer and Jeffrey J. Schott entitled, "Economic Sanctions Reconsidered," indicates that sanctions are not as effective a foreign policy tool as one would think. Hufbauer and Schott conclude that:

> Policymakers need to take a close look at the cost and effectiveness of sanctions when designing foreign policy strategy. . . . In most cases, sanctions do not contribute very much to the achievement of foreign policy goals.

The authors contend that economic sanctions may be successful in situations involving small target countries and modest policy goals. Mr. President, ending apartheid is clearly not a modest policy goal but a major undertaking. Let us look at four major limitations on the use of sanctions that Hufbauer and Schott discovered in their study:

First. The sanctions imposed may simply be inadequate to achieve the objectives sought—the goals may be too elusive, the means too gentle, or cooperation from other countries, when needed, too tepid.

Second. Sanctions may create their own antidotes. In particular, economic sanctions may unify the target country both in support of the Government and in search of commercial alternatives.

Third. Sanctions may prompt powerful allies of the target country to lend support, largely offsetting whatever deprivation results from the sanctions themselves.

Fourth. Economic sanctions create their own backlash, abroad and at home. Allies abroad may simply not share the goals of the sender country, the backlash from the sender's allies may be exacerbated if attempts are made to enforce the sanctions on an extraterritorial basis.

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After an analysis of 103 cases of sanctions imposed since 1914, including such major episodes as the grain embargo and the Soviet gas pipeline cases, the authors of this monumental study conclude that "sanctions are a decreasingly useful instrument."

Mr. President, I believe the measures outlined in this bill would not only be ineffective; they would actually backfire and harm South African blacks. If we reduce our level of economic involvement with South Africa, blacks and other disadvantaged groups will be the ones who pay the price.

There is a second school of thought which maintains that the most effective means of helping South African blacks is increased involvement in South Africa. Contrary to what some have claimed, this does not mean getting into bed with supporters of apartheid. Just the opposite. Constructive engagement means actively working for fundamental reform at all levels of South African society. In so doing, we need to send a strong, clear and consistent message to all South Africans: apartheid is reprehensible. Our objective is to encourage the acceleration of reform.

Mr. President, a legitimate question that South African moderates have raised during the past year is, why are other countries considering imposing sanctions now—precisely when the South African Government has taken concrete steps to dismantle apartheid? These key changes include:

First, the rise of the black trade union movement. Just 6 years ago, black trade unions were illegal, unrecognized, and had no bargaining status whatsoever. Now they are legal, growing strong, and becoming increasingly sophisticated. All reference to race, color, and sex has been removed from each and every piece of South African labor legislation;

Second, the adoption of a new South African Constitution. In November 1983 a national referendum was conducted in which the then all-white electorate overwhelmingly approved a new South African Constitution which extends the franchise to Asians and coloreds for the first time in the country's history;

Third, the establishment of a multiracial, tricameral Parliament in which whites, coloreds and Asians enjoy equal franchise and participate jointly in the executive and legislative functions of the national government for the first time. So far, blacks have not yet been included at this level, but State President Pieter W. Botha has called for negotiations with black leaders to develop constitutional mechanisms for blacks' political participation;

Fourth, the acceptance by the Government of the permanance of the urban black population;

Fifth, the discontinuation of resettling black communities—the so-called black spot policy;

Sixth, black's increasing share of the country's income. The black share of national income rose from 26 percent in 1970 to 40 percent in 1980. The 1985 black share of national income is nearly 50 percent. By 1982, South African blacks owned 227,000 cars, up 16 percent from 1977, and finally,

Seventh, the reduction of many aspects of so-called petty apartheid. For instance, laws which placed restrictions on interracial sport have been amended. Multiracial sport is now at the discretion of individual clubs. Laws forbidding interracial marriage have also been scrapped.

Mr. President, these changes are not sufficient. But taken collectively, they do indicate a trend toward reform. I believe that white South Africans are more ready for change now than at any time in that nation's history. Admittedly, there is still a group of hardline Afrikaaners who fear sharing power with blacks. Significantly, however, a fundamental shift has taken place in South African internal politics: the debate is no longer over whether or not apartheid should be abolished, but rather how and at what pace reform should be accomplished. Paradoxically, if the United States turns its back on moderate South Africans who are committed to the reform process, we play into the hands of the minority of South Africans who wish to slow the process of change.

I firmly believe that the key to bringing about peaceful, fundamental reform in South Africa is economic growth.

Interestingly, Mr. President, the Washington Post has made this very point. In an editorial dated June 5, 1985; the Post writes:

> It is . . . the country's economy (that) is its most effective engine of social transformation, compelling whites to grant blacks precisely the training and education, the livelihood and personal rewards, the choices of where to live and work, the associations and organizations, the sense of their own power and community, that apartheid would deny them.

For the benefit of my colleagues I ask unanimous consent that this editorial be printed in the RECORD in its entirety.

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

THE SOUTH AFRICAN SANCTIONS

Proposals in Congress to vote sanctions against South Africa were lagging until President Reagan imposed sanctions against Nicaragua. As a result of this seeming burden of consistency, the House may approve for the first time, on Thursday, a package of economic restrictions against the practitioners of apartheid. If that happens, it will be a mistake.

The case for sanctions is that white minority rule is at once so odious and so powerful that it must be moved and can only be moved by extraordinary economic pressures applied from the outside. Not to attack apartheid in this fashion, it is asserted, is moral and political appeasement. That the intended beneficiaries may also suffer is set down as a price they are prepared to pay.

But there is a serious, respectable, nonracist case against sanctions. It is that the country's economy is its most effective engine of social transformation, compelling whites to grant blacks precisely the training and education, the livelihood and personal rewards, the choices of where to live and work, the associations and organizations, the sense of their own power and community, that apartheid would deny them. And South Africa's place in the world economy, and especially the high-tech, democratic, politically responsive parts of the world economy, is a prime spur to this process.

All of this is understood perfectly well by the sponsors of the sanction legislation. That is why they have quietly designed the particulars of their bill to make the minimal impact on black jobs and opportunities consistent with sending South Africa a political message. In short, the best thing about the bill is that its effect will be largely symbolic. But that does not make it wise public policy.

The legislation is widely seen, by Democrats, as a rebuke to the Reagan administration's policy of "constructive engagement." That it would be. But it would be a poorly aimed rebuke. The type of engagement that widens blacks' economic advantages and openings is the good kind. What deserves to be criticized in the administration's policy but is not attacked by this bill is the bad kind: the kind that lets too many South Africans ask whether the United States is serious about apartheid, the kind that has American diplomats seem more often to be apologizing for apartheid than demanding its abolition.

Mr. HATCH. Mr. President, Chief Gatsha Buthelizi, the leader of South Africa's largest black ethnic group, the Zulu, and the president of a mass political movement known as Inkatha, made this point in his February 1985 meeting with President Reagan. Chief Butheleze told the President:

> I speak for millions when I say that we see tactical and strategic advantages in a rapidly growing economy . . . the non-violent transition from apartheid society to a society based on the principles of open democracy will be greatly enhanced by a sustained high rate of economic growth. Disinvest ment and the economic isolation of South Africa will bring about increased immediate hardships and starvation and will increase disease in the short term, without medium-term and long-term gains to balance deprivation and suffering. Finally, Mr. President, a black South African businessman summed up the situation when he said, "The vote and starvation is of absolutely no interest.

This bill is what I call the salami approach to disengagement: We slice off a little bit this year, and then another piece next year, and so forth. If this bill becomes law, a year from now the Members of this body could very well be debating the disinvestment option. A number of surveys canvassing urban South African black opinion on this issue of disinvestment have shown that an overwhelming majority oppose the strategy. Internationally recog-

nised sociologist Prof. Lawrence Schlemmer, director of the Centre for Applied Social Studies at the University of Natal, showed in one report that 75 percent of working blacks oppose disinvestment. The South African economy must grow by 5 to 6 percent each year in order to create 250,000 new jobs for young blacks. Instead of reducing our involvement in South Africa, we should increase our level of involvement.

An example of the type of involvement I am talking about is the positive initiatives of the nearly 300 U.S. businesses which operate in South Africa. These American firms employ approximately 120,000 South African blacks. Mr. President, I think it is fair to say that U.S. companies operating in South Africa have made a significant positive impact in terms of assisting South African blacks in their struggle for equality. The vast majority, over 70 percent, of South Africans who work for American companies in South Africa are employed by firms that voluntarily adhere to a code of employment conduct established by Rev. Leon H. Sullivan in 1977, known as the Sullivan principles. These companies have committed themselves to nondiscrimination in the workplace and to upgrading the working conditions, skills, and earning levels of their nonwhite employees. When the Senate considered an earlier version of this bill, S. 995, I made a detailed statement explaining why I believe the key to the success of the Sullivan signatories' efforts is the spirit of voluntarism at work. The bill before us today would make a code of employment principles mandatory. There are a number of reasons why this would be counterproductive, but I will not detail them at this time. However, I would refer my colleagues to my earlier statement if they have questions on this matter.

I would like to emphasize the positive role that U.S. businesses have played in South Africa. From 1977-84 U.S. firms spent $100 million in South Africa in the fields of housing, education, training, supervisory/managment development, black entrepreneurship, health, and fair labor employment practices. Sullivan signatories have lobbied for changes in discriminatory legislation, increased the proportion of black workers in supervisory positions, provided common medical, pension and insurance plans to all employees, instituted large-scale training programs for black workers, increased average black employee wages faster than for white employees, and supported public interest law firms which defend legal rights for black South Africans.

Specific initiatives by U.S. businesses include the establishment of PACE Commercial College by the American Chamber of Commerce in South Africa. PACE educates blacks in Soweto, the black township outside Johannesburg, for careers in business. The $6 million school includes 28 classrooms, an assembly hall, a library, a kitchen, a canteen, a gymnasium, and a wide variety of sports facilities. According to the American Chamber of Commerce in South Africa, PACE is the first school in Soweto to have a fully equipped theater, the first to introduce physical education into the curriculum, and the first to serve a balanced midday meal to all pupils and staff from its own kitchens. Tuition for students to attend PACE comes from donations from some 200 companies, trusts, and individuals. About half of these are South African and about half are American.

Mr. President, another innovative project funded by U.S. businesses in South Africa is the Build a Better Society Program known as BABS, which is funded in part by Mobil Corp. The objective of BABS is to promote grassroots resident action among the people of South Africa in order to improve the quality of life, to develop leadership for community problem-solving and to further the concept of equality by bringing about structural change. In June 1982 BABS completed a $1.3 million housing project outside of Capetown consisting of 50 housing units and a community center. This $1.3 million project was entirely funded by Mobil.

I understand that another U.S. company, General Motors, spends roughly $4 million a year on training and social programs for blacks, including the Adopt-A-School Program which provides facilities, support for teachers, libraries, and audio-visual aids to schools.

U.S. businesses have also made an impact in the political arena. For example, in 1982 the South African Government put forth an onerous piece of legislation entitled the "Orderly Movement and Settlement of Black Persons" law. The purpose of this measure was to control the movement of blacks to and from urban areas. The U.S. business community strongly and directly criticized this reprehensible piece of legislation and the bill was withdrawn.

A further example of the catalytic effort by U.S. companies occurred in January of this year when six major South African employer groups, including Afrikaaner and black groups, issued a manifesto opposing apartheid, calling on Pretoria to broaden political and economic participation for the black majority.

Finally, Sullivan signatory companies took an important additional step last December. They pledged publicly to work directly for the elimination of apartheid. As a result of such commitments, U.S. companies having operations in South Africa have become agents for social change—a fact acknowledged by both nonwhite South Africans and the South African Government.

Mr. President, some U.S. business leaders have said that, frankly, their operations in South Africa have a 1 percent profit factor and a 10 percent hassle factor. If we increase this hassle factor by, for instance, imposing a mandatory set of employment principles, some U.S. companies active in South Africa may come to the conclusion that it is simply not worth the trouble to operate there. This would undoubtedly impose a hardship on those South African blacks who are employed by U.S. firms—not to mention the rest of the black population which benefits from the spillover effect of U.S. business presence in South Africa.

Let me turn briefly to South Africa's geopolitical significance. The economies of 14 nations in the African subcontinents are critically dependent upon economic relations with the Republic of South Africa. The Republic of South Africa plays the leading commercial and development role in sub-Saharan Africa. The Republic of South Africa accounts for: 77 percent of the region's total of gross national product—1980; 77 percent of all the electricity generated in the region—1980; 97 percent of all the coal mined in the region—1980; 98 percent of the iron ore mined in the region—1980; 70 percent of the corn grown in the region—1980; 87 percent of the wheat grown in the region—1980; and 67 percent of the sugar crop in the region—1979.

The South African economy provides hundreds of thousands of jobs for workers from neighboring black-ruled states. Approximately 350,000 people from black-ruled countries neighboring South Africa work legally in South Africa. Assuming that each of these 350,000 workers supports a family of five, approximately 2,100,000 people in the region are dependent for their livelihoods upon jobs provided by the South African economy.

South Africa's neighbors depend on the South African gold mining industry; 12 percent of the gross national product of Mozambique is earned by Mozambiquans working in South African gold mines; 51 percent of Lesotho's gross national product is earned by the 104,000 Lesotho miners working in South African gold mines.

Again, Mr. President, my basic point is that any step which would retard South Africa's economic growth would have negative repercussions not only for South African blacks, but for the entire region of southern Africa. This would play directly into the hands of the Soviet-backed African National Congress, which seeks to make South Africa "ungovernable." At this point,

Mr. President, I would like to insert into the RECORD an article from Clarion Call, which is published by Chief Buthelezi's Kwa Zulu government. The title of the article is, "The ANC does not consult Blacks in South Africa." In this article Chief Buthelezi makes the point that, "those who favour the armed struggle and those who favour the employment of violence to make South Africa ungovernable are the ones who scream out disinvestment slogans to the West."

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

[From the Clarion Call, Vol. 3, 1985]

THE ANC DOES NOT CONSULT BLACKS IN SOUTH AFRICA

The congress held in Zambia recently by the ANC Mission-in-Exile—Its second since the 1960's—was not a "people's" congress where South African Blacks were represented.

Chief M. G. Buthelezi told the Inkatha conference delegates—to loud applause—that the ANC congress was a conference "of those who claim to be our representatives . . ."

The ANC Mission-in-Exile's delegates . . . are faceless nobodies we not whom. They do not report to us because they disown us," he said. (The ANC Mission-in-Exile has opted for an armed struggle, Inkatha for nonviolence and peaceful change.)

It was all a "deep Black South African tragedy" because having met in secret about secret agendas, the ANC members in exile would "strut about the capitals of the world puffing out their chests as though they have consulted with Black South Africa."

Chief Buthelezi said he did not deny the Mission-in-Exile's role in the struggle for liberation.

"But we hate White supremacy as much as we would reject Black supremacy if it were to replace White supremacy".

He had never sought confrontation with the Mission-in-Exile . . . but the fact of the matter was that the ANC had now turned to killing those who disagreed with them.

Chief Buthelezi then read to the Inkatha conference messages that the ANC Mission-in-Exile has recently been broadcasting to Black South Africa.

He said the ANC Mission-in-Exile's message to Black South Africa was "no more than a declaration of war on Inkatha . . ."

No matter what media-created leaders proclaimed, Inkatha, with its more than one million paid-up members remained the most authentic voice of the people in South Africa.

In an address immediately following the Inkatha conference, Chief Buthelezi said he believed the United States, "the greatest democracy in the world", looked as though it was heading towards "unforgiveably" mismanaging its influence.

Speaking to a group of influential American visitors at Ulundi he said:

"I fear that the United States is rapidly approaching the point when it will join the South African Government in mismanaging the factors of success."

"It can run rampant over neighbouring States without the permission of the electorate. It does not seek mandates to destroy democracy. It does not need mandates to fly against every accepted norm which Western civilised countries so value."

Americans did not hear him, he added, when he said that there were very real prospects of White South Africans driven to scorched earth policies.

Whites in South Africa should, instead, be steered away from traditional White tolerance of Government action—"which has for so long relied on police brutality".

"This cannot be done by brutalising them in the same way as South African Governments have always brutalised Blacks.

"The escalation of violence, both on the part of the State and by those who oppose the State, can only lead to ever diminishing prospects of salvaging this country from destruction.

"I am not heard in the United States when I say that we must increase White dependency on Blacks. That we must tip the scales even further in favour of the politics of negotiation. That we must increase Black bargaining power and that these things must be done by increasing the rate of industrialisation in South Africa.

"I am not heard in the United States when I say that those who are bent upon destroying democracy with violence; those who are bent upon making political killings every-day events; those who favour the armed struggle and that those who favour the employment of violence to make this country ungovernable, are the ones who scream out disinvestment slogans to the West."

Violence was flaring across the length and breadth of the country. It was what some called "constructive" violence against apartheid.

"The majority of acts of political violence in South Africa today are acts of violence by Blacks against Blacks," Chief Buthelezi emphasised.

"The ANC's Mission-in-Exile is daily broadcasting and exhorting our youth to kill for political purposes. Our youth are daily being exhorted to kill town Councillors and others with whom they disagree politically."

There were fronts in the country committed to making the country ungovernable and that Americans should not be blind to the fact that they were not going to do so by increasing the forces of democracy.

"Scripts are now being written for the destruction of democratic decency in this country," he said.

"There are forces right now driving to destroy the economic growth base of our country and the end product of the undermining of democracy and the destruction of the economy will be ungovernability in the true sense of the word—not ungovernability for the National Party but ungovernability for whoever may seek to govern.

Chief Buthelezi said that he was also not heard in the United States when he said that those who called for disinvestment and the politics of violence did not have membership-based organisations.

Americans did not listen to him when he said he held mass rallies at which tens of thousands of people—the majority of whom were workers—roared their support for his stand against disinvestment and violence.

If democracy was ever to become a reality, if South African society was ever to be normalised, the politics of national reconciliation would have to succeed.

He pointed out that history had shown that in their struggles, Black Americans did not seek to destroy American society, they sought entry into it.

"Black Americans did not seek to destroy civilised values, they sought to implement them. Black South Africans seek the same," he concluded.

He added that he was not heard in the United States when he said that apartheid was far more vulnerable to democratic opposition now than it had ever been before.

Apartheid was certainly far more vulnerable to democratic opposition than it was to the politics of violence.

"I am not heard when I say that the scales are tipping in favour of the politics of negotiation and that America—more than any other time in history—should be strengthening the democratic process.

"The United States should be strengthening the circumstances which favour the continued growth of democratic opposition to apartheid. It should be strengthening those who have made it their task to hold political violence at bay and to employ the forces of democracy to bring about real change. . ."

He was speaking, among others, to: Mr W Keys, Chairman, Black Political Action Committee (BLACKPAC), Mr J Parker, President, Lincoln Institute for Research and Education, Mr J Kendricks, Executive Vice-President Gencore Corporation, Secretary BLACKPAC, Mr J Watkins, Executive Member Ben Franklin Society and Mr E Alexander, Managing Director of the Jet Engine Testing Corporation.

Chief Buthelezi said that in South Africa racial prejudice had authored one of the most rejected forms of society known in the modern world.

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INKATHA TO INVESTIGATE OPENING TO ALL RACES

The decision by the PFP to open its membership to all race groups was applauded by Inkatha, said Chief Buthelezi.

Its parliamentary role demanded that this be done.

Inkatha would now have to think deeply about whether or not to throw open its doors to all races following the scrapping of the Political Interference Act.

"The history of the struggle for liberation has shown the difficulty with which Black organizations open their doors to all races, "Chief Buthelezi told the conference.

"In part the split between the ANC has experienced for so long have roots in this issue. In part the very real difficulties between AZAPO and the UDF have roots in this issue."

Hinting as the possibility of a future alliance he said the PFP, with a new multiracial membership, may yet find that it needed partnerships with Black organizations which elected Black leaders.

The National Party could also find such partnerships necessary "if ever it turns to facing up to the need for fundamental change. . ."

"My own political initiative sense tells me that it would be foolhardy for Inkatha to rush into hasty decisions in this regard. I believe we must feel our way into the future as a Black organization.

"Inkatha is adamantly opposed to any form of racism in government. I have no objection basically to Inkatha opening its doors to all races right now, but I think we need time to make up our minds. There is a role that we have played as Blacks and we will have to decide when it is wise for use to open our doors to all race groups."

The Central Committee of Inkatha was mandated by the delegates to "carefully examine" the difficulties which Black organizations has experienced in the past when they had thrown open their doors to other

race groups and to advise next year's conference of their findings.

The conference called in another resolution for the PFP and Inkathan not only to continue with their dialogue, which had been ongoing for years, but to "deepen it and broaden it." This would include exploring ways and means of increasing constituency contact between the PFP and Inkatha.

Mr. HATCH. Mr. President, I am sure that my colleagues are well aware of South Africa's strategic importance to the West. The Western industrial world depends heavily on South Africa for chrome, manganese, vanadium, and platinum. A major disruption in the supply of these minerals would have a disastrous impact on oil refining and the production of a variety of speciality steels needed in such industries as aerospace and machine tools. If the Soviets were to gain control over South Africa, together with their own resources, they would have available 80 percent of the world's gold production, 76 percent of its chrome production, 90 percent of its production of metals in the platinum group, 80 percent of the production of manganese, and 80 percent of the world's production of vanadium. In addition, the Soviets would control the Cape of Good Hope, which is the world's busiest sea lane. Over half of Western Europe's oil, more than 7 million barrels a day, goes by supertanker past South Africa, while over one-fifth of all U.S. oil imports travel through the Cape.

Mr. President, there are those who say that constructive engagement is not working. I say it is precisely because the United States is having an impact in bringing about peaceful, democratic change that the Soviets would like to see us disengaged from South Africa. Their goal is to isolate South Africa economically, which in turn would result in rising black unemployment and increased unrest. This would provide fertile ground for those who seek violent revolution instead of peaceful reform. If we in the U.S. Senate are serious about helping South African blacks, and at the same time seek to preserve our national security interests, we will promote greater U.S. involvement in South Africa, not retrenchment. In a nutshell, the Salami approach to disengagement would be disastrous. I urge my colleagues to reject this ill-conceived measure.

SOUTH AFRICA

Mr. SIMON. Mr. President, it is encouraging that President Reagan has finally come to see that sanctions against South Africa are appropriate and necessary. However, the set of measures outlined in the Presidential decree are inadequate for a variety of reasons.

The conference committee report that was approved by the House and is now awaiting approval by the Senate was a product of bipartisan compromise.

In spite of the fact that the situation in South Africa has worsened with each passing day, the sanctions proposed by the President are even weaker than those contained in the less stringent Senate bill. Failing to vote on the conference report and allowing the implementation of less stringent sanctions at a time when the South African Government has resorted to unprecedented and brutal repression would send the wrong signal to the South African Government and to the world.

There are a number of problems with the Executive order issued by the President:

First, the provisions relating to Krugerrands are ambiguous. The Executive order provides that the ban on Krugerrand sales is subject to GATT approval but under GATT, the United States could take such an action unilaterally and the South Africans would then be entitled to retaliate. Thus, GATT approval is not necessary to implement the Krugerrand ban. Second, and most important, the Presidential decree abolishes the trigger mechanism contained in the conference report. That bill contained a provision that if no significant progress was made in abolishing apartheid in 1 year, additional sanctions, such as ban on new investment, denial of most-favored-nation status, and a prohibition on coal and uranium imports, would be activated. The threat of those further sanctions is a critical policy tool in continuing to put pressure on South Africa to change. Third, the ban on transfers of nuclear technology contains significant loopholes that are not contained in the conference committee report and were in fact rejected by the Senate Foreign Relations Committee.

During the time since the state of emergency was declared, official figures indicate that 650 people have died, 3,000 have been arrested. Virtually the entire leadership of the multiracial nonviolent organization, the United Democratic Front, has been detained without charges or is on trial for high treason. The South African Government has been called reformist but is a government reformist which arrests young children for boycotting schools that perpetuate the myth of their own inferiority? Is a government reformist which arrests people who protest the prosecution of an 8-year-old boy? Is a government reformist which imprisons black leaders such as the Reverend Allan Boesak and Bishop Trevor Tutu who advocate nonviolent change?

Time is running out. We have a unique opportunity today to take measures that will place the maximum amount of pressure on the South African Government to change. Failure to press for change could have disastrous and divisive consequence not only for South Africa but for our country as well. I urge that we vote on and pass the conference committee report.

THE PRESIDENT'S EXECUTIVE ORDER ON SOUTH AFRICA

Mr. HELMS. Mr. President, I shall vote against cloture today. It is not that the issue of South Africa needs more debate; rather, it is that the real issue needs to be understood, and that it be identified clearly in the minds of the American people. And, Mr. President, this is one issue that has been overtaken by events, namely, by the President's action in signing the Executive order this morning. By voting against cloture, we will demonstrate that there is no necessity to move to a final vote on the conference report.

Why is there no necessity for a final vote? Because the President's action already provides the symbolic stand against apartheid that the sponsors of this legislation say they desire. I would feel better about this action if the United States were not involved at all. The activities of the South African Government are the internal domestic affairs of that country. They do not threaten the peace of the world in any degree whatsoever. They do not threaten the security interests of the United States at all.

What does threaten U.S. security interests is the destabilization of the entire African continent being directed by the Soviet Union and its allies. The Soviets openly seek to destroy the pro-Western Government of South Africa in order to deny the geopolitical advantages of its strategic location and its mineral wealth to the West. They also wish to destroy a free-market oriented economy that stands as an affront to the socialist economies of the rest of Africa. They want to destroy the example of a country which, when compared to the rest of Africa, has far more individual and political freedoms than any country on the continent. Of course, it does not have the range of freedoms which the United States enjoys, but neither does South Africa have the relative degree of population homogeneity which the United States enjoys. Nevertheless there is not another country south of the Sahara which comes close.

The facts about the African National Congress have been well documented. Our distinguished colleague from Alabama [Mr. DENTON] has carefully demonstrated the factual basis of the connection between Moscow and the ANC. It is fashionable to talk of the ANC as though it were an organization fighting for human rights; but we have seen in too many other nations when the Communist definition of human rights prevails.

The success of the current destabilization process being directed at South Africa depends very much upon the adoption of the conference report as reported to this body. In the first place, it is important for the destabilizers to neutralize the United States in the quest to bring down the South African Government. The conference report not only withdraws U.S. policy support from South Africa in sweeping terms; it also attempts to dictate fine points of domestic South African policy in a manner which the United States itself would never accept. It is cast in the iron mold of ideology, and bound in the chains of hostility.

I recognize that the sponsors of the conference report profess no such aims. I am talking about the practical result such a bill must bring. I am speaking from the recent history of such attempts to dictate so-called reform.

Does any one among us want another Iran?

Does any one think that Nicaragua is better off than before we dictated reform?

Is Zimbabwe better off under Mugabe, who has imprisoned and exiled his democratic opponents and slaughtered 40,000 of their followers in the past 2 years?

Is that the kind of reform we want for South Africa?

Mr. President, I am convinced that that is the kind of reform we would get under the conference report.

It seems never to be noticed that the situation in South Africa is not whites killing blacks, but blacks killing blacks.

It is not a case of a repressed populace exploding against their masters, but a campaign of terrorism directed primarily against the majority of blacks who reject violent revolution. It is a planned and organized campaign of terrorism which has as its purpose the disorientation and alienation of the majority of the black people. It is a campaign directed and organized by cruel men without mercy, men who are willing to kill and maim other black people, to see their jobs destroyed, their families destroyed, and their lives destroyed, just in order to achieve an ideological goal.

That is why the President has rejected economic sanctions against South Africa. He has rejected the prospect that he must stop commercial investment within a year if South Africa fails certain political standards. He has rejected the idea that we must stop trading with South Africa on a most-favored-nation basis if South Africa does not meet certain ideological standards of social organization.

The President's plan shows much more flexibility. He forbids commercial bank loans to the South African Government and to its entities. On a practical basis, most U.S. banks have stopped such loans anyway. I would have preferred not to see this action, nevertheless, because of the delicacy of the international financial situation. We have showed much greater concern for the financial condition of many Communist countries whose human rights records are unspeakable. At least, however, he includes an exemption for Government loans that will increase the economic opportunity of those disadvantaged by apartheid. This is as it should be. The cure for apartheid is economic opportunity, which will create—and has created—an irrestible pressure for political reforms.

The President's plan stops computer sales to the military and apartheid-enforcing agencies, just as the conference report does. Of course, computers have long been banned anyway to the military and to the police under the sanctions which have existed for many years. What the President does is to pinpoint the Nation's moral indignation directly at apartheid.

The President's plan also bans the export of nuclear materials to South Africa, but unlike the conference report, it precludes a ban which would undercut the international atomic energy safeguards against nuclear proliferation.

Finally, Mr. President, it should be noted that the President includes full support for the Sullivan Code principles, but without trying to fine-tune them down to the last comma.

Of course, the President also directs the Secretary of State to ensure that all agencies of the United States comply with these principles as well.

Mr. President, the remaining two issues are those of banning the importation of Krugerrands, and minting a U.S. gold coin. The President agrees with those of us who feel that the ban on Krugerrands is contrary to our international trade relations under GATT, and he asks for consultation with GATT on this matter. As for the minting of U.S. gold coins, I have long advocated a gold coinage for the United States; but I believe that it should be done for its own sake, and not as a response to a foreign policy issue. I agree that the Secretary of the Treasury should be consulted, but I would also urge comprehensive legislation, such as I have introduced in the past, with appropriate and extensive hearings on the matter.

In short, then, the President's plan shows much more flexibility, is less likely to destabilize South Africa, and omits the severe economic sanctions that would have resulted in the paralysis of the South African economy, and the loss of jobs and livelihoods for millions of black South Africans. Moreover, it divests the proposal of the politics and ideology which marred the attempt to create a policy which all Americans could support.

What will come out of this is a unified policy approach to South Africa which will urge the South Africans to find a framework for political expression without destroying the nation. It will provide a framework in which South Africa can retain strong ties to the West, and block Communist and Soviet expansionism in Africa.

Mr. President, the leaders of the black peoples in South Africa have said over and over again that they see no necessity to make the black people suffer in order to get political reform.

Mr. President, earlier this year, about 2,000 workers and Inkatha supporters demonstrated at the home of the U.S. Consul-General in Durban. They presented Mr. Harry Geisel, our Consul-General, with a petition signed by 10,000 blacks which protested U.S. disinvestment from South Africa.

The leader of this protest was Mr. Winnington Sabelo, a member of the Central Committee of Inkatha which is headed by the internationally respected Zulu leader, Chief Minister Gatsha Buthelezi, who is the Chief Minister of Kwazulu in South Africa. As Mr. Sabelo presented the petition to Mr. Geisel, he stated that "We want jobs, help us to get them. Disinvestment will kill us."

In a reply to press questions at the demonstration, Mr. Sabelo stated that Bishop Tutu, who was known to have urged disinvestment, did not speak on behalf of millions of black workers. Indeed, several placards carried at the demonstration stated similar themes. For example, one read, "When did the masses call for disinvestment?" In a direct reference to Bishop Tutu another placard declared that, "The clergy are not the workers nor political leaders."

Mr. President, Senators should note Prince Buthelezi's clear position on the role of Bishop Tutu. In mid May of this year, at the "KwaZulu Day of Prayer for Black South Africa," Chief Minister Buthelezi stated that Inkatha had little hope that Bishop Tutu would work effectively for reconciliation between black and black. He stated that:

> We do not have to read about Bishop Tutu's actions or to be told about them. We experience denigration which he has hurled at us so often from public platforms both here and abroad.

Mr. President, another figure to whom the media has given undue attention is Mrs. Winnie Mandela. How often in recent weeks has she been portrayed in the most glowing terms as a leader of black opinion in South Africa. That her husband has encouraged violence in South Africa, in line with orthodox Marxist-Leninist ideology, has not dimmed the mythology about the couple which has been circulated in the press.

It would be well to reflect on Chief Minister Buthelezi's comments on Mrs. Mandela and her political line in the same speech given on the KwaZulu Day of Prayer at Ulundi. Chief Minister Buthelezi stated that he believed the key to Mrs. Mandela's "political destitution and her impoverished view of South Africa" was her statement that,

. . . the culture that made us and the culture that alone can save us is not ours anymore . . .

Chief Minister Buthelezi stressed that:

It is culture that distinguishes man from beast, it is culture that turns us into people with human qualities created by God. It is cultural integrity and cultural values which make us walk tall as human beings and relate to others.

He continued by stating that:

Culture cements human beings into cohesive achievement-oriented communities seeking higher goals than those of the beasts. Culture is not an insular thing which divides one group from another.

Chief Minister Buthelezi stated that:

If Mrs. Winnie Mandela was a true black; if she was an African, she would not despise the people around her like she despises me. I have never met such an African defeatist attitude before as I have met in Mrs. Madela. It is those who have abandoned their blackness and who have abandoned their African stature that crawl in the gutters of politics. . . . Those who work to destroy unity are an alien evil force among us.

Chief Minister Buthelezi condemned outbreaks of violence and those who encouraged black children to go on rampages of violence. He stated:

And when they do so in the name of the struggle for liberation, and when they are lauded as being a new breed of South Africans with iron in their souls and when they are presented as an advance guard of the African National Congress' Mission in Exile, the pain in my being becomes unbearable.

Mr. President, Chief Minister Buthelezi, before the Legislative Assembly in KwaZulu this year, addressed a number of issues in a frank and responsible manner. He stated that:

I am prepared to talk about power-sharing without insisting on one-man, one vote in a unitary state. I ask simply that the South African government declare its intention of talking about an alternative to a one-man, one-vote in a unitary state with Black South Africa.

In terms of the current constitutional arrangement, Chief Minister Buthelezi stressed that:

We must seek an alternative political system in which universal adult sufferage is expressed in constitutional terms acceptible to all the People of South Africa. Power-sharing within the framework of the present constitution is not possible . . . power-sharing will only have meaning for blacks when they share power at central government level.

Mr. President, there can be no question about Chief Minister Buthelezi's credentials as a leader in South Africa. He is the preeminent leader of the Zulus who number between 6 and 7 million and who constitute the largest black national grouping. He is a responsible man with a strong Christian commitment. He is a man who seeks to engage in the process of negotiation and reconciliation in order to achieve a just solution and constructive progress in South Africa.

Mr. President, so that our colleagues may benefit from a careful review of the position of Inkatha on the question of disinvestment, I ask unanimous consent that the petition presented by Inkatha to our Consul-General in Durban be printed in the RECORD.

Mr. President, so that our colleagues may benefit from a careful review of the position of Chief Minister Buthelezi on the matter of negotiations with the South African Government, I ask unanimous consent that the "Declaration of Intent" issued by Chief Minister Buthelezi before the KwaZulu Legislative Assembly on May 27, 1985, be printed in the RECORD.

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

ANTI-DISINVESTMENT PETITION TO THE U.S. GOVERNMENT

The following is the text of the petition delivered by workers and Inkatha supporters to the U.S. Government:

We as leaders elected to positions of authority in Inkatha, have a mandate to speak on behalf of Black South Africa.

This is evident because:

1. Inkatha is the largest Black political organisation ever to have emerged in the history to South Africa and has a paid up membership of nearly one million.

2. Inkatha's leaders are elected to office by its Annual General Conference which is attended by members chosen at local Branch and Regional levels.

3. Inkatha leaders are not only elected by the Annual General Conference, but they are held accountable to it for the way they pursue the aims and objectives set by the conference.

4. The vast majority of Inkatha's members are workers and peasants and it is representative of Blacks in urban areas as it is representative of Blacks in rural areas.

5. Inkatha's aims and objectives and the tactics and strategies it pursues are determined by democratic procedure which enable ordinary members to direct the affairs of Inkatha.

We are mandated to tell Western industrial nations that Black South Africans do not support disinvestments as a strategy which will help them in the struggle for liberation which they wage as Blacks here in this country.

This mandate has been repeatedly given to us at:

1. Every Annual General Conference where resolutions rejecting disinvestment as a strategy are passed unanimously after the question is re-opened for debate every year.

2. Central Committee debates and branch and regional debates which take place in the process of giving practical political effect to the expressed wishes of the Conference.

3. Mass open public meetings which draw crowds of tens of thousands who acclaim the President of Inkatha and other leaders of Inkatha as they inform the Black public of Inkatha's intention to ask for increased investment in this country.

Our stand opposing disinvestment has mass support and we challenge any Black leader who disputes this fact to share a platform with us in Soweto, the country's industrial heartland, to test public opinion.

We inform the United States Government that:

1. No mass meeting of Black South Africans has ever approved of disinvestment as a strategy against apartheid.

2. No democratically elected leader in a membership based organisation of any importance has ever been given a mandate to accept disinvestment as a viable Black political option.

On behalf of Black South Africa, we petition President Reagan, the Senators of the United States and its Congressmen to reject all pressures exerted on them to express abhorrence of apartheid through disinvestment in South Africa.

We thus petition because:

1. Disinvestment will minimise positive Western influences which we need in South Africa to speed up the process of change.

2. Disinvestment will further the politics of violence and damage the politics of reason:

3. Disinvestment is advocated by those who can not see that economic progress gives rise to intergroup dependencies which favour the politics of non-violent negotiation:

4. Disinvestment is most vehemently called for by those who favour the employment of violence to bring about change:

5. Whatever happens in this country, massive backlogs in Black housing, education, health and welfare services and all things Americans recognise to be essential to a decent qualities of human life, will only be wiped out at some future time if we do not damage the economic foundations of South Africa in liberating it from the tyranny of racial oppression.

6. Existing Black poverty will be greatly increased if effective disinvestment campaigns deepen already very problematic unemployment levels:

7. The United States, as the world's leading industrial democracy, should do everything in its power to foster the economic development of the whole of Southern Africa. This obligation to Africa and to the Third World will not be served by damaging not only the South African Economy, but also impoverished neighbouring economies.

DECLARATION OF INTENT

We the undersigned hereby declare our commitment to serve God in obedience to His divine will for our country and together: Recognise that:

The history of mankind shows the need for adaptive change among all peoples and all nations.

Nations which have managed to avoid the use of violence in the achievement of national objectives are the nations which have grown in wisdom.

Both mistakes and lessons not yet learned led to errors of judgement in the mainsteam politics in both the Black and White sections of our society.

The South African people are a family of mankind, seeking to live in harmony in the African community of nations and seeking to do so by expressing civilised ideals in the practical social, economic and political affairs of our country.

The South African constitution as it is now written is by force of history and reality a first step in constitutional reform which urgently needs the second step to be taken of enriching the constitution to make it as acceptable to the broad mass of African opinion as it has been made acceptable to the broad mass of White opinion.

The Westminister model of government was not ordained by God to be the only form of good government. We therefore accept:

The need to make the preamble to the South African constitution of equal value to all the groups and peoples of the country by enriching the clause: "To respect, to further and to protect the self-determination of population groups and peoples" to include the notion that this can best be done by sharing power. We need to share power in such a way that no one can dictate to any other group how to express its own self-determination, and we also need to share power in a formula within which the hallowed values of good government are not compromised.

The need to preserve the constitutionality of the adaptive democratic process on which we will jointly rely in being subservient to the divine will for our country. We will therefore together seek:

To negotiate as leaders to amend the South African constitution to make it more acceptable to all groups.

To find an alternative political system to that which the world at large understands by the word 'apartheid' and also to seek an alternative political system in which universal adult suffrage is expressed in constitutional terms acceptable to all the peoples of South Africa.

To give expression to the common citizenship of all South Africa's peoples without qualifying the meaning of citizenship for any group.

To use the opportunities presented in practical politics at first, second and third tier levels of government to fashion national unity by deepening the democratic process, and to use the democratic process in exploration of what needs to be done to get the people to legitimise the instruments of government. We therefore pledge ourselves:

To express national pride and patriotism by insisting that South Africans will decide South Africa's future in the acceptance of each other as individuals and groups and the acceptance of each other's culturual rights to be who they are.

To start where we find ourselves in history and to move from there to build on all that is positive and valuable and to change that which is negative and undesirable.

Each to work in our own constituencies to develop a South African pride in managing our own South African affairs in harmony with internationally accepted standards of civilised decency without being dictated to from without.

Having thus declared we stand together to defend our right even with our lives to take the steps and the time needed to establish consensus between groups and to win support for our joint efforts in the South African family of nations.

And furthermore to stand together to defend South Africa from external onslaughts and to stand together to resist any use of violence which threatens the politics of negotiation aimed at national reconciliation.

I make only one thing totally non-negotiable. South Africa is one country, and there must be one citizenship for one nation.

SOUTH AFRICA

Mr. McCONNELL. Mr. President, as we are all aware, events in South Africa have recently taken a tragic turn for the worse. A day does not pass without one more story of riots, violence, angry demonstrations, and deaths. These difficulties have further strained the South African economy. I have said in the past, South Africa is at a crossroads in her history. I now believe South Africa is on the brink.

Some of my colleagues have been highly critical of legislative initiatives which have tried to address the problems in South Africa. Many claim we should not interfere in another nation's internal troubles. Others argue the situation is not out of control, that the violence is confined to black communities, and that the South African Government can bring quiet to the streets. Essentially, these critics would have you believe that if the United States and Congress would mind their own business, South Africa's problems would disappear. Underlying this argument is a confidence in the South African Government's willingness to exercise whatever security force is necessary to protect and preserve the white population's power and position. I, too, am confident the government will exercise its capable police and military force. We have seen all too many demonstrations of its ability to disperse crowds. But this is not the solution. We will not see peaceful change progress and stability restored with cattle prods, whips, tear gas, and rubber bullets.

While the situation in South Africa is disturbing, other nations are also experiencing internal strife. Many are asking why should Congress and the President break with our policy of constructive engagement? Why target South Africa? Contrary to some critics' beliefs, Congress has not arbitrarily singled South Africa out for punishment. The South African Government's policy and practices have singled it out. We have not weighed the evidence of the Soviet Union's human rights practices against South Africa's. The issue is not one of relativity. South Africa is an important ally. No other U.S. ally has a legislated, legally enforced system of racial segregation. No other ally has brutally enforced the racial repression of the pass laws and homeland's policy. South Africa is unique in the community of Western nations. It is not the threat of Congress or the administration actions which is bringing South Africans into the streets. The U.S. Government is not the political force motivating marches, riots and demonstrations. What is happening in South Africa is a response to apartheid. The grievances are painful and real. The opposition would be acting with or without us.

Today, we have an opportunity to take a position which reflects our interest in change. We have the opportunity to side with voices and forces for reform. There is no doubt peaceful change will benefit all South Africans. We share an interest with South Africans seeking an alternative to the violence and disruption of the past few months. Today, we can make clear the urgency of reform.

When I left for the August recess, I fully intended to return to the Senate and support a motion for cloture on the conference report. The escalation in violence over August convinced me the United States must convey a strong message to the South African Government to carry out meaningful reforms. I am pleased the President recognized the urgency of this concern and chose to issue an Executive order for action on South Africa. Virtually every provision in the legislation Senators ROTH, DODD, and I introduced in April has been included in the President's plan. The administration has responded to congressional concerns with a sound balance of positive and punitive measures. The President has done exactly what Congress asked of him. I am supporting the President's call for a vote against cloture on the conference report because I believe this policy should be given a chance to work. My support is founded on the belief that the administration has recognized the need for a new approach to problems in South Africa. The administration and Congress now share both the goal to end apartheid and the plan to accomplish it. This consensus of opinion of Congress and the President will strengthen our case with the South African Government.

This order is not the end of the issue. It is a beginning. It is an order for action which must be carried out with vigor and dedication if it is to succeed. I am confident the President will assume this responsibility with his customary strong commitment to achievement. Congress should stand by him as he embarks on this critical new course.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. DOLE. Mr. President, I ask unanimous consent, and let me say that I have cleared this with the distinguished minority leader, that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 1 p.m., recessed subject to the call of the Chair.

The Senate reassembled at 3:12 p.m., when called to order by the Presiding Officer (Mr. WILSON).

QUORUM CALL

Mr. DOLE. Mr. President, I suggest the absence of a quorum. Let me indicate there will be a rollcall vote. There will be a live quorum that will go rather quickly.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll and the following Senators entered the Chamber and answered to their names:

[Quorum No. 15 Leg.]

Cochran	Garn	Pressler
Cranston	Hecht	Trible
Dole	Helms	Wilson
Ford	Matsunaga	

The PRESIDING OFFICER. A quorum is not present. The clerk will call the names of the absentees.

The legislative clerk resumed the call of the roll.

Mr. DOLE. Mr. President, I move that the Sergeant at Arms be instructed to request the attendance of absent Senators, and 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 motion of the Senator from Kansas [Mr. DOLE]. The yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from North Dakota [Mr. ANDREWS], the Senator from Rhode Island [Mr. CHAFEE], the Senator from New York [Mr. D'AMATO], the Senator from North Carolina [Mr. EAST], the Senator from Washington [Mr. EVANS], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Nevada [Mr. LAXALT], the Senator from Alaska [Mr. MURKOWSKI], and the Senator from Pennsylvania [Mr. SPECTER], are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Delaware [Mr. BIDEN], the Senator from North Dakota [Mr. BURDICK], the Senator from Florida [Mr. CHILES], the Senator from Arizona [Mr. DECONCINI], the Senator from Connecticut [Mr. DODD], the Senator from Colorado [Mr. HART], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Louisiana [Mr. LONG], the Senator from Michigan [Mr. RIEGLE], are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 79, nays 3, as follows:

[Rollcall Vote No. 170 Leg.]

YEAS—79

Abdnor	Bentsen	Boschwitz
Armstrong	Bingaman	Bradley
Baucus	Boren	Bumpers
Byrd	Heflin	Packwood
Cochran	Heinz	Pell
Cohen	Helms	Pressler
Cranston	Hollings	Proxmire
Danforth	Humphrey	Pryor
Denton	Inouye	Rockefeller
Dixon	Johnston	Roth
Dole	Kasten	Rudman
Domenici	Kennedy	Sarbanes
Durenberger	Kerry	Sasser
Eagleton	Leahy	Simon
Exon	Levin	Simpson
Ford	Lugar	Stafford
Garn	Mathias	Stennis
Glenn	Matsunaga	Stevens
Gore	Mattingly	Symms
Gorton	McClure	Thurmond
Gramm	McConnell	Trible
Grassley	Melcher	Wallop
Harkin	Metzenbaum	Warner
Hatch	Mitchell	Wilson
Hatfield	Moynihan	Zorinsky
Hawkins	Nickles	
Hecht	Nunn	

NAYS—3

Goldwater	Quayle	Weicker

NOT VOTING—18

Andrews	DeConcini	Lautenberg
Biden	Dodd	Laxalt
Burdick	East	Long
Chafee	Evans	Murkowski
Chiles	Hart	Riegle
D'Amato	Kassebaum	Specter

So the motion was agreed to.

The PRESIDING OFFICER. A quorum is present.

CLOTURE MOTION

Mr. KENNEDY. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The clerk will report the cloture motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the conference report on H.R. 1460, the Anti-Apartheid Act of 1985.

Edward M. Kennedy, Lowell Weicker, Charles McC. Mathias, Alan Cranston, Claiborne Pell, Paul Simon, Howard Metzenbaum, Patrick Leahy, Jim Sasser, John D. Rockefeller, Dale Bumpers, Paul Sarbanes, Spark Matsunaga, George J. Mitchell, Albert Gore, Jr., Jeff Bingaman, J. Bennett Johnston, Bill Bradley, John Glenn, Max Baucus, J. James Exon, and Daniel P. Moynihan.

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

Mr. KENNEDY. Mr. President, will the majority leader hold for a moment to respond to an inquiry?

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, let me also at this time ask if there might be some inclination that we could vitiate the vote on the yeas and nays that is scheduled for 4 o'clock. Would there be objection to that request?

Mr. KENNEDY. Mr. President, reserving the right to object, will the majority indicate what reason the Senate would be denied an opportunity to vote on this extremely important and timely measure which has been debated in the Foreign Relations Committee, the Banking Committee, on the floor of the Senate, and in the conference? Will the majority leader elaborate on the reasons for making such a request of this body at this time?

Mr. DOLE. I beg the pardon of the distinguished Senator from Massachusetts. Was there a question?

Mr. KENNEDY. Yes. I am interested, if the majority leader will tell us, why such a request would be made of this body at this time on this issue.

Mr. DOLE. Mr. President, as I said earlier this morning, it would seem to me that if the President now, as someone indicated, but for whatever reason, in effect adopted the Senate position, it would be in our interest to go forward together, a bipartisan Senate—we have had bipartisan support on the bill—with the President of the United States; it would send a much stronger signal to the South African Government. I think everyone will agree that the original Senate bill, for all practical purposes, has now been made a part of the Executive order. So what I was suggesting this morning, for those of us who feel strongly, as does the Senator from Kansas, the Senator from Massachusetts, and others, is that we ought to postpone consideration of the conference report, make sure the administration lives up to the terms of the Executive order and, if not, we will have the conference report before us. That was the one reason I was hoping we might work that out.

Mr. KENNEDY. Mr. President, further reserving the right to object, it seems to me that these issues have been debated. What we are talking about is a basic and fundamental question upon which this country was built, the equality of all persons. The House of Representatives has responded to this issue; they have voted. As I gather from the majority leader, he is making a request that we vitiate the opportunity for the Senate to fulfill its legislative obligation to speak on this issue at this time and to rely solely upon an Executive order than the benefit of legislation on an issue of fundamental importance and a principle upon which I think this country stands. If we represent anything to ourselves and to the countries of the world, it is equality of individuals. Apartheid runs contrary to that. I think it is imperative we speak to that issue. We have debated it in the Foreign Relations Committee and the Banking Committee. They have done outstanding work. I paid tribute to Senator LUGAR and the members of the Foreign Relations Committee. As the leader has pointed out, we have had a strong bipartisan effort, and I wish we would have that same effort when we pass this legislation, and

hopefully the President will find that he would be able to sign it. My own view is that he was well-intentioned in his actions today, but they are ill-suited on this issue, and therefore I would object to the unanimous-consent-request.

Mr. CRANSTON. The President has changed his tune on South Africa. But he still doesn't know all the words to the freedom song for blacks in South Africa.

All Americans should be pleased that the President is no longer denying the realities of racial injustice in South Africa as he did less than 2 weeks ago. I am pleased that he is no longer saying that racial segregation has ended and implying that apartheid has gone away.

Instead, the President has a new script—and it shows most of all, that he can count. He knows the Senate has been prepared to pass a tough South Africa economic sanctions bill despite his opposition.

Unfortunately, his new script is incomplete. It's less than half a solution to a problem that demands our total commitment.

Therefore, I support the motion to end debate on the South Africa conference report and prepare to send this measure to the President.

I believe it is incumbent upon this body to complete the efforts we have undertaken together with the House the past several months to craft a clear, balanced measure to guide future U.S. relations with the people and Government of South Africa.

It would be a serious mistake for the Senate to duck the fundamental issue before us today. We need to speak clearly and to enact an unambiguous statute to define our policy.

The President's belated action this morning imposing certain export curbs on business with South Africa does not meet this need. The President's effort was seriously flawed in a number of respects.

It did not contain the immediate ban on Krugerrand imports supported by the bipartisan House-Senate conference committee, rather it unnecessarily referred this issue to a multilateral international tribunal where it will doubtless face needless delays.

It did not provide for minting of a U.S. gold coin to compete with the Krugerrand, rather left this to yet another study.

It did not provide for mandatory application of the Sullivan principles to U.S. firms' South African operations, rather made these voluntary with no monitoring and reporting provisions or criminal penalties for noncompliance.

It deleted entirely the key provision of the congressional legislation requiring additional sanctions if progress is not made on ending apartheid in the year ahead.

And it inserted a mischievously broad loophole in the ban on nuclear commerce, a loophole which could permit business as usual under the terms of the Executive order.

Finally, and perhaps most seriously, the President's response provides no guidelines as to when and under what conditions U.S. sanctions will be lifted. In other words, there are no benchmarks for progress in ending apartheid established and we are left essentially with a Presidental insistence on total discretion as he says "trust me."

But the sad fact is that this President is out of step with the American people and with Republicans and Democrats in Congress on this issue. Can we trust a President who just last month was claiming absurdly, that segregation had been "totally eliminated" in South Africa?

Regardless of the personalities and the politics of this issue, I think we would do well to remember that ours is a government of laws not men. We do not set matters of crucial national policy by executive fiat, by 11th-hour, loophole-ridden Executive orders.

Given the 180° reversal in the position of this administration on the issue of imposing South Africa sanctions, there is no reason why completion of congressional action on the measure before us need provoke a confrontation. Let the President sign the measure, for it is consistent with his entirely new rhetorical position. If he still wishes to veto it, let us work our will on an override effort. But let us abandon our important legislative work nine-tenths completed. Let us not impose the limited, sloppy White House sanctions, let us enact a clear law with balanced, carefully crafted compromise provisions, let us avert a partisan breakdown on this issue by sending the measure on to the White House.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the hour of 4 p.m. having arrived, the clerk will state the motion to invoke cloture.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the conference report on H.R. 1460, the Anti-Apartheid Act of 1985.

Lowell Weicker, Nancy Landon Kassebaum, Arlen Specter, Dave Durenberger, Bill Cohen, Bob Dole, John H. Chafee, John Danforth, Al Simpson, Daniel J. Evans, Rudy Boschwitz, Bob Packwood, John Heinz, Frank Murkowski, Charles McC. Mathias, and Mark Andrews.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[Quorum No. 16 Leg.]

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

The PRESIDING OFFICER. A quorum is present.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the conference report on H.R. 1460 shall be brought to a close? The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from North Dakota [Mr. ANDREWS], the Senator from Rhode Island [Mr. CHAFEE], the Senator from North Carolina [Mr. EAST], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Nevada [Mr. LAXALT], the Senator from Alaska [Mr. MURKOWSKI], and the Senator from Pennsylvania [Mr. SPECTER] are necessarily absent.

I further announce that, if present and voting, the Senator from North Carolina [Mr. EAST] would vote "nay."

Mr. CRANSTON. I announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Arizona [Mr. DECONCINI] the Senator from Connecticut [Mr. DODD], the Senator from Colorado [Mr. HART], the Senator from Louisiana [Mr. LONG], and the Senator from Michigan [Mr. RIEGLE] are necessarily absent.

I further announce that, if present and voting, the Senator from Arizona [Mr. DECONCINI], the Senator from Connecticut [Mr. DODD], the Senator from Colorado [Mr. HART], and the Senator from Michigan [Mr. RIEGLE] would each vote "yea."

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

The yeas and nays resulted—yeas 53, nays 34, as follows:

[Rollcall Vote No. 171 Leg.]

YEAS—53

Baucus	Grassley	Metzenbaum
Bentsen	Harkin	Mitchell
Biden	Hatfield	Moynihan
Bingaman	Heflin	Nunn
Boren	Heinz	Packwood
Bradley	Hollings	Pell
Bumpers	Inouye	Pressler
Byrd	Johnston	Proxmire
Chiles	Kasten	Pryor
Cohen	Kennedy	Rockefeller
Cranston	Kerry	Sarbanes
D'Amato	Lautenberg	Sasser
Dixon	Leahy	Simon
Eagleton	Levin	Stafford
Exon	Mathias	Stennis
Ford	Matsunaga	Weicker
Glenn	Mattingly	Zorinsky
Gore	Melcher	

NAYS—34

Abdnor	Gorton	Roth
Armstrong	Gramm	Rudman
Boschwitz	Hatch	Simpson
Cochran	Hawkins	Stevens
Danforth	Hecht	Symms
Denton	Helms	Thurmond
Dole	Humphrey	Trible
Domenici	Lugar	Wallop
Durenberger	McClure	Warner
Evans	McConnell	Wilson
Garn	Nickles	
Goldwater	Quayle	

NOT VOTING—13

Andrews	East	Murkowski
Burdick	Hart	Riegle
Chafee	Kassebaum	Specter
DeConcini	Laxalt	
Dodd	Long	

The PRESIDING OFFICER. On this vote, the yeas are 53, nays are 34, three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

Mr. DOLE. Mr. President, I move that the Senate proceed to Senate Joint Resolution 31.

Mr. WEICKER. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state the parliamentary inquiry.

Mr. WEICKER. Mr. President, would the Chair indicate as to whether or not this resolution is a privileged or nonprivileged matter?

The PRESIDING OFFICER. It is a privileged resolution.

Mr. WEICKER. And is it correct, Mr. President, that it is possible to ask for the yeas and nays on the motion?

The PRESIDING OFFICER. It is.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CRANSTON. Mr. President, I would like to say on the matter of apartheid that while we lost the first cloture vote, it is by no means clear that we would lose——

The PRESIDING OFFICER. There is a nondebatable motion pending at this time.

Mr. CRANSTON. I ask unanimous consent that I be permitted to speak for 3 minutes.

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

ANTIAPARTHEID ACTION ACT OF 1985

Mr. CRANSTON. Mr. President, although we lost the first vote on cloture on apartheid, it is by no means clear that we would lose the vote if all Senators were present, and it is very clear that we would win by a majority vote were we to have the opportunity to vote up or down on the issue of sanctions applied to South Africa until they dismantle apartheid.

The President is seeking to deal with a political problem in the United States. A Senate majority and the House of Representatives seeks to deal with the moral and human rights issue in South Africa. That majority in the Senate is composed of all Democrats and a significant number of Republicans. Therefore, we will keep this matter before the Senate or get it before the Senate in one way or another where we can have an up or down vote. If we are unable to bring the present legislation to a vote, we will have that opportunity before long on measures that will come before the Senate that cannot be filibustered forever because they have to be dealt with.

All Democrats are firmly for this measure; that is 47. Eleven Republicans voted to end cloture. That gets us up to 58. I know that one Republican, who is absent, would vote for cloture when present. That gets us up to 59. And it is quite possible that another one or two of the Republican absentees today would have voted for cloture were they present.

So we are very close to cloture, and without any question we have a majority and we will win on this issue when we bring this matter to a vote in the Senate. That will occur sooner or later. Those of us who feel so strongly about apartheid are not about to abandon this battle.

Mr. BYRD. Mr. President, I ask unanimous consent that I may speak for 1 minute.

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

Mr. BYRD. Mr. President, it should be noted that severe transportation problems, particularly in the Northeast corridor, prevented some Senators from arriving in Washington, DC, to cast their vote on the motion to invoke cloture on the conference report on H.R. 1460, the South African antiapartheid legislation.

Had Senators DODD, HART, DECONCINI, and RIEGLE been present and voting, they would have voted "aye" in favor of invoking cloture on the conference report on H.R. 1460.

Mr. President, I wish to express appreciation to the distinguished majority leader for being so accommodating in leaving the vote stand open for a good 30, 40, or 50 minutes in order to accommodate one or more of the Senators whose airplanes were unable to land on schedule. I deeply appreciate it and I am sure that the day will come when perhaps we can also be accommodating in circumstances such as these.

Mr. DOLE. Mr. President, I thank the distinguished minority leader. I again regret that the distinguished Senator from Arizona who was scheduled to be here at 4 o'clock and then delayed until 4:30 and now he is caught in the thunderstorm over National Airport and Senator DECONCINI was not able to vote. We did try to accommodate Senator DECONCINI and, indirectly, Senator LAUTENBERG.

I assume there will be another vote on Wednesday. A cloture motion has been filed. We will see what happens on cloture. I think the one important factor is there were 34 votes against cloture, which certainly would be enough to sustain a veto without additional votes, if we went that route. There are additional absentees, so I guess that the vote on Wednesday will be fairly close, as this vote was fairly close.

I regret the distinguished Senator from California now seeks to make this a partisan issue. The issue would not be before the Senate now if it were not for a majority of Republicans, including the majority leader, who supported the efforts of a bipartisan group, and that is still the spirit we hope will be maintained.

In my view, those of us who support this legislation have won a victory and we have not lost a thing. We still have the option, if we can agree to postpone further action on the conference report until a date certain, of testing the administration and determining whether or not the administration will follow everything in the Executive order, plus the Krugerrand action, plus the gold coin action, plus possibly sanctions that could be recommended by the administration.

So it would seem to me that the focus has shifted now from South Africa to playing politics. Can we somehow embarrass the President of the United States who, though belatedly, has gotten on board? The view of this Senator is we send a much stronger signal to those in the South African Government if we have some semblance of bipartisanship, not just in the Congress, but including the executive branch. So it would seem to me we

have made some progress. I hope, after we have another cloture vote, that those of us who have gotten the bill this far can get together and agree that our best strategy for keeping everyone's feet to the fire is to postpone final action. Then, if it does not happen, the majority leader will be, as he has been, on the side of the Senator from Massachusetts, the Senator from Connecticut, and others who have been in the forefront for this legislation.

Mr. President, I hope that we might be able to proceed to Senate Joint Resolution 31 without a rollcall vote. If there is a demand for a rollcall vote, then it would be my hope we can postpone that.

The PRESIDING OFFICER. The Chair would advise the majority leader that the motion is nondebatable now.

Mr. DOLE. That is why I was not debating it.

Mr. WEICKER. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his parliamentary inquiry.

Mr. WEICKER. Mr President, I withdraw the inquiry and I suggest the absence of a quorum.

Mr. KENNEDY. Mr. President, will the Senator withhold on that request to permit me to speak briefly on the apartheid issue? I know the motion is not debatable

Mr. DOLE. I have no objection if the Senator does not intend to file an additional cloture motion.

The PRESIDING OFFICER. Is there objection? Without objection, the Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, one of the founding principles on which America was created is the proposition that all persons are created equal. Apartheid is a system of government which denies that fundamental right to millions of people in South Africa. Racism is always wrong. It is wrong in the United States, it is wrong in South Africa, and it is wrong in any nation on Earth—and so long as apartheid exists, the United States must speak clearly and unmistakeably against it.

The best way and the right way for the United States to speak out in opposition to apartheid in South Africa is for Congress and the President to act together to enact our country's policy into law.

The President's announcement today is well intentioned, and it is a step in the right direction. But it is too little and too late.

An Executive order that excludes the participation of Congress is not as effective or as appropriate as a statute in expressing the policy of the United States on an issue as important as our abhorrence of apartheid. Moreover, in a number of key areas, the Executive order is an unfortunate retreat from the provisions of the legislation now awaiting final action by the Senate. And even these inadequate provisions could be further weakened or rescinded by some future Executive order, without the approval of Congress.

As representatives of the people of America, the U.S. Senate has its own responsibility to speak out on the issue of South Africa and to state our position on apartheid. Yet the President is asking us today to abdicate that responsibility by abandoning the pending bill.

The legislative process has worked effectively so far to produce a strong bipartisan measure that is worthy of the principles of our Nation. Instead of accepting an Executive order with a watered-down version of this impressive joint effort, the Senate ought to pass the bill and urge the President to sign it.

By doing so, we will be true to our principles as a nation, true to our responsibilities as Members of the Senate, and true to the aspirations of millions of South Africans who hope for freedom and who look to America for help.

The Congress of the United States has been working on this historic legislation for many months. We have had lengthy hearings—both in the Senate Foreign Relations Committee and in The Senate Banking Committee. We have heard eloquence on this floor in our debates. The legislative process has worked—and worked effectively. And out of this work, we have forged an extraordinary consensus on the issue of South Africa.

Now, at the 11th hour, we are asked to withhold further action, and abdicate our responsibility as legislators to make law. But that consensus was too important and this issue is too profound for Congress now to stay its hand.

I do not believe that the President's Executive order should serve as a substitute for the historic legislation that we have been working on.

There comes a time in the life of a country when it must live up to the principles that made that country special and different in the world and in the history. Now is that time for the United States on this issue on apartheid. Apartheid challenges the most fundamental principles of our society stated in the Declaration of Independence—that all people are created equal and that they are endowed with certain inalienable rights, including life, liberty, and the pursuit of happiness.

Millions of Americans died to make that principle a reality for our own country, and now we are being tested again on the application of that principle to South Africa.

That nation has become associated with an oppressive and racist regime that denies the most basic human rights to 23 million men, women, and children because of the color of their skin.

It is not enough for the United States to speak to the evil of apartheid through an Executive order. On an issue as important as this, America should act by statute.

That is the first reason why I believe that we should enact the Anti-Apartheid Action Act of 1985: we speak on apartheid through law, not through Executive order.

Second, the Executive order is much, much weaker in a number of important respects.

It eliminates a key provision that requires the President to report back to Congress after 1 year on whether substantial progress has been made in dismantling apartheid in South Africa, and which requires him to recommend additional sanctions if no progress has been made. This is a major weakening of our bipartisan legislation.

The Executive order also raises grave doubts about the Krugerrand ban. While the bill would produce an immediate ban on the importation of Krugerrands, the Executive order only calls on the Secretary of the Treasury and the U.S. Trade Representative to consult with our major trading partners and with GATT on the issue of a Krugerrand ban—perhaps to be imposed at some indefinite time in the indefinite future.

The Executive order also opens a substantial loophole in the ban on new bank loans to the Government of South Africa. It allows the Secretary of the Treasury to authorize exceptions to the ban in the case of loans that would enhance the economic well-being of black South Africans. This loophole may well be used to permit American banks to finance the institutions of apartheid—such as the homelands governments, the township councils, and the social programs of apartheid which are so thoroughly segregated—even though they may be related to health or welfare or economic development.

One of the essential features of our pending legislation is to stop the United States from funding apartheid. The Executive order will not do that.

As we take up once again the tragedy that is South Africa today, let us think of those brave South Africans who have been such examples of selfless dedication in the struggle to end apartheid in their community.

Let us think of the Reverend Allan Boesak, the president of the World Alliance of Reformed Churches, who even as we meet today, sits in a prison cell, in solitary confinement, somewhere in South Africa. And what is his crime? To dream of freedom, to deplore injustice, and to lead his people along a nonviolent path in their struggle against apartheid.

And let us think of Bishop Desmond Tutu, a man of God and a symbol and inspiration to all peoples everywhere of South Africa's hope for freedom.

And let us think of Winnie Mandela—a brave woman, a loyal wife, and a dedicated mother—who has been driven into exile and whose tiny house—which she calls her prison cell—was recently razed and looted by the agents of apartheid.

And let us think of the children of Soweto who have disappeared and who have been arrested because they stayed away from school to show their opposition to apartheid.

And let us think of the 670 South Africans who have died in the violence of apartheid as the South African Army keeps apartheid alive with the club, the bullet, and the tank.

These people have looked to the United States for assistance in their struggle. We owe it to them, and we owe it to the founding principles of our Nation, to send the strongest message that we can muster. "The American people are with you—and you shall overcome."

Mr. WEICKER. Mr. President, I ask unanimous consent that I may proceed for 1 minute.

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

Mr. WEICKER. Mr. President, I do not intend to ask for the yeas and nays on the motion proposed by the distinguished majority leader. I would like to say that I think it is more important that the Senate address itself to the outrages that occur daily in South Africa rather than to address itself to the potential outrage of a Presidential defeat on this issue if it passes the House and the Senate.

It is absolutely essential on a moral issue such as this that the United States speak out loud and clear. In essence, what we do with the adoption of the Executive order is to weaken that message. It is to allow the advocates of antiapartheid here in the United States to be the administration that has dragged its feet on the issue of being against apartheid. The House and the Senate have both spoken very clearly. There is no mistaking the words or the intent of the statute.

Now we have something less before us. Granted we are not going to go ahead and change the laws of South Africa. This was always the matter of symbol, and a matter of perception. A lot of people either died or put themselves in jeopardy of death waiting for that symbol, and that perception from the United States of America. Now it will come in a watered-down version. That does not speak very well either in terms of what we do today or in terms of the history that we leave behind. I hope that the U.S. Senate will invoke cloture on Wednesday, that we will have that opportunity, and that we will move together—the President and Congress—to tell the world what is said in the Constitution of the United States we both live by and are willing to die for. That is what is important.

I yield the floor.

NATIONAL FAMILY WEEK

Mr. DOLE. Mr. President, is the question on the motion?

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Kansas to proceed to the consideration of Senate Joint Resolution 31, National Family Week.

The motion was agreed to. The question is on agreeing to the amendments of the House as follows:

Resolved, That the resolution from the Senate (S.J. Res. 31) entitled "Joint resolution to designate the week of November 24 through November 30, 1985, as 'National Family Week' ", do pass with the following amendments:

Line 5, after "1985," the second time it appears, insert: "and the week of November 23, 1986, through November 29, 1986,".

Amend the title so as to read: "Joint resolution to designate the week of November 24 through November 30, 1985, and the week of November 23 through November 29, 1986, as 'National Family Week'.".

ROUTINE MORNING BUSINESS

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

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

ORDER OF PROCEDURE

Mr. DOLE. Mr. President, let me thank the distinguished Senator from Connecticut because we could have had another rollcall vote, or we could have delayed until tomorrow. I indicated to him that we would not attempt to proceed to the consideration of S. 47 this evening. We will probably do that tomorrow.

MESSAGES FROM THE PRESIDENT RECEIVED DURING THE ADJOURNMENT

Under the authority of the order of the Senate of January 3, 1985, the Secretary of the Senate on September 4, 1985, during the adjournment of the Senate, received a message from the President of the United States, transmitting a treaty.

JOB TRAINING FOR DISLOCATED WORKERS IN THE FOOTWEAR INDUSTRY—MESSAGE FROM THE PRESIDENT RECEIVED DURING THE ADJOURNMENT—PM 74

Under the authority of the order of the Senate of January 3, 1985, the Secretary of the Senate, on August 28, 1985, during the adjournment of the Senate, received the following message from the President of the United States, which was referred to the Committee on Finance:

To the Congress of the United States:

In accordance with section 203(b)(2) of the Trade Act of 1974 (19 U.S.C. 2253(b)(2)), I am writing to inform you of my decision today to direct the Secretary of Labor to develop a plan to utilize the Job Training and Partnership Act of 1982 to aid dislocated workers in the nonrubber footwear industry. At the request of the Senate Finance Committee, the United States International Trade Commission (ITC) instituted an investigation to determine whether increasing imports of nonrubber footwear were injuring the domestic nonrubber footwear industry. The ITC found that nonrubber footwear imports are a substantial cause of serious injury, or threat thereof, to the domestic footwear industry.

While the escape clause provisions of the Trade Act of 1974 require the ITC to determine the question of whether a domestic industry has been seriously injured as a result of increased imports, I am charged with the responsibility of determining whether the provision of import relief to the domestic industry is in the national economic interest. After considering all relevant aspects of the case, including those set forth in section 202(c) of the Trade Act of 1974, I have determined that granting import relief would not be in the national economic interest. I believe my decision today will promote our national economic interest by encouraging an open, nondiscriminatory and fair world economic system, a system in which jobs are created and prosperity grows through increased productivity and competitiveness in an open market. As my determination does not provide import relief to the industry, I am setting forth the reasons for my decision.

First, import relief would place a costly and unjustifiable burden on U.S. consumers and the U.S. economy. The Council of Economic Advisers estimates that the global quota remedy recommended by the ITC would create between 13,000 to 22,000 jobs with an average annual wage of $14,000. However, the cost to consumers to create these jobs would be $26,300 per job, amounting to a total consumer cost which could be as high as $2.9 billion over the next 5 years. Moreover, these jobs would not provide permanent employment and would be likely only to last during the 5-year relief period.

Second, import relief would result in serious damage to U.S. trade in two ways. If the ITC global remedy were imposed, U.S. trade would stand to suffer as much as $2.1 billion in trade damage either through compensatory

tariff reductions or retaliatory actions by foreign suppliers. This would mean a loss of U.S. jobs and a reduction in U.S. exports. U.S. trade would also suffer because of the adverse impact import relief would have on major foreign suppliers, such as Brazil, who are heavily indebted and highly dependent on footwear exports. Import relief would lessen the ability of these foreign footwear suppliers to import goods from the United States and thus cause an additional decline in U.S. exports.

Third, I do not believe that providing relief in this case would promote industry adjustment to increased import competition. While imports of nonrubber footwear have increased rapidly over the last 12 months, I believe that the industry has been and is in the process of successfully adjusting to increased import competition. An industry that was once characterized by many small firms with limited manufacturing capability, has now emerged as an industry led by larger, more efficient producers who have invested in state of the art manufacturing equipment, diversified into profitable retail operations, and filled out their product lines with imports to respond to rapidly changing consumer taste.

In order to address the difficult problems faced by workers in the industry, I have directed the Secretary of Labor to work with State and local officials to develop a retraining and relocation assistance program specifically designed to aid workers in the nonrubber footwear industry. Appropriate programs of the Job Training Partnership Act are to be used to the fullest extent possible under U.S. law.

RONALD REAGAN.

THE WHITE HOUSE, *August 28, 1985.*

REPORT ON FEDERAL PAY COMPARABILITY—MESSAGE FROM THE PRESIDENT RECEIVED DURING THE ADJOURNMENT—PM 75

Under the authority of the order of the Senate of January 3, 1985, the Secretary of the Senate, on August 29, 1985, during the adjournment of the Senate, received the following message from the President of the United States, together with accompanying papers; which was referred to the Committee on Governmental Affairs:

To the Congress of the United States:

Under the Federal Pay Comparability Act of 1970, the President is required to make a decision each year on what, if any, pay adjustment should be provided for Federal employees under the General Schedule and the related statutory pay systems.

My pay advisors have reported to me that an increase in pay rates averaging 19.15 percent, to be effective in October 1985, would be required under existing procedures to raise Federal pay rates to comparability with private sector pay rates for the same levels of work. However, the law also empowers me to prepare and transmit to the Congress an alternative plan for the pay adjustment if I consider such an alternative plan appropriate because of "national emergency or economic conditions affecting the general welfare."

Accordingly, after reviewing the reports of my Pay Agent and the Advisory Committee on Federal Pay, and after considering the adverse effect that a 19.15 percent increase in Federal pay rates might have on our continuing national economic recovery, I have determined that economic conditions affecting the general welfare require the following alternative plan for this pay adjustment:

In accordance with section 5305(c)(1) of title 5, United States Code, the pay rates of the General Schedule and the related statutory pay schedules as adjusted by Section 1 of Executive Order No. 12496 of December 28, 1984, shall remain in effect without change.

Accompanying this report and made a part hereof are the pay schedules that will remain in effect under this alternative plan, including, as required by section 5382(c) of title 5, United States Code, the rates of basic pay for the Senior Executive Service.

RONALD REAGAN.

THE WHITE HOUSE, *August 29, 1985.*

SCHEDULE 1—GENERAL SCHEDULE

	1	2	3	4	5	6	7	8	9	10
General schedule:										
1	$9,339	$9,650	$9,961	$10,271	$10,582	$10,764	$11,071	$11,380	$11,393	$11,686
2	10,501	10,750	11,097	11,393	11,521	11,860	12,199	12,538	12,877	13,216
3	11,458	11,840	12,222	12,604	12,986	13,368	13,750	14,132	14,514	14,896
4	12,862	13,291	13,720	14,149	14,678	15,007	15,436	15,865	16,294	16,723
5	14,390	14,870	15,350	15,830	16,310	16,790	17,270	17,750	18,230	18,710
6	16,040	16,575	17,110	17,645	18,180	18,715	19,250	19,785	20,320	20,855
7	17,824	18,418	19,012	19,606	20,200	20,794	21,388	21,982	22,576	23,170
8	19,740	20,398	21,056	21,714	22,372	23,030	23,688	24,346	25,004	25,662
9	21,804	22,531	23,258	23,985	24,712	25,439	26,166	26,893	27,620	28,347
10	24,011	24,811	25,611	26,411	27,211	28,011	28,811	29,611	30,611	31,211
11	26,381	27,260	28,139	29,018	29,897	30,776	31,655	32,534	33,413	34,292
12	31,619	32,673	33,727	34,781	35,835	36,889	37,943	38,997	40,051	41,105
13	37,599	38,852	40,105	41,358	42,611	43,864	45,117	46,370	47,623	48,876
14	44,430	45,911	47,392	48,873	50,354	51,835	53,316	54,797	56,278	57,759
15	52,262	54,004	55,746	57,488	59,230	60,972	62,714	64,456	66,198	67,940
16	61,296	63,339	65,382	67,425	[1] 69,468	[1] 71,511	[1] 73,554	[1] 75,597	[1] 77,640	
17	[1] 71,804	[1] 74,197	[1] 76,590	[1] 78,983	[1] 81,376					
18	[1] 84,157									

[1] The rate of basic pay payable to employees at these rates is limited to the rate payable for level V of the Executive Schedule, which is $68,700.

SCHEDULE 2—FOREIGN SERVICE SCHEDULE

Step	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7	Class 8	Class 9
1	$52,262	$42,348	$34,315	$27,806	$22,531	$20,142	$18,006	$16,097	$14,390
2	53,830	43,618	35,344	28,640	23,207	20,746	18,546	16,580	14,822
3	55,445	44,927	36,405	29,499	23,903	21,369	19,103	17,077	15,266
4	57,108	46,275	37,497	30,384	24,620	22,010	19,676	17,590	15,724
5	58,821	47,663	38,622	31,296	25,359	22,670	20,266	18,117	16,196
6	60,586	49,093	39,780	32,235	26,120	23,350	20,874	18,661	16,682
7	62,404	50,566	40,974	33,202	26,903	24,051	21,500	19,221	17,182
8	64,276	52,083	42,203	34,198	27,710	24,772	22,145	19,797	17,698
9	66,204	53,645	43,469	35,224	28,542	25,515	22,809	20,391	18,229
10	67,940	55,255	44,773	36,281	29,398	26,281	23,494	21,003	18,776
11	67,940	56,912	46,116	37,369	30,280	27,069	24,199	21,633	19,339
12	67,940	58,620	47,500	38,490	31,188	27,881	24,925	22,282	19,919
13	67,940	60,378	48,925	39,645	32,124	28,718	25,672	22,950	20,517
14	67,940	62,189	50,393	40,834	33,088	29,579	26,442	23,639	21,132

SCHEDULE 3—DEPARTMENT OF MEDICINE AND SURGERY SCHEDULES, VETERANS ADMINISTRATION

	Minimum	Maximum
Section 4103 schedules:		
Chief Medical Director		[3] $94,375
Deputy Chief Medical Director		[2] 90,532
Associate Deputy Chief Medical Director		[1] 86,713
Assistant Chief Medical Director		[1] 84,157
Medical Director	[1] 71,804	[1] 81,376
Director of Nursing Service	[1] 71,804	[1] 81,376
Director of Podiatric Service	61,296	[1] 77,640
Director of Chaplain Service	61,296	[1] 77,640
Director of Pharmacy Service	61,296	[1] 77,640
Director of Dietetic Service	61,296	[1] 77,640
Director of Optometric Service	61,296	[1] 77,640
Physician and dentist schedule:		
Director grade	61,296	[1] 77,640
Executive grade	56,599	[1] 73,582
Chief grade	52,262	67,940
Senior grade	44,430	57,759
Intermediate grade	37,599	48,876
Full grade	31,619	41,105
Associate grade	26,381	34,292
Nurse schedule:		
Director grade	52,262	67,490
Assistant Director grade	44,430	57,759
Chief grade	37,599	48,876
Senior grade	31,619	41,105
Intermediate grade	26,381	34,292
Full grade	21,804	24,347
Associate grade	18,763	24,388
Junior grade	16,040	20,855
Clinical podiatrist and optometrist schedule:		
Chief grade	52,262	67,940
Senior grade	44,430	57,759
Intermediate grade	37,599	48,876
Full grade	31,619	41,105
Associate grade	26,381	34,292

[1] The rate of basic pay is limited to the rate payable for level V of the Executive Schedule, which is $68,700.

[2] The rate of basic pay is limited to the rate payable for level IV of the Executive Schedule, which is $72,300.

[3] The rate of basic pay is limited to the rate payable for level III of the Executive Schedule, which is $73,600.

Schedule 4—Senior executive service schedule

ES-1	$61,296
ES-2	63,764
ES-3	66,232
ES-4	68,700
ES-5	70,500
ES-6	72,300

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Saunders, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

ACTIONS REGARDING SOUTH AFRICA—MESSAGE FROM THE PRESIDENT—PM 76

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with accompanying papers, which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Pursuant to section 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(b), I hereby report to the Congress that I have exercised my statutory authority to declare that the policies and actions of the Government of South Africa constitute an unusual and extraordinary threat to the foreign policy and economy of the United States and to declare a national emergency to deal with the threat.

Pursuant to this and other legal authorities, I have prohibited certain transactions, including the following: (1) the making or approval of bank loans to the South African Government, with certain narrow exceptions; (2) the export of computers and related goods and technology to certain government agencies and any apartheid enforcing entity of the South African Government; (3) all nuclear exports to South Africa and related transactions, with certain narrow exceptions; (4) the import into the United States of arms, ammunition, or military vehicles produced in South Africa; and (5) the extension of export marketing support to U.S. firms employing at least twenty-five persons in South Africa which do not adhere to certain fair labor standards.

In addition, I have directed (6) the Secretary of State and the United States Trade Representative to consult with other parties to the General Agreement on Tariffs and Trade with a view toward adopting a prohibition on the import of Krugerrands; (7) the Secretary of the Treasury to complete a study within 60 days regarding the feasibility of minting U.S. gold coins; and (8) the Secretary of State to take the steps necessary to increase the amounts provided for scholarships in South Africa for those disadvantaged by the system of apartheid and to increase the amounts allocated for South Africa in the Human Rights Fund; and (9) the Secretary of State to establish an Advisory Committee to provide recommendations on measures to encourage peaceful change in South Africa.

Finally, this Order (10) commends the efforts of U.S. firms in South Africa that have voluntarily adhered to fair labor, nondiscrimination principles and encourages all U.S. firms to do likewise.

I am enclosing a copy of the Executive Order that I have issued making this declaration and exercising this authority.

1. I have authorized these steps in response to the current situation in South Africa. It is the foreign policy of the United States to seek peaceful change in South Africa, and in particular an end to the repugnant practice and policy of apartheid and the establishment of a government based on the consent of the governed. Recent developments in South Africa have serious implications for the prospects for peaceful change and the stability of the region as a whole, a region of strategic importance to the United States. The recent declaration of a state of emergency in 36 magisterial districts by the Government of South Africa, the mass arrests and detentions, and the ensuing financial crisis are of direct concern to the foreign policy and economy of the United States. The pace of reform in South Africa has not fulfilled the expectations of the world community nor the people of South Africa. Recent government actions regarding negotiations on the participation of all South Africans in the government of that country have not sufficiently diffused tensions and may have indeed exacerbated the situation.

Under these circumstances, I believe that it is necessary for this Nation to recognize that our foreign policy of seeking change through peaceful means is seriously threatened. In order for this Nation successfully to influence events in that country, it is necessary for the United States to speak with one voice and to demonstrate our opposition to apartheid by taking certain actions directed specifically at key apartheid policies and agencies.

2. The above-described measures, many of which reflect congressional concerns, will immediately demonstrate to the South African Government the seriousness of our concern with the situation in that country. Furthermore, this declaration mobilizes the influence of the private sector to promote an improvement in the economic prosperity, freedom, and political influence of blacks and other nonwhites in South Africa.

RONALD REAGAN.

THE WHITE HOUSE, *September 9, 1985.*

EXECUTIVE ORDER

PROHIBITING TRADE AND CERTAIN OTHER TRANSACTIONS INVOLVING SOUTH AFRICA

By the authority vested in me as President by the Constitution and laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), the Foreign Assistance Act (22 U.S.C. 2151 *et seq.*), the United Nations Participation Act (22 U.S.C. 287), the Arms Export Control Act (22 U.S.C. 2751 *et seq.*), the Export Administration Act (50 U.S.C. App. 2401 *et seq.*), the Atomic Energy Act (42 U.S.C. 2011 *et seq.*), the Foreign Service Act (22 U.S.C. 3901 *et seq.*), the Federal Advisory Committee Act (5 U.S.C. App. I), Section 301 of Title 3 of the United States Code, and considering the measures which the United Nations Security Council has decided on or recommended in Securi-

ty Council Resolutions No. 418 of November 4, 1977, No. 558 of December 13, 1984, and No. 569 of July 26, 1985, and considering that the policy and practice of apartheid are repugnant to the moral and political values of democratic and free societies and run counter to United States policies to promote democratic governments throughout the world and respect for human rights, and the policy of the United States to influence peaceful change in South Africa, as well as the threat posed to United States interests by recent events in that country,

I, Ronald Reagan, President of the United States of America, find that the policies and actions of the Government of South Africa constitute an unusual and extraordinary threat to the foreign policy and economy of the United States and hereby declare a national emergency to deal with that threat.

Section 1. Except as otherwise provided in this section, the following transactions are prohibited effective October 11, 1985:

(a) The making or approval of any loans by financial institutions in the United States to the Government of South Africa or to entities owned or controlled by that Government. This prohibition shall enter into force on November 11, 1985. It shall not apply to (i) any loan or extension of credit for any educational, housing, or health facility which is available to all persons on a nondiscriminatory basis and which is located in a geographic area accessible to all population groups without any legal or administrative restriction; or (ii) any loan or extension of credit for which an agreement is entered into before the date of this Order.

The Secretary of the Treasury is hereby authorized to promulgate such rules and regulations as may be necessary to carry out this subsection. The initial rules and regulations shall be issued within 60 days. The Secretary of the Treasury may, in consultation with the Secretary of State, permit exceptions to this prohibition only if the Secretary of the Treasury determines that the loan or extension of credit will improve the welfare or expand the economic opportunities of persons in South Africa disadvantaged by the apartheid system, provided that no exception may be made for any apartheid enforcing entity.

(b) All exports of computers, computer software, or goods or technology intended to service computers to or for use by any of the following entities of the Government of South Africa:

(1) The military;

(2) The police;

(3) The prison system;

(4) The national security agencies;

(5) ARMSCOR and its subsidiaries or the weapons research activities of the Council for Scientific and Industrial Research;

(6) The administering authorities for the black passbook and similar controls;

(7) Any apartheid enforcing agency;

(8) Any local or regional government or "homeland" entity which performs any function of any entity described in paragraphs (1) and (7).

The Secretary of Commerce is hereby authorized to promulgate such rules and regulations as may be necessary to carry out this subsection and to implement a system of end use verification to ensure that any computers exported directly or indirectly to South Africa will not be used by any entity set forth in this subsection.

(c)(1) Issuance of any license for the export to South Africa of goods or technology which are to be used in a nuclear production or utilization facility, or which, in the judgment of the Secretary of State, are likely to be diverted for use in such a facility; any authorization to engage, directly or indirectly, in the production of any special nuclear material in South Africa; any license for the export to South Africa of component parts or other items or substances especially relevant from the standpoint of export control because of their significance for nuclear explosive purposes; and any approval of retransfers to South Africa of any goods, technology, special nuclear material, components, items, or substances described in this section. The Secretaries of State, Energy, Commerce, and Treasury are hereby authorized to take such actions as may be necessary to carry out this subsection.

(2) Nothing in this section shall preclude assistance for International Atomic Energy Agency safeguards or IAEA programs generally available to its member states, or for technical programs for the purpose of reducing proliferation risks, such as for reducing the use of highly enriched uranium and activities envisaged by section 223 of the Nuclear Waste Policy Act (42 U.S.C. 10203) or for exports which the Secretary of State determines are necessary for humanitarian reasons to protect the public health and safety.

(d) The import into the United States of any arms, ammunition, or military vehicles produced in South Africa or of any manufacturing data for such articles. The Secretaries of State, Treasury, and Defense are hereby authorized to take such actions as may be necessary to carry out this subsection.

Sec. 2. (a) The majority of United States firms in South Africa have voluntarily adhered to fair labor principles which have benefitted those in South Africa who have been disadvantaged by the apartheid system. It is the policy of the United States to encourage strongly all United States firms in South Africa to follow this commendable example.

(b) Accordingly, no department or agency of the United States may intercede after December 31, 1985, with any foreign government regarding the export marketing activity in any country of any national of the United States employing more than 25 individuals in South Africa who does not adhere to the principles stated in subsection (c) with respect to that national's operations in South Africa. The Secretary of State shall promulgate regulations to further define the employers that will be subject to the requirements of this subsection and procedures to ensure that such nationals may register that they have adhered to the principles.

(c) The principles referred to in subsection (b) are as follows:

(1) Desegregating the races in each employment facility;

(2) Providing equal employment opportunity for all employees without regard to race or ethnic origin;

(3) Assuring that the pay system is applied to all employees without regard to race or ethnic origin;

(4) Establishing a minimum wage and salary structure based on the appropriate local minimum economic level which takes into account the needs of employees and their families;

(5) Increasing by appropriate means the number of persons in managerial, supervisory, administrative, clerical, and technical jobs who are disadvantaged by the apartheid system for the purpose of significantly increasing their representation in such jobs;

(6) Taking reasonable steps to improve the quality of employees' lives outside the work environment with respect to housing, transportation, schooling, recreation, and health;

(7) Implementing fair labor practices by recognizing the right of all employees, regardless of racial or other distinctions, to self-organization and to form, join, or assist labor organizations, freely and without penalty or reprisal, and recognizing the right to refrain from any such activity.

(d) United States nationals referred to in subsection (b) are encouraged to take reasonable measures to extend the scope of their influence on activities outside the workplace, by measures such as supporting the right of all businesses, regardless of the racial character of their owners or employees, to locate in urban areas, by influencing other companies in South Africa to follow the standards specified in subsection (c) and by supporting the freedom of mobility of all workers, regardless of race, to seek employment opportunities wherever they exist, and by making provision for adequate housing for families of employees within the proximity of the employee's place of work.

Sec. 3. The Secretary of State and the head of any other department or agency of the United States carrying out activities in South Africa shall promptly take, to the extent permitted by law, the necessary steps to ensure that the labor practices described in section (2)(c) are applied to their South African employees.

Sec. 4. The Secretary of State and the head of any other department or agency of the United States carrying out activities in South Africa shall, to the maximum extent practicable and to the extent permitted by law, in procuring goods or services in South Africa, make affirmative efforts to assist business enterprises having more than 50 percent beneficial ownership by persons in South Africa disadvantaged by the apartheid system.

Sec. 5. (a) The Secretary of State and the United States Trade Representative are directed to consult with other parties to the General Agreement on Tariffs and Trade with a view toward adopting a prohibition on the import of Krugerrands.

(b) The Secretary of the Treasury is directed to conduct a study to be completed within 60 days regarding the feasibility of minting and issuing gold coins with a view toward expeditiously seeking legislative authority to accomplish the goal of issuing such coins.

Sec. 6. In carrying out their respective functions and responsibilities under this Order, the Secretary of the Treasury and the Secretary of Commerce shall consult with the Secretary of State. Each such Secretary shall consult, as appropriate, with other government agencies and private persons.

Sec. 7. The Secretary of State shall establish, pursuant to appropriate legal authority, an Advisory Committee on South Africa to provide recommendations on measures to encourage peaceful change in South Africa. The Advisory Committee shall provide its initial report within twelve months.

Sec. 8. The Secretary of State is directed to take the steps necessary pursuant to the Foreign Assistance Act and related legislation to (a) increase the amount of internal scholarships provided to South Africans disadvantaged by the apartheid system up to $8 million from funds made available for fiscal year 1986, and (b) increase the amount allocated for South Africa from funds made available for fiscal year 1986 in the Human Rights Fund up to $1.5 million. At least one-third of the latter amount shall be used for legal assistance for South Africans. Appropriate increases in the amounts made available for these purposes will be considered in future fiscal years.

Sec. 9. This Order is intended to express and implement the foreign policy of the United States. It is not intended to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any person.

RONALD REAGAN.

THE WHITE HOUSE, *September 9, 1985.*

PRESIDENTIAL APPROVALS

A message from the President of the United States announced that he had approved and signed the following enrolled bills and joint resolutions:

On August 2, 1985:

S.J. Res. 57. Joint resolution to designate the week of October 20, 1985, through October 26, 1985, as "Lupus Awareness Week."

S.J. Res. 180. Joint resolution commemorating the tenth anniversary of the signing of the Helsinki Final Act.

On August 6, 1985:

S.J. Res. 161. Joint resolution to appeal for the release of Soviet Jewry.

On August 7, 1985:

S.J. Res. 168. Joint resolution designating August 13, 1985, as "National Neighborhood Crime Watch Day."

On August 8, 1985:

S. 960. An act to authorize international development and security assistance programs and Peace Corps programs for fiscal years 1986 and 1987, and for other purposes.

S.J. Res. 108. Joint resolution authorizing the Secretary of Defense to provide to the Soviet Union, on a reimbursable basis, equipment and services necessary for an improved United States/Soviet direct communication link for crisis control.

S.J. Res. 137. Joint resolution to designate the week of December 15, 1985, through December 21, 1985, as "National Drunk and Drugged Driving Awarness Week."

On August 9, 1985:

S. 1195. An act to amend title 3, United States Code, to authorize the use of penalty and franked mail in efforts relating to the location and recovery of missing children.

On August 15, 1985:

S. 1147. An act to amend the orphan drug provisions of the Federal Food, Drug, and Cosmetic Act and related laws.

S.J. Res. 98. Joint resolution condemning the passage of Resolution 3379, in the United Nations General Assembly on November 10, 1975, and urging the United States Ambassador and United States delegation to take all appropriate actions necessary to erase this shameful resolution from the record of the United Nations.

MESSAGES FROM THE HOUSE

At 12:03 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House insists upon its amendments to the bill (S. 1128) to amend the Clean Water Act, and for other purposes, disagreed to by the Senate; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints Mr. ROE, Mr. ANDERSON, Mr. MINETA, Mr. OBERSTAR, Mr. EDGAR, Mr. TOWNS, Mr. SNYDER, Mr. HAMMERSCHMIDT, Mr. STANGELAND, and Mr. CLINGER; and Mr. NOWAK, as an additional conferee solely for the consideration of sections 59 and 73 of the House amendments and modifications thereof committed to conference; and Mr. ROWLAND of Georgia, as an additional conferee solely for the consideration of sections 5, 16, 30(a), 34(b), and 45 of the House amendments and modifications thereof committed to conference.

The message also announced that the House has passed the following bill, with amendments, in which it requests the concurrence of the Senate:

S. 1080. An act to amend the Federal Railroad Safety Act of 1970 to authorize additional appropriations, and for other purposes.

The message further announced that the House has passed the following bills and joint resolutions, in which it requests the concurrence of the Senate:

H.R. 10. An act to amend the Public Works and Economic Development Act of 1965 and the Appalachian Regional Development Act of 1965;

H.R. 3011. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1986, and for other purposes;

H.J. Res. 229. Joint resolution designating the week beginning September 22, 1985, as "National Adult Day Care Center Week"; and

H.J. Res. 372. Joint resolution increasing the statutory limit on the public debt.

MEASURES REFERRED

The following bills and joint resolutions were read the first and second times by unanimous consent, and referred as indicated:

H.R. 10. An act to amend the Public Works and Economic Development Act of 1965 and the Appalachian Regional Development Act of 1965; to the Committee on Environment and Public Works.

H.R. 3011. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1986, and for other purposes; to the Committee on Appropriations.

H.J. Res. 229. Joint resolution designating the week beginning September 22, 1985, as "National Adult Day Care Center Week"; to the Committee on the Judiciary.

H.J. Res. 372. Joint resolution increasing the statutory limit on the public debt; to the Committee on Finance.

MEASURE PLACED ON THE CALENDAR

The following measure was read the second time and placed on the calendar:

S. 1522. A bill to amend section 607 of the Merchant Marine Act, 1936, to ensure consistent use of funds made available for capital construction of vessels, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated.

EC-1589. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the National Water Quality Inventory Report for 1984; to the Committee on Environment and Public Works.

EC-1590. A communication from the Chief Immigration, Judge, Executive Office of Immigration Review, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation in the cases of certain aliens, pursuant to section 244(a)(1) and section 244(a)(2) of the Immigration and Nationality Act; to the Committee on the Judiciary.

EC-1591. A communication from the Comptroller General of the United States transmitting, pursuant to law, a report entitled "Effects and Administration of the 1984 Milk Diversion Program"; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1592. A communication from the Comptroller General of the United States transmitting, pursuant to law, a report entitled "The Role of Marketing Orders in Establishing and Maintaining Orderly Marketing Conditions"; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1593. A communication from the President of the United States transmitting a supplemental request for funds for the District of Columbia government for fiscal year 1985; to the Committee on Appropriations.

EC-1594. A communication from the General Counsel of the GAO transmitting, pursuant to law, a report on the status of budget authority proposed for rescission but for which Congress did not pass a rescission bill; jointly, pursuant to the order of January 30, 1975, to the Committee on Appropriations and the Committee on the Budget.

EC-1595. A communication from the Director of the Defense Security Assistance Agency transmitting, pursuant to law, a confidential report on a proposed foreign military assistance sale to Japan; to the Committee on Armed Services.

EC-1596. A communication from the Director of the Defense Security Assistance Agency transmitting, pursuant to law, a report on a proposed foreign military assistance sale to Norway; to the Committee on Armed Services.

EC-1597. A communication from the Assistant Secretary of Defense transmitting, pursuant to law, a list of certain contract award dates for the period September 1 to October 31, 1985; to the Committee on Armed Services.

EC-1598. A communication from the Acting Executive Director of the National Advisory Committee on Oceans and Atmosphere transmitting, pursuant to law, the annual report of the advisory committee; to the Committee on Commerce, Science, and Transportation.

EC-1599. A communication from the Secretary of Transportation transmitting, pursuant to law, the National Plan of Integrated Airport Systems; to the Committee on Commerce, Science, and Transportation.

EC-1600. A communication from the Chairman of the Northern Mariana Islands Commission on Federal Laws transmitting, pursuant to law, the Commission's 2d interim report; to the Committee on Energy and Natural Resources.

EC-1601. A communication from the Secretary of Commerce transmitting, pursuant to law, the annual report of the Economic Development Administration; to the Committee on Environment and Public Works.

EC-1602. A communication from the Director of the Office of Management and Budget transmitting, pursuant to law, the Soil Conservation Service plan for English Coulee Watershed, ND; to the Committee on Environment and Public Works.

EC-1603. A communication from the Secretary of Health and Human Services transmitting a draft of proposed legislation to reduce costs in the Medicare and Medicaid Programs; to the Committee on Finance.

EC-1604. A communication from the Secretary of Health and Human Services transmitting, pursuant to law, a report on the administration, impact, and costs of the Utilization and Quality Control Peer Review Organization Program; to the Committee on Finance.

EC-1605. A communication from the Acting Secretary of State transmitting, pursuant to law, a report on the professional development programs of agencies authorized to use the personnel system of the Foreign Service Act of 1980; to the Committee on Foreign Relations.

EC-1606. A communication from the Director of the Office of Legislative Affairs, AID, transmitting, pursuant to law, justification for increased foreign assistance to Mozambique for fiscal year 1985; to the Committee on Foreign Relations.

EC-1607. A communication from the Director of the Office of Legislative Affairs, AID, transmitting, pursuant to law, justification for an increase in foreign aid to Ghana in fiscal year 1985; to the Committee on Foreign Relations.

EC-1608. A communication from the Director of Legislative Affairs, AID, transmitting, pursuant to law, a justification for an increase in foreign assistance to Zambia for fiscal year 1985; to the Committee on Foreign Relations.

EC-1609. A communication from the Director of Legislative Affairs, AID, transmitting, pursuant to law, a justification for an increase in foreign assistance to Malawi for fiscal year 1985; to the Committee on Foreign Relations.

EC-1610. A communication from the Director of Legislative Affairs, AID, transmitting, pursuant to law, a justification for an increase in foreign assistance to Rwanda for fiscal year 1985; to the Committee on Foreign Relations.

EC-1611. A communication from the Chairman of the National Advisory Council on International Monetary and Financial Policies, transmitting, pursuant to law, the fiscal year 1984 annual report of the Council; to the Committee on Foreign Relations.

EC-1612. A communication from the Acting Director of the Office of Management and Budget transmitting a draft of proposed legislation to provide authority to the Director of OMB to test innovative procurement methods and procedures without separate congressional action; to the Committee on Governmental Affairs.

EC-1613. A communication from the Acting Assistant Attorney General transmitting a draft of proposed legislation to provide for reform in compensation of attorneys in civil, criminal, and administrative proceedings in which the United States is a party; to the Committee on the Judiciary.

EC-1614. A communication from the Secretary of Education, transmitting, pursuant to law, final funding priorities for research fellowships; to the Committee on Labor and Human Resources.

EC-1615. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the annual report of the National Heart, Lung, and Blood Advisory Council; to the Committee on Labor and Human Resources.

EC-1616. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the annual Horse Protection Enforcement Report for 1984; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1617. A communication from the Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting, pursuant to law, a report on the conversion of various functions from in-house operation to performance by contract; to the Committee on Armed Services.

EC-1618. A communication from the Secretary of Commerce, transmitting, a draft of proposed legislation to amend section 8 of the Eastern Pacific Tuna Licensing Act of 1984; to the Committee on Commerce, Science, and Transportation.

EC-1619. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the annual report on the Child Support Enforcement Program for fiscal year 1984; to the Committee on Finance.

EC-1620. A communication from the Chief of the Army and Air Force Exchange Service, transmitting, pursuant to law, a report on the financial condition of the pension plan for the Service for the year ended December 31, 1984; to the Committee on Governmental Affairs.

EC-1621. A communication from the Secretary of Education, transmitting, pursuant to law, a final list of critical foreign languages under title II of the Education for Economic Security Act; to the Committee on Labor and Human Resources.

EC-1622. A communication from the Acting Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a cumulative report on budget rescissions and deferrals dated August 1, 1985; pursuant to the order of January 30, 1975, referred jointly to the Committee on the Budget and the Committee on Appropriations.

EC-1623. A communication from the Acting Director of the U.S. Information Agency, transmitting, pursuant to law, a report on a violation involving an overexpenditure of appropriated funds; to the Committee on Appropriations.

EC-1624. A communication from the Acting Secretary of the Navy, transmitting, pursuant to law, a report on the unit cost baseline cost of the Phoenix missile program; to the Committee on Armed Services.

EC-1625. A communication from the Assistant Secretary of Defense (Health Affairs), transmitting, pursuant to law, an addendum to a report of the review of the special pays for military health professionals; to the Committee on Armed Services.

EC-1626. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the annual report of the Securities Investor Protection Corporation for 1984; to the Committee on Banking, Housing, and Urban Affairs.

EC-1627. A communication from the Secretary of Commerce, transmitting, pursuant to law, the second biennial report regarding bluefin tuna for the period covering 1983 and 1984; to the Committee on Commerce, Science, and Transportation.

EC-1628. A communication from the Secretary of Energy, transmitting, pursuant to law, a report on the strategic petroleum reserve for the period April 1 through June 30, 1985; to the Committee on Energy and Natural Resources.

EC-1629. A communication from the Secretary of Energy, transmitting, pursuant to

law, the annual report on the State Energy Conservation Program for calendar year 1984; to the Committee on Energy and Natural Resources.

EC-1630. A communication from the Acting Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, a report on the nondisclosure of safeguards information by the Nuclear Regulatory Commission for the quarter ended June 30, 1985; to the Committee on Environment and Public Works.

EC-1631. A communication from the Acting Commissioner of Social Security, transmitting, pursuant to law, a study of the terminally ill in relation to the Social Security Disability Program, to the Committee on Finance.

EC-1632. A communication from the Secretary of State, transmitting, pursuant to law, semiannual reports on voluntary contributions to international organizations for the period October 1984 to March 1985; to the Committee on Foreign Relations.

EC-1633. A communication from the Assistant Secretary of State (Legislative and Intergovernmental Affairs), transmitting, pursuant to law, a copy of an aide memoire from the Commission of the European Communities expressing concerns about the Environmental Response Compensation and Liability Act and the Department's response to the aid memoire; to the Committee on Foreign Relations.

EC-1634. A communication from the General Counsel of the Treasury, transmitting a draft of proposed legislation to authorize the Secretary of the Treasury to issue regulations to require that wages and salaries of Federal employees be paid by electronic fund transfer to any other method determined by the Secretary to be in the interest of economy or effectiveness, with sufficient safeguards over the control of, and accounting for, public funds; to the Committee on Governmental Affairs.

EC-1635. A communication from the Acting Director of the Office of Management and Budget, Executive Office of the President, transmitting a draft of proposed legislation to eliminate or change statutory requirements preventing the reduction of paperwork burdens and regulatory simplification; to the Committee on Government Affairs.

EC-1636. A communication from the Acting Deputy Assistant Secretary of the Interior (Indian Affairs), transmitting, pursuant to law, a proposed plan for the use and distribution of funds awarded the Cherokee Nation of Oklahoma; to the Select Committee on Indian Affairs.

EC-1637. A communication from the Secretary of Education transmitting, pursuant to law, final regulations for Training of Interpreters for Deaf Individuals Program; to the Committee on Labor and Human Resources.

EC-1638. A communication from the Secretary of Education transmitting, pursuant to law, final regulations for the Emergency Immigrant Education Program; to the Committee on Labor and Human Resources.

EC-1639. A communication from the Secretary of Education, transmitting, pursuant to law, a report of the evaluation of the operation of the Helen Keller National Center for Deaf-Blind Youths and Adults for fiscal year 1983; to the Committee on Labor and Human Resources.

EC-1640. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of the Senate Building Beauty Shop financial statements for the fiscal years ended February 28, 1985, and February 29, 1984; to the Committee on Rules and Administration.

EC-1641. A communication from the Deputy Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to provide for exclusion of residents and interns from coverage under the Federal Labor-Management Relations Statute; to the Committee on Veterans' Affairs.

EC-1642. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Better Patient Management Practices Could Reduce Length of Stay in VA Hospitals"; to the Committee on Veterans' Affairs.

EC-1643. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Cost of Care Information to Patients"; to the Committee on Finance.

EC-1644. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Study of Foot Care Coverage Under Medicare"; to the Committee on Finance.

EC-1645. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, report on the implementation of the representative payee provision of the Social Security Disability Benefits Reform Act of 1984; to the Committee on Finance.

EC-1646. A communication from the Director of the General Government Division, General Accounting Office, transmitting, pursuant to law, the annual report on tax matters for calendar year 1984; to the Committee on Finance.

EC-1647. A communication from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting, pursuant to law, a report on International agreements, other than treaties, entered into by the United States in the 60-day period to August 12, 1985; to the Committee on Foreign Relations.

EC-1648. A communication from the Acting Assistant Secretary for Health, Department of Health and Human Services, transmitting, pursuant to law, a report on a new Privacy Act system of records; to the Committee on Governmental Affairs.

EC-1649. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 6-72 adopted by the Council on July 9, 1985; to the Committee on Governmental Affairs.

EC-1650. A communication from the Secretary of Education, transmitting, pursuant to law, final amendments for the State Vocational Education Program and Secretary's Discretionary Programs of Vocational Education—parts 400, 401, 407, 408, 409, 410, 411, 412, 414, 415, 416, and 417; to the Committee on Labor and Human Resources.

EC-1651. A communication from the Secretary of Education, transmitting, pursuant to law, final regulations for Bilingual Education: State Educational Agency Program; to the Committee on Labor and Human Resources.

EC-1652. A communication from the Secretary of Education, transmitting, pursuant to law, final regulations for assistance for local educational agencies in areas affected by Federal activities and arrangements for education of children where local educational agencies cannot provide suitable free public education; to the Committee on Labor and Human Resources.

EC-1653. A communication from the Secretary of Education, transmitting, pursuant to law, final regulations for Bilingual Education: Fellowship Program; to the Committee on Labor and Human Resources.

EC-1654. A communication from the Secretary of Education, transmitting, pursuant to law, final regulations for the Library Services and Construction Act—State-Administered Program to direct grant programs for Indian tribes and Hawaiian natives, foreign language materials acquisition, and literacy; to the Committee on Labor and Human Resources.

EC-1655. A communication from the Secretary of Education transmitting, pursuant to law, final regulations for the National Graduate Fellows Program; to the Committee on Labor and Human Resources.

EC-1656. A communication from the Administrator of Veterans' Administration transmitting pursuant to law, a biennial report containing recommendations for improvement of programs affecting former prisoners of war; to the Committee on Veterans' Affairs.

EC-1657. A communication from the Assistant Secretary of Defense (Comptroller), transmitting, pursuant to law, certain selected acquisition reports and selected acquisition summary tables for the quarter ending June 30, 1985; to the Committee on Armed Services.

EC-1658. A communication from the Acting Assistant Secretary of the Air Force (Logistics and Communications), transmitting, pursuant to law, a report on the conversion of certain in-house operations to performance by contract; to the Committee on Armed Services.

EC-1659. A communication from the Acting Deputy Assistant Secretary of the Air Force (Logistics), transmitting, pursuant to law, a report on the conversion of certain in-house operations to performance by contract; to the Committee on Armed Services.

EC-1660. A communication from the Secretary of the Interstate Commerce Commission, transmitting, pursuant to law, a report on the extension of time for serving a final decision in Soo Line Railroad Co. versus Chicago and North Western Transportation Co.; to the Committee on Commerce, Science, and Transportation.

EC-1661. A communication from the Chairman of the Board of the U.S. Synthetic Fuels Corporation, transmitting, pursuant to law, the unaudited quarterly report for the quarter ended June 30, 1985; to the Committee on Energy and Natural Resources.

EC-1662. A communication from the Secretary of Energy transmitting, pursuant to law, a report on the Colorado River Storage Project Power Resources and the financial support of authorized projects in the Upper Colorado River Basin States; to the Committee on Energy and Natural Resources.

EC-1663. A communication from the Acting Director of the Office of Management and Budget transmitting, pursuant to law, the Conservation Service's Plan for the West Fork of Big Creek Watershed, Missouri, and Iowa; to the Committee on Environment and Public Works.

EC-1664. A communication from the D.C. Auditor transmitting pursuant to law, a report on the annual audit of D.C. Charitable Games Control Board for 1984; to the Committee on Governmental Affairs.

EC-1665. A communication from the D.C. Auditor transmitting pursuant to law, a report on the University of the District of Columbia president's transition account ex-

penditures; to the Committee on Governmental Affairs.

EC-1666. A communication from the D.C. Auditor transmitting, pursuant to law, a report on the University of the District of Columbia president's representation fund; to the Committee on Governmental Affairs.

EC-1667. A communication from the D.C. Auditor transmitting, pursuant to law, a report entitled "Revenue Report for May 1985"; to the Committee on Governmental Affairs.

EC-1668. A communication from the Director of the Office of Personnel Management transmitting a draft of proposed legislation to establish specific authority to incur reception and representation expenses; to the Committee on Governmental Affairs.

EC-1669. A communication from the Deputy Assistant Secretary of the Interior transmitting, pursuant to law, a report on the reasons for the failure of the Secretary of the Interior to act on the recognition petition of the Little Shell Tribe of Chippewa Indians of Montana by September 30, 1985; to the Select Committee on Indian Affairs.

EC-1670. A communication from the Chairperson of the National Advisory Council on Indian Education transmitting, pursuant to law, the Council's 11th annual report to the Congress; to the Select Committee on Indian Affairs.

EC-1671. A communication from the Chief Justice of the United States transmitting, pursuant to law, a copy of the Report of the Proceedings of the Judicial Conference of the United States, 1985; to the Committee on the Judiciary.

EC-1672. A communication from the Secretary of the National Aviation Hall of Fame, Inc., transmitting, pursuant to law, its 1984 annual audit report; to the Committee on the Judiciary.

EC-1673. A communication from the Acting Deputy Assistant Secretary of the Air Force transmitting, pursuant to law, a report on the conversion of the source data entry function at Kelly Air Force Base, TX, to performance under contract; to the Committee on Armed Services.

EC-1674. A communication from the Deputy Secretary of Defense transmitting, pursuant to law, the Presidential certification that testing in space of the F-15 launched miniature homing vehicle antisatellite warhead by the United States is necessary to avert irrevocable harm to the national security and is consistent with the rights of the United States under the ABM Treaty of 1972; to the Committee on Armed Services.

EC-1675. A communication from the Treasurer of the United States transmitting, pursuant to law, a report on activities under the Olympic Commemorative Coin Act of 1982 for the second quarter of 1985; to the Committee on Banking, Housing, and Urban Affairs.

EC-1676. A communication from the Secretary of Energy transmitting, pursuant to law, a report on biomass energy and alcohol fuels programs for April 1 through June 30, 1985; to the Committee on Energy and Natural Resources.

EC-1677. A communication from the Comptroller General of the United States transmitting, pursuant to law, a report on GAO reports issued in July 1985; to the Committee on Governmental Affairs.

EC-1678. A communication from the Secretary of Education transmitting pursuant to law, final regulations for the research in education of the handicapped programs; to the Committee on Labor and Human Resources.

EC-1679. A communication from the Acting Comptroller General of the United States transmitting, pursuant to law, a report on one new deferral of funds for the USIA; jointly, pursuant to the order of January 30, 1975, to the Committee on Appropriations, the Committee on the Budget, and the Committee on Foreign Relations.

EC-1680. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, copies of international agreements, other than treaties, entered into by the United States within the 60 days previous to August 19, 1985; to the Committee on Foreign Relations.

EC-1681. A communication from the Assistant Secretary of State for Legislative and Intergovernmental Affairs, transmitting, pursuant to law, notice of Department of State approval of a foreign military assistance sale to Turkey; to the Committee on Foreign Relations.

EC-1682. A communication from the Director of the Federal Emergency Management Agency transmitting, pursuant to law, a report on a new Privacy Act System of records; to the Committee on Governmental Affairs.

EC-1683. A communication from the Comptroller General of the United States transmitting, pursuant to law, a report entitled "Residential Care Patterns of Child Placement in Three States"; to the Committee on Labor and Human Resources.

EC-1684. A communication from the Secretary of Agriculture transmitting, pursuant to law, the annual report on agricultural research and education activities for 1984; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1685. A communication from the Comptroller General of the United States transmitting, pursuant to law, a report entitled "Federal Price Support for Honey Should Be Phased Out"; to the Committee on Agriculture.

EC-1686. A communication from the Acting Assistant Secretary of Health and Human Services and the Assistant Secretary of Agriculture transmitting, pursuant to law, the third progress report on the Human Nutrition Research and Information Management System; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1687. A communication from the Assistant Secretary of the Navy transmitting, pursuant to law, a report on a proposed conversion of the storage and warehousing (Ordnance) function at the Navy Magazine, Lualualei, HI to performance under contract; to the Committee on Armed Services.

EC-1688. A communication from the Assistant Secretary of the Air Force transmitting, pursuant to law, notice of the decision to convert the telephone switchboard operations at Tinker AFB, OK to performance under contract; to the Committee on Armed Services.

EC-1689. A communication from the Chief, Center for Transportation Information, Department of Transportation, transmitting, pursuant to law, the Annual National Transportation Statistics Report; to the Committee on Commerce, Science, and Transportation.

EC-1690. A communication from the Vice Chairman of the Federal Maritime Commission transmitting a draft of proposed legislation to codify the laws within the jurisdiction of the Commission related to shipping and maritime matters; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of August 1, 1985, the following reports of committees were submitted on August 28, 1985:

By Mr. GARN, from the Committee on Appropriations, with amendments:

H.R. 3038: A bill making appropriations for the Department of Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1986, and for other purposes (Rept. No. 99-129).

By Mr. ROTH, from the Committee on Governmental Affairs:

Special report entitled "Crime and Secrecy: The Use of Offshore Banks and Companies" (Rept. No. 99-130).

By Mr. HATCH, from the Committee on Labor and Human Resources, with an amendment in the nature of a substitute:

S. 801: A bill to authorize appropriations for the National Science Foundation for fiscal year 1986 (Rept. No. 99-131).

By Mr. THURMOND, from the Committee on the Judiciary, with amendments:

S. 1200: A bill to amend the Immigration and Nationality Act to effectively control unauthorized immigration into the United States, and for other purposes (Rept. No. 99-132).

By Mr. HATCH, from the Committee on Labor and Human Resources, without amendment:

S. Res. 216: An original resolution waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 801.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ABDNOR, from the Committee on Appropriations, with amendments:

H.R. 3036. A bill making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1986, and for other purposes (Rept. No. 99-133).

By Mr. SPECTER, from the Committee on Appropriations, with amendments:

H.R. 3067: A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1986, and for other purposes (Rept. No. 99-134).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. MOYNIHAN:

S. 1607. A bill to amend section 103(e)(4) of title 23, United States Code, to extend the deadline for withdrawal of approval of the Westway project in New York and for approval of highway and transit projects substituted for such project until December

30, 1985; to the Committee on Environment and Public Works.

By Mr. STENNIS:

S. 1608. A bill for the relief of Maria Victoria Lizana; to the Committee on the Judiciary.

By Mr. McCLURE (by request):

S. 1609. A bill to provide for an equitable distribution of net receipts associated with the Federal onshore mineral leasing program; to the Committee on Energy and Natural Resources.

By Mr. GARN (by request):

S. 1610. A bill to require the Secretary of the Treasury to impose fees upon obligations of Government-Sponsored Enterprises and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SIMON (for himself, Mr. STAFFORD, Mr. KENNEDY, and Mr. METZENBAUM.

S. 1611. A bill to provide improved safety and health standards for railroad employees, and for other purposes; to the Committee on Governmental Affairs.

By Mr. DIXON:

S. 1612. A bill to amend the Internal Revenue Code of 1954 to extend the targeted jobs credit for 3 years; to the Committee on Finance.

By Mr. KENNEDY:

S. 1613. A bill to amend title XVIII of the Social Security Act to provide for greater equity in the medicare program; to the Committee on Finance.

S. 1614. A bill to amend title XVIII of the Social Security Act with respect to payment reform under that title, and for other purposes; to the Committee on Finance.

S. 1615. A bill to amend the Public Health Service Act to permit continuation of health benefits coverage for certain uninsured individuals, to provide incentives for the establishment of Statewide insurance pools, to prohibit hospitals from refusing to examine or provide appropriate treatment to stabilize patients in medical emergencies, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. McCLURE (by request):

S.J. Res. 192. Joint resolution to authorize financial assistance for the Northern Mariana Islands, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. DOLE (for himself, Mr. BYRD, and Mr. THURMOND):

S. Res. 217. Resolution to honor Alfred Mossman Landon; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MOYNIHAN:

S. 1607. A bill to amend section 103(e)(4) of title 23, United States Code, to extend the deadline for withdrawal of approval of the Westway project in New York and for approval of highway and transit projects substituted for such project until December 30, 1985; to the Committee on Environment and Public Works.

APPROVAL OF HIGHWAY AND TRANSIT PROJECTS IN NEW YORK

● Mr. MOYNIHAN. Mr. President, I am introducing today a bill to extend by 90 days the deadline for withdrawal of approval of the Westway project in New York and for approval of highway and transit projects substituted for such project until December 30, 1985.

This matter is currently sub judice. The Court's decision will in no way be affected by this measure; but it will avoid a situation in which New York loses both its present options—which is to say either build the Westway or trade it in—simply because the clock has run out.

My distinguished colleagues and friends in the House, Mr. HOWARD and Mr. BIAGGI have introduced similar bills.

I ask unanimous consent that the full text of the legislation be printed in the RECORD.

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

S. 1607

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third sentence of section 103(e)(4) of title 23, United States Code, is amended by striking out "September 30, 1985" and inserting in lieu thereof "December 30, 1985".●

By Mr. McCLURE (by request):

S. 1609. A bill to provide for an equitable distribution of net receipts associated with the Federal Onshore Mineral Leasing Program; to the Committee on Energy and Natural Resources.

FEDERAL ONSHORE MINERAL LEASING RECEIPTS

● Mr. McCLURE. Mr. President, at the request of the Department of the Interior, I send to the desk for appropriate reference a bill to provide for an equitable distribution of net receipts associated with the Federal Onshore Mineral Leasing Program.

Mr. President, this draft legislation was submitted and recommended by the Department of the Interior, and I ask unanimous consent that the bill, and the executive communication which accompanied the proposal from the Under Secretary of the Interior, be printed in the RECORD.

Mr. President, as chairman of the Committee on Energy and Natural Resources, I have introduced and will continue to introduce legislation within the jurisdiction of the committee at the request of the administration as a courtesy. This is one of those instances in which the administration has submitted an idea whose time should never come. This idea has surfaced in past administrations and Congress has had the consistent good judgment not to enact it. I see no reason why anything should be different this time around.

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

S. 1609

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law and effective October 1, 1985, there shall be deducted from Federal onshore mineral leasing receipts prior to the division and distribution of such receipts between the States and the U.S. Treasury, in a manner determined by the Secretary of the Interior, an amount that the Secretary of the Interior determines to be equal to the cost to the U.S. Government of administering Federal onshore mineral leasing programs. Such amount shall not include any costs related to mineral activities on Indian lands.

THE UNDER SECRETARY OF THE INTERIOR,
Washington, DC, July 22, 1985.

Hon. GEORGE BUSH,
President of the Senate, Washington, DC.

DEAR MR. PRESIDENT: There is enclosed a draft bill, "To provide for an equitable distribution of net receipts associated with the Federal onshore mineral leasing program."

We recommend that the draft bill be introduced, to the appropriate committee for consideration, and enacted.

The enclosed draft bill would require that a deduction be made from Federal onshore mineral leasing receipts prior to their division and distribution between the States and the U.S. Treasury. The amount of that deduction would be determined by the Secretary of the Interior and would equal the costs of administering the Federal onshore mineral leasing programs.

Under the Mineral Leasing Act, except for Alaska, States receive 50 percent of the revenues from Federal mineral leasing activities conducted on public lands within their borders. Another 40 percent of those revenues is deposited into the Reclamation Fund which is used to construct water projects in the Western States. Alaska receives 90 percent of those revenues with no revenues from Federal mineral leasing activities in Alaska deposited into the Reclamation Fund.

States, or in some instances counties, also receive a share of the revenues from Federal mineral leasing activities on acquired and other lands under a variety of laws. Under current law, however, the costs of issuing and supervising mineral leases, collecting and accounting for mineral revenues, and otherwise managing and administering the mineral leasing programs are not deducted before calculating the monies to be shared with the States and to be deposited to the Reclamation Fund. The Administration believes that States and counties should share the net gains from public land activities rather than gross receipts. Sharing on a gross basis, since it ignores costs, bears on relationship to the actual gain or benefits from the activity and results in a subsidy to the States and counties from Federal taxpayers. Under the enclosed draft bill, receipts would be shared on a basis that is net of costs.

The President's fiscal year 1986 Budget estimates that the amount to be deducted in fiscal year 1986 would be $125.2 million. This includes $33.2 million for the direct costs to the Minerals Management Service of collecting, accounting for, and distributing Federal onshore mineral leasing reve-

nues, and related administrative costs; $77.9 million for the direct costs to the Bureau of Land Management of Federal mineral leasing activities, and related administrative costs; and $14.1 million for the direct costs to the Forest Service of mineral leasing activities. The estimated costs related to mineral activities on Indian lands were excluded in deriving these amounts.

For fiscal year 1986, if this draft bill is enacted, we estimate that payments to the States from receipts under the Mineral Leasing Act would be reduced by $54 million, or about 10 percent of the $532 million they would otherwise receive. Payments to States and counties under other laws from Federal onshore mineral leasing receipts would also be reduced by about 10 percent. Overall, this costsharing proposal, if enacted, would reduce the Federal deficit by about $300 million during the five years from fiscal year 1986 through fiscal year 1990. Therefore, we recommend that this proposal be introduced enacted by the Congress.

The Office of Management and Budget has advised that the submission of this proposed legislation is in accord with the program of the President.

Sincerely,

ANN MCLAUGHLIN.●

By Mr. GARN (by request):

S. 1610. A bill to require the Secretary of the Treasury to impose fees upon obligations of Government-Sponsored Enterprises, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

GOVERNMENT-SPONSORED ENTERPRISE USER FEE ACT

● Mr. GARN. Mr. President, I am today introducing the "Government-Sponsored Enterprise User Fee Act of 1985," and I ask unanimous consent that a section-by-section analysis of the bill be printed in the RECORD.

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

GOVERNMENT-SPONSORED ENTERPRISES USER FEE ACT OF 1985—SECTION-BY-SECTION ANALYSIS

Section 1 states the title of the bill, the "Government-Sponsored Enterprises User Fee Act of 1985".

Section 2 sets forth the reasons for the bill. Government sponsorship has pro-vided Government-Sponsored Enterprises ("GSE's") various benefits not otherwise available to private entities in the credit market place. These benefits include in most, but not all cases: exemption of their income from Federal, State and local income taxation; exemption of interest on their debt from State and local taxation; exemption of their securities from SEC regulation; eligibility of securities for special treatment by the Federal Reserve; and lines of credit with the Federal Government. Because of these specific advantages and the overall Federal sponsorship, the GSE's are perceived by the securities market to have a special relationship with the Federal Government. As a result (and despite the absence of Federal guarantees), the GSE's can borrow at interest rates only slightly higher than the interest rates paid by the Treasury on comparable issues of public debt securities. In consequence of these privileges, this Act will impose a fee on all obligations issued by the GSE's after September 30, 1985.

Section 3 provides definitions.

Subsection (1) defines "Government-Sponsored Enterprises". The definition includes both entities set out by name in the section and their subsidiaries, and entities that might be created (or modified) by statute to respond to a specific credit problem by acting as financial intermediaries, and which would not be government owned but which would enjoy some or all of the following advantages: exemption from securities laws and regulation; exemption of their income from Federal, State or local income taxes, and of interest on their debt from such taxes; eligibility of securities for special treatment by the Federal Reserve; and back-up lines of credit with the Federal Government (either direct or indirect).

Subsection (2) defines "obligation(s) outstanding" as an obligation issued by a GSE after September 30, 1985, which remains unpaid in whole or in part. This includes obligations issued for the purposes of refunding previously outstanding obligations.

Subsection (3) defines a "quarter" as a period of time consisting of three consecutive calendar months during each year, beginning October 1, 1985.

Subsection (4) defines "Secretary" as the Secretary of the Treasury.

Subsection (5) defines "secured obligations." Secured obligations are limited to obligations issued by the GSE's after September 30, 1985, which are backed by specific assets of the GSE, including pools of assets or specific income streams. Thus, securities currently issued by GSE's as mortgage-backed pass-through securities and collateralized mortgage obligations would be secured obligations for the purposes of this Act if issued after September 30, 1985.

Subsection (6) defines "subsidiary" to include all entities owned or controlled by one or more GSE's

Subsection (7) defines "unsecured obligations" as all obligations issued by a GSE after September 30, 1985 that are not "secured obligations."

Section 4 established a fee on obligations of the GSE's issued and outstanding after September 30, 1985, and a mechanism for collection of the fee.

Subsection (1) provides that beginning on January 1, 1986, the Secretary will, in consultation with each GSE, retrospectively determine the average principal amount of secured and unsecured obligations of each GSE that were outstanding during the previous quarter. For the quarter starting October 1, 1985, obligations that will be included in the calculation shall be only those obligations issued during that quarter. For subsequent quarters outstanding obligations shall include obligations issued during previous quarters that remain outstanding during all or any part of the quarter plus obligations issued during that quarter. In all cases obligations issued for refunding purposes shall be treated the same as those issued to raise new cash.

Subsection (2) sets forth the fee to be assessed. The fee is to be assessed on all outstanding obligations at an annual base rate of fifty one-thousands of one percent (.00050) of the average principal amount calculated pursuant to subsection (1). For unsecured obligations issued after September 30, 1986, the Secretary will assess an additional fee at an annual rate of thirty-three one-thousandths of one percent (.00033) of the average principal amount calculated pursuant to subsection (1). Therefore, on unsecured obligations issued after September 30, 1986, the annual fee will be eighty-three one-thousandths of one percent (.00083) of the average principal amount. Unsecured obligations issued after September 30, 1985, but before October 1, 1986 will be assessed at the base rate so long as they remain outstanding. As with the calculation of outstanding obligations, refunding obligations are treated the same as obligations issued to raise new cash.

Subsection (3) provides that the fee is due prior to the end of the quarter during which it is assessed, and any fee not paid by the due date is to be assessed a late charge. The amount of the late charge is based on one hundred-fifty percent of the 13-week Treasury Bill rate. The late charge will be added to the fee for the purpose of calculating additional late charges due in the event of a further failure to pay.

Subsection (4) provides that all fees paid under the Act will be deposited in miscellaneous receipts of the United States Treasury.

Subsection (5) states that the Secretary is authorized to prescribe such regulations as are necessary or appropriate to administer the provisions of the Act.●

By Mr. SIMON (for himself, Mr. STAFFORD, Mr. KENNEDY, and Mr. METZENBAUM):

S. 1611. A bill to provide improved safety and health standards for railroad employees, and for other purposes; to the Committee on Governmental Affairs.

FEDERAL RAILROAD EMPLOYEES SAFETY AND HEALTH ACT

● Mr. SIMON. Mr. President, today I am introducing legislation which would transfer the railroad safety jurisdiction of the Department of Transportation to the Department of Labor. There are several advantages to such a transfer. First, safety would be improved; second, in this cost conscious Congress, substantial sums could be saved by consolidating some of the Occupational Health and Safety Administration [OSHA] and rail safety enforcement; third, the agency hopefully would be more responsive to the laws and directions of Congress as well as to the needs of the public.

The Federal Railroad Administration [FRA] was created within the Department of Transportation in 1966. At that time the rail safety functions which had been administered by the Interstate Commerce Commission were transferred to the Department of Transportation. Very little was accomplished in rail safety until the enactment of the Federal Railroad Safety Act of 1970. Since that time the FRA has been subject to much criticism, not only from the workers, but from Congress and independent agencies as well. During the early years after enactment of the 1970 law, the FRA refused to comply with the statutory mandate that regulations be adopted within 1 year from date of enactment. It was in late 1973 before the first regulation under the act went into effect. From the beginning, the FRA refused

to implement the State participation provisions set forth under the act. Only after hearings were scheduled by Congress in 1974 did FRA indicate any willingness to start such a program, even though it was mandated in the law. The next year Congress continued to have concerns with Federal Railroad Administration's failure to do an adequate job. On page 5 of the House Report No. 94-240, 94th Congress, 1st session (1975), the House Committee on Interstate and Foreign Commerce stated:

> The Committee feels that these statistics are telling the story that the Federal Railroad Administration [FRA] is not doing its job adequately. The Committee also feels that a major reason for this problem is that the FRA has consistently failed to avail itself of the safety inspectors and funds authorized by this Committee.

Because of the lack of responsiveness of FRA to safety problems, Congress adopted a number of amendments in 1976 designed to strengthen safety enforcement. For example, evidence produced at the hearings showed that the FRA was compromising penalties at figures substantially below the minimum penalties set forth in the various safety statutes. As a result, Congress required that penalties could not be compromised below the penalty assessed originally. Another matter Congress had to deal with in 1976 required the Secretary to decide any petition filed within 1 year from its receipt. The evidence shows that some petitions would sit at FRA for years without a response from the agency. The continued problems with FRA caused Congress to request that the Office of Technology Assessment [OTA] evaluate the Federal Railroad Safety Program and report the results to Congress. The OTA completed its study in 1978. In general, the study concluded that FRA had failed to set safety goals and had not been able to implement its enforcement authority effectively. In particular, data collection was found to be piecemeal and inadequate; inspections did not correlate with demonstrated needs for a decrease in accidents; regulations did not appropriately set forth performance standards; and penalties were not being assessed in a rational manner. The State Participation Program was not being administered effectively as indicated by the small number of States involved.

In 1978 the Administrator of the FRA, testifying before the Senate Subcommittee on Surface Transportation, admitted that the railroad safety problem had worsened instead of improving since 1970 when the Federal Railroad Safety Act was passed. The situation was so intolerable that it prompted nine members of the House Committee on Interstate and Foreign Commerce to file separate views on FRA's lack of attention to railroad safety. One of those members is the current chairman of the committee, Representative JOHN D. DINGEL.

The members pointed out that FRA's failure to enforce the Federal railroad safety laws has been paralleled by an alarming increase in rail accidents. They also pointed out that FRA recognized that the real answer to the railroad safety crisis lies in enforcing existing laws and regulations against often recalcitrant railroads. They called for definitive action by Congress in three areas. First, Congress should seek ways to force FRA to initiate an aggressive program of enforcing Federal safety statutes and regulations. Second, an appropriation should not be limited to amounts the FRA requests. Third, in view of FRA's failures, the various States should be given greater authority over rail safety. It is interesting to note that this year the Department of Transportation is once again seeking to entirely delete funding for the various States in railroad safety enforcement.

In December 1981, the Department of Transportation submitted a report to Congress entitled "Department of Transportation Systems Safety Plan for Improving the Management of Railroad Safety Programs." The plan sets forth the methodology by which FRA intends to administer its Rail Safety Program. In particular, it shifts away from the imposition of fines for violations to consultation and other types of remedial alternatives. This plan has been criticized by the Comptroller General in a report entitled "The Federal Approach to Rail Safety Inspection and Enforcement: Time For Change." The General Accounting Office's [GAO] report refers to internal legal memoranda from the FRA's chief counsel's office in which the agency lawyers admit that the enforcement policies in the system safety plan exceed the relatively narrow prosecutorial discretion which FRA has. In summarizing the GAO's report, the Comptroller General in a letter dated December 21, 1982, to my colleague in the House, Representative JAMES FLORIO, chairman of the House Subcommittee on Engery and Commerce, stated that the imposition of civil penalties for safety violations is central to the enforcement scheme of the various railroad safety laws, and that the plan is questionable from a legal standpoint. The Comptroller General pointed out that the FRA inspectors may well interpret the plan as a signal to generally avoid citing violations in a wide range of circumstances. In effect, the GAO stated that the plan exceeded FRA's legal authority. Yet the plan is still in full force and effect in 1985.

FRA's enforcement activity to date demonstrates what Congress has complained about for so many years. Even though thousands of defects are discovered annually, only a very small percentage result in citing a railroad for a violation. In only about 5 percent of all cases where defects exist are fines imposed. For example, last year the FRA inspectors discovered 286,771 defects and the Agency sought fines in only 13,000 cases, which is less than 4 percent.

The proof of the pudding is that safety is not getting better, as some suggest, since the adoption of the systems safety plan in 1982. Comparing 1983 with 1984 statistics, every major category appears to be worse. For example, at public and private rail-highway grade crossings, in 1984 there were 648 fatalities and 2,911 injuries. In 1983 there were 575 fatalities and 2,623 injuries. Overall statistics covering accidents and incidents on the railroad show increases as well. Injuries from accidents nearly doubled in 1984. There were 893 injuries which were sustained in accidents during 1984, as compared with 502 injuries in 1983. A "train accident" in railroad terminology is defined as a collision, derailment, or other event involving the operation of railroad on-track equipment resulting in physical property damages that exceed $4,500. That figure has been increased to $4,900 this year. A "train incident" is an event involving the movement of railroad on-track equipment that results in a death, a reportable injury, or a reportable illness but in which railroad property damages do not exceed $4,500. In 1983 there were 432 deaths resulting from train incidents, and 5,182 injuries. In 1984, there were 515 deaths and 5,528 injuries.

I have had personal experiences with the FRA. As a result of a catastrophic accident in my old southern Illinois congressional district approximately 10 years ago, I introduced a bill in 1977 (H.R. 8017), which, if enacted, would have required the Secretary of Transportation to issue regulations requiring locomotives to be equipped with strobe lighting. The regulation would have required that the strobe lights be operated at grade crossings and at other locations where the Secretary finds it is required in the interests of safety. That legislation was not adopted, but Congress required that the Secretary conduct a study to determine whether strobe lights would be more effective than the standard head-light now in use. The FRA concluded that strobe lights should not be placed on locomotives. Frankly, I did not expect anything else from the FRA since they opposed the legislation. I still believe that strobe lights would be an effective deterrent to accidents at rail-highway grade crossings.

In conclusion, I think my recitation of the history of FRA's enforcement activities makes it pretty clear that FRA has done a poor job in its admin-

istration of the Federal railroad safety laws. The time has come for a change, and I submit that the appropriate agency to have jurisdiction over rail safety is the Department of Labor. The Occupational Safety and Health Administration already exercises jurisdiction in the rail industry. In particular their regulations cover railroad shops, offices, and other locations where occupational hazards exist in the rail industry. By transferring the jurisdiction to the Department of Labor, I believe that enforcement would be more evenhanded and there would be a long term cost savings to the Federal Government. I join with three others, my friend and colleague on the committee from Vermont, Senator ROBERT STAFFORD; the distinguished ranking minority member of the Labor and Human Resources Committee, Senator KENNEDY; and my friend from Ohio, the ranking minority member of the Labor Subcommittee, Senator METZENBAUM, to offer this bill.

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

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

SUMMARY OF LEGISLATION TO TRANSFER RAIL SAFETY JURISDICTION TO OSHA

TITLE I—TRANSFER OF CERTAIN RAILROAD SAFETY FUNCTIONS

Section 101(a) transfers to the Secretary of Labor the powers presently in the Secretary of Transportation with respect to the following laws:

(1) Federal Railroad Safety Act of 1970.

(2) All of the safety appliance acts (including Locomotive Inspection Act, Power Brake law, Boiler Inspection Act), Accident Reports Act, and Reorganization Plan No. 3 of 1965.

(3) Hours of Service Act.

(4) Signal Inspection Act.

The jurisdiction over Hazardous Materials Transportation Act, will remain in the Department of Transportation.

Section 101(b) makes it clear that the powers of the Secretary of Transportation with respect to research and development (except for training and determination of causes of accidents) will remain with the Secretary of Transportation. This section also requires that DOT promptly forward any recommendations concerning improved safety to the Secretary of Labor.

Section 101(c) makes it clear that Department of Transportation's powers will not be diminished as to the laws that are not transferred, and correspondingly, the Department of Labor will have the same powers as the Secretary of Transportation had in the laws that are being transferred.

Section 101(d). This section provides that the laws that are being transferred will be enforced in accordance with Occupational Safety and Health Administration (OSHA) procedures, except for the cease and desist provisions. Among the differences in the enforcement under the existing railroad safety laws and OSHA in that in OSHA, the inspector may immediately issue a citation for a violation. Under the procedures now used by Federal Railroad Administration (FRA), the safety inspector writes up a notice of a violation which is sent to Washington, and then an official in the Washington Office later determines whether a claim should be processed as a violation.

Also, this section preserves enforcement by the Federal Government (rather than by the states) except where the Federal Government fails to take appropriate action.

TITLE II—ADDITIONAL MEMBERS ON THE OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

Section 201(a) This increases the number of members on the Occupational Safety and Health Review Commission (OSHRC) from three (3) to five (5). With respect to the additional two (2) members, one must be a representative from labor and the other one from management, and both shall be especially qualified in the field of railroad safety and health.

Section 201(b) provides that the terms of the two additional members shall be six (6) years, except that initially one of the members shall serve for a term of two (2) years, and the other for a term of six (6) years.

Section 201(c) provides that three members of the commission shall constitute a quorum. An equally divided vote by the Commission will operate to affirm the order being reviewed.

Section 201(d) permits the creation within the Commission of a special railroad safety and health panel composed of both members who are especially qualified in the field of railroad safety. This panel could decide all of the railroad safety matters.

TITLE III—MISCELLANEOUS PROVISIONS

Section 301 generally establishes with the mechanics of transferring the personnel, appropriations, property, records, etc. 301(c)(1) directs that all of the personnel of the FRA handling enforcement and compliance will be transferred to the Department of Labor. This section also makes it clear that *all* of the personnel of the FRA will be protected for one year without reduction in qualification or compensation.

Section 302(a) establishes in the Department of Labor a "Federal Railroad Safety and Health Administration."

Section 302(b) reduces the status of the Federal Railroad Administrator. At the present, his income is the same as the Chairman of the OSHRC. This change would place him in the same category as the Assistant Secretary of Labor, and the remaining members of the Commission.

Section 303 makes it clear that nothing in this Act shall be construed to authorize the Secretary of Labor to reduce the number of inspectors engaged in enforcing the laws being transferred, or to reduce the number of inspectors engaged in the enforcement of OSHA.

Section 305 abolishes the FRA (the functions relating to research and development, hazardous materials that are retained in the DOT will be carried out by other divisions within the Department of Transportation.)●

By Mr. DIXON:

S. 1612. A bill to amend the Internal Revenue Code of 1954 to extend the targeted jobs credit for 3 years; to the Committee on Finance.

EXTENSION OF TARGETED JOBS CREDIT

Mr. DIXON. Mr. President, Congress will have to consider a great number of issues this fall. Many of these issues are difficult and complex, and extremely controversial. I'm sure they will take most of our time and attention.

It is vitally important, however, as Congress attempts to resolve the numerous complex and contentious issues before it, that we ensure that agenda items that are not controversial are not lost in the process.

The targeted Jobs Tax Credit Program expires at the end of this year unless Congress acts to renew it. This program has enjoyed broad support in Congress since it was first created in the late seventies. What is more, it has worked efficiently and in a cost-effective manner to create literally hundreds of thousands of jobs for the disadvantaged.

In 1983, for example, the targeted jobs tax credit resulted in the employment of 431,182 persons. Last year, 653,381 people were employed, and this year the total is expected to exceed 650,000.

The program accomplishes objectives with a minimum of redtape. As the figures convincingly demonstrate, it puts people to work—people who have been hard to place in jobs and many of whom would otherwise be drawing welfare checks or other forms of public assistance. Over 60 percent of those assisted are disadvantaged youths, a group with an unemployment rate over 50 percent in many parts of our country.

The targeted jobs tax credit created over 22,000 jobs in my own State of Illinois last year, Mr. President, and this year it could create as many as 35,000 jobs in Illinois. Further, according to Jobs for Youth/Chicago, an organization dealing with economically disadvantaged youths between 16 and 21 in Illinois, this job creation does not cost the Treasury money, but in fact benefits the Federal Government. Over 80 percent of the people Jobs for Youth/Chicago helps are on welfare. Once employed and even after allowing for the direct cost of the tax credit, the Federal Treasury gains $500 for each targeted jobs tax credit participant, as opposed to spending an average of $1,200 on assistance payments for the same individual.

A recent editorial from the Chicago Tribune entitled "Save the Jobs Tax Credit" makes the same point. According to the editorial, the tax credit will be:

> Responsible for the hiring of about 10,500 hard-to-place people here [in Chicago] in fiscal 1985. After the tax credit involved is subtracted, net welfare savings will come to about $7 million this year and former welfare recipients who now hold jobs will pay an estimated $4 million in taxes.

Mr. President, we cannot afford to let a program lapse that creates real private sector jobs while at the same time creating net budget savings for the Federal Government. Allowing the targeted jobs tax credit to expire would not save money, in fact, it would

add to the deficit. We don't have very many Federal programs that work this well in any area. The targeted jobs tax credit should be extended now for a period long enough to give the program more stability.

I'm sure that the great majority of my colleagues in both the Senate and the House of Representatives will support extension of this essential tax credit program. I am today introducing legislation to extend it for 3 years in order to demonstrate my own commitment to this program, and to help ensure that this program receives the attention and prompt extension it deserves.

Congress will debate tax reform, budget issues, and many other issues this year. Many issues will no doubt not be resolved this year, but will be carried over to next year's session. Extension of the targeted jobs tax credit, however, need not wait and should not wait. Prompt and timely extension would take very little time on the floor, and would ensure that this sensible and fiscally responsible job creation measure is able to continue aiding those who most need our help.

I urge my colleagues, therefore, to join me in working to see that congressional action on extension of the targeted jobs tax credit occurs as quickly as possible.

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

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

S. 1612

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 51 (c)(3) of the Internal Revenue Code of 1954 (relating to the termination of the targeted jobs credit) is amended by striking out "1985" and inserting in lieu thereof "1988".

[From the Chicago Tribune, Sept. 1, 1985]

SAVE THE JOBS TAX CREDIT

Unless Congress has the good sense to extend it, one of the nation's best strategies for generating private-sector jobs for hard-to-place jobs for hard-to-place people will expire at the end of the year.

At stake is the Targeted Jobs Tax Credit program that gives a federal tax break to employers who hire economically disadvantaged 18- to 24-year-olds, handicapped people, Vietnam veterans, welfare recipients and ex-offenders. It's one of those rare situations in which everyone—including the American taxpayers—wins.

The program lets inexperienced, untrained, disadvantaged applicants give employers a compelling reason to hire them: part of their salary for two years can be deducted from taxes. Once hired, most of these employees gain training and a work record that helps them move up or on to better jobs, as nearly "five years of experience with the program shows. Many community organizations use the tax credit program as a way to persuade employers to take a chance on the jobless people they are trying to help.

The tax break allows many small businesses to hire additional workers they could not otherwise afford; in some instances, these low-cost employees have kept small enterprises from failing. And the tax credit encourages larger employers to take the risk of hiring inexperienced, untrained applicants by reducing the payroll costs of doing so.

Taxpayers benefit, too. The government initially loses revenue from the tax credits. But it saves considerably more in welfare payments that are no longer necessary for the workers and their dependents—savings that many continue for decades as disadvantaged people who might have been stuck on public aid for most of their lives have a chance to become productive taxpayers.

Chicago employers and community organizations have made particularly effective use of the Targeted Jobs Tax Credit. It will be responsible for the hiring of about 10,500 hard-to-place people here in fiscal 1985. After the tax credit involved is subtracted, net welfare savings will come to about $7 million this year and former welfare recipients who now hold jobs will pay an estimated $4 million in taxes. Employers and community organizations who help in job placements say most of these individuals would not have been hired without the incentive of the tax credit.

Nationally, about 565,000 people got jobs last year through the Targeted Jobs Tax Credit program; as many as 750,000 will this year. As in Chicago, savings in welfare and other public assistance payments will be at least twice the cost to the government in tax credits.

There seems to be little opposition in Congress to renewing the tax credit when it expires on Dec. 31. It does not require a congressional appropriation. But supporters fear it could get lost in the debate over major tax reform legislation this fall.

A program that helps create more jobs and fills them with people unlikely to get work on their own does enormous good. When it also saves the government at least twice as much or more in welfare spending as it costs in tax revenues, there should be no question about its renewal. Congress should not only extend the Targeted Jobs Tax Credit program but should also increase the credit and broaden the definition of those who qualify for its help, as its advocates are urging.

By Mr. KENNEDY:

S. 1613. A bill to amend title XVIII of the Social Security Act to provide for greater equity in the medicare program: to the Committee on Finance.

S. 1614. A bill to amend title XVIII of the Social Security Act with respect to payment reform under that title, and for other purposes; to the Committee on Finance.

S. 1615. A bill to amend the Public Health Service Act to permit continuation of health benefits coverage for certain uninsured individuals, to provide incentives for the establishement of statewide insurance pools, to prohibit hospitals from refusing to examine or provide appropriate treatment to stabilize patients in medical emergencies, and for other purposes; to the Committee on Labor and Human Resources.

HEALTH CARE LEGISLATION

● Mr. KENNEDY. Mr. President, I rise to offer three bills designed to begin to deal with the most pressing health needs of the American people. This legislation was developed jointly with Congressman PETE STARK of California, who is introducing companion legislation in the House of Representatives. I would also like to thank Congresswoman KENNELLY for her contribution to this legislation.

Our proposal was divided into three bills for jurisdictional reasons. S. 1613 and S. 1614 propose reforms to the Medicare Program; S. 1615 amends the Public Health Service Act. But all three bills address related problems.

We are introducing this legislation because the crisis in health care the American people confront today demands immediate action.

You do not need an electrocardiogram or even a stethescope to confirm that this crisis exists. Whether the issue is availability of health insurance, denial of needed care, or excessive cost, the condition of the patient is clear: serious, deteriorating, and potentially critical.

I recognize the vital importance of deficit reduction. So the proposals I am advancing today will not mean major new commitments of Federal resources, but they will mean major improvements in health for the American people.

My proposal is directed at several key problems:

The increasing number of Americans without any health insurance;

The decreasing willingness of our Nation's hospitals to provide care to those who cannot pay;

The ever growing burden of health care costs for our Nation's elderly; and

Continued waste in Medicare payments to for profit hospitals and physicians.

Since 1977, the number of Americans without any health insurance coverage has increased a whopping 40 percent, from 25 million people to 35 million people.

At the same time that the number of Americans without health insurance is climbing, the traditional commitment of our country's voluntary hospitals to provide charity care is eroding. According to the American Hospital Association, one in every seven community hospitals adopted explicit limits on charity care in 1982 and 1983 alone.

In every region of the country, public hospitals are reporting four and fivefold increases in economic transfers—a euphemism for turning the needy away. And in Tennessee, in California, in South Carolina, in Alabama, in Arizona, and all across our country emergency patients are being killed or crippled because they cannot find a hospital that will take them in.

Indeed, a recent survey funded by the Robert Woods Johnson Foundation found that 1 million Americans every year are denied medical care because they cannot afford to pay for it. And 5 million Americans do not even seek the health care they need because they know they cannot pay.

We can no longer allow the American people's access to the health care they need to continue to deteriorate.

The elderly are one of the groups that suffer most from the high cost of health care and gaps in health insurance coverage—because they need so much more health care than other members of our population. Reagan benefit cuts and premium increases already enacted will take $11.5 billion from the elderly over the next 5 years. The budget package enacted by the Senate will take another $9.6 billion over the same period if it becomes law. Today, our elderly and disabled Medicare beneficiaries have to pay more than $1 in every $7 of their limited incomes to purchase health care—the same unacceptably high percentage they paid in the dark days before Medicare.

I am pledged to continue to fight the unfair beneficiary cuts proposed by the Republican budget, but it is not enough to try to prevent the Reagan administration from making the elderly's situation even worse. We must take positive steps to address the problems that already exist.

Solving the overall financial problems the high cost of health care poses for the elderly will require more sweeping reforms than are possible in this Congress. But we can make a significant start in this Congress by ensuring that the elderly do not have to pay the price of Medicare reimbursement reforms already enacted. In particular, we can put the calculation of the Medicare hospital deductible and the nursing home copayment on a fairer basis.

Every time a senior citizen enters the hospital, he must pay the deductible. And because the increase in the deductible is calculated based on payment methods Medicare no longer uses, it will increase an outrageous $76 next year, to a staggering $476. And the nursing copayment, which is now $50 a day will increase proportionately.

This 20-percent increase will occur even though the Reagan budget proposes no increase at all in the amount Medicare will pay for a hospital admission.

I say it is unfair for the Government to reap all the savings from prospective payment while Medicare beneficiaries experience only additional costs.

For too long, Medicare has been oriented to providing care only after our senior citizens become sick rather than investing in the preventive care that can keep them well. I believe it is good for beneficiaries and cost-effective for the country to make a modest investment in health to offset the billions we spend on sickness.

At the same time that Medicare beneficiaries are asked to pay far too much for the health care they need and the Reagan administration proposes further draconian cuts in benefits and increases in premiums, the Federal Government still tolerates excessive payments to certain providers. For profit hospitals are still paid an unjustified, $200 million per year bonus called return on equity. Under the administration's budget, Medicare payments to physicians will increase over 12 percent next year, three times as much as the Consumer Price Index, and almost four times as much as payments to hospitals.

The time is now to abolish unjustified bonuses to for-profit hospitals and to lay the groundwork for reforms of physician payments that could save the taxpayers billions of dollars every year.

To respond to these major health problems—the increase in the number of people without health insurance coverage, the decline in charity care, the excessive out of pocket costs faced by Medicare beneficiaries, and the continued wasteful payment by Medicare for some health services—the legislation I am presenting today includes the following steps.

HEALTH INSURANCE COVERAGE

In the area of expanded health insurance coverage, this legislation will require employers to allow laid-off workers to purchase health insurance coverage at lower group rates and to allow open enrollment in family plan health insurance coverage when one member of a family with two workers loses a job and health insurance coverage. Approximately 4 million Americans could potentially benefit from these two provisions.

The legislation will also offer widows, divorcees, and their children the opportunity to continue in employment based health insurance plans for up to 5 years if they are able to pay the premium. There are approximately 5 million Americans who have lost health insurance coverage as a result of divorce or death in the family.

States would be encouraged to set up subsidized group insurance pools for those who do not have access to group health plans and are prevented from purchasing individual health insurance coverage at an affordable price because of preexisting conditions. A few States already have such plans; all States should establish them.

Finally, this legislation will establish a research and demonstration program to develop methods of reducing the cost of health insurance to small employers. Small employers are far less likely to offer health insurance to their employees than larger employers, and even when they do, their employees are unlikely to participate.

The average cost of health insurance in small firms is 40-percent higher than in large firms—an annual premium difference that can add up to a cost of from $950 to $2,400 for family coverage. The bulk of this differential is in higher marketing and administrative costs, and ways to bring this differential down must be developed.

CHARITY CARE

To deal with the problem of charity and emergency care for those without insurance, this legislation will establish a Federal antidumping statute with clear standards for appropriate care and stiff penalties for violation. When one of our citizens arrives at a hospital emergency room with a potentially life-threatening illness or injury he deserves a checkup and treatment, not a credit check and a trip down the road.

This legislation will mandate the Secretary of HHS adjust Medicare payment rates to fairly pay the higher Medicare costs incurred by hospitals that take responsibility for caring for the poor.

And it will require the Secretary of HHS to study and report to the Congress on the adjustments in reimbursements needed to reflect the higher wage costs experienced by inner-city and some rural hospitals that carry heavy charity care loads.

MEDICARE BENEFICIARY COSTS

This legislation will establish a new, fairer basis for calculating the annual increase in the hospital deductible Medicare beneficiaries must pay when they enter the hospital. Under this legislation, the hospital deductible will increase at the same rate as Medicare's payment for a hospital admission and course of treatment, so that our senior citizens share in the economies of prospective payment rather than bearing additional costs. The legislation will lower the nursing home copayment. And it will establish a new demonstration program of prevention centers for our senior citizens to be funded out of the Medicare trust fund.

MEDICARE REIMBURSEMENT REFORMS

To assure that Medicare does not continue to waste money on excessive payments to health care providers, this legislation will abolish the current $200 million per year return on equity subsidy to for-profit hospitals. It will establish a Physician's Payment Commission to study all of the questions surrounding physician reimbursement and to publish, on an expedited basis, a relative value schedule which will provide a basis for a fairer, more cost-effective, reimbursement system of physicians. And it will require the Secretary of HHS to begin to demonstrate a system of paying physicians for inpatient services on the same prospec-

tive basis that has been so effective in reducing Medicare's hospital costs. Were such a program in effect today, the Government could save as much as $3 billion over the next 3 years.

CONCLUSION

The legislation I am offering today is a long way from a solution to these extremely important problems. Rather, it is a first step—and a fairly small first step at that. But first steps are important—particularly when the country has been walking backward for the last 5 years.

For too long, the health agenda of the U.S. Congress has been dominated by the narrow, short-sighted, ideological, and mean-spirited agenda of the Reagan administration. I hope that the Senate, by prompt action on this legislation, will serve notice that it is time for a change.

Deficit reduction is vital, but it is not the only objective of the American people and their Government. This year, we intend to show that it is possible to enact a health program that will cut health spending where it needs to be cut, but will also begin the process of healing the grave illnesses that afflict the American health care system.

I call on my colleagues in Congress and the American people to join us in this urgent task.

I ask unanimous consent that the text of these bills be printed in the RECORD.

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

S. 1613

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 Miscellaneous Amendments of 1985".

SEC. 2. CHANGE IN DEDUCTIBLE AND COINSURANCE FOR INPATIENT HOSPITAL SERVICES AND FOR POST-HOSPITAL EXTENDED CARE SERVICES.

(a) CHANGE IN PART A HOSPITAL DEDUCTIBLE.—Section 1813(b)(2) of the Social Security Act (42 U.S.C. 1395e(b)(2)) is amended—

(1) by amending the second sentence to read as follows: "Such inpatient hospital deductible shall be equal to the inpatient hospital deductible promulgated for the previous calendar year subject to the same percentage change as the percentage change determined by the Secretary under section 1886(e)(4) (relating to changes in the DRG prospective payment rates) for hospital discharges occurring in the fiscal year that begins in that previous calendar year.", and

(2) by striking out the fourth sentence.

(b) CHANGE IN PART A COINSURANCE FOR POST-HOSPITAL EXTENDED CARE SERVICES.—Section 1813 of such Act is amended—

(1) in subsection (a)(3), by striking out "one-eighth of the inpatient hospital deductible" and inserting in lieu thereof "the extended care coinsurance amount", and

(2) by adding at the end of subsection (b) the following new paragraph:

"(3) The extended care coinsurance amount which shall be applicable for the purposes of subsection (a)(3) for a year is one-twelfth of the inpatient hospital deductible for the year. Any amount determined under the preceding sentence which is not a multiple of $1 shall be rounded to the nearest multiple of $1 (or, if it is midway between multiples of $1, to the higher multiple of $1).".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to calendar years beginning with 1986.

SEC. 3. STUDY OF METHODOLOGY FOR AREA WAGE ADJUSTMENT FOR CENTRAL CITIES AND RURAL AREAS.

(a) REQUIREMENT.—The Secretary of Health and Human Services, in consultation with the Prospective Payment Assessment Commission, shall collect information and shall develop one or more methodologies to permit the adjustment of the wage indices used for purposes of section 1886(d)(3)(E) of the Social Security Act, in order to more accurately reflect hospital labor markets, by taking into account variations in wages and wage-related costs—

(1) between the central city portion of urban areas and other parts of urban areas, and

(2) among different rural areas within a State.

(b) REPORT TO CONGRESS.—The Secretary shall report to Congress on the information collected and the methodologies developed under subsection (a) not later than May 1, 1986. The report shall include a recommendation as to the feasibility and desirability of implementing such methodologies.

SEC. 4. DEMONSTRATION PROJECTS FOR PAYMENT FOR INPATIENT SERVICES OF PHYSICIANS ON THE BASIS OF DIAGNOSIS-RELATED GROUPS.

(a) IN GENERAL.—The Secretary of Health and Human Services, in consultation with the Prospective Payment Assessment Commission (established under section 1886(e) of the Social Security Act) shall conduct demonstration projects in accordance with this section on the feasibility of making payments under title XVIII of the Social Security Act for physicians' services furnished to individuals receiving inpatient hospital services from subsection (d) hospitals (as defined in section 1886(d)(1)(B) of the Social Security Act) on the basis of the classification of discharges by diagnosis-related groups established under section 1886(d)(4) of that Act.

(b) CONDUCT OF DEMONSTRATIONS.—(1) The demonstration projects shall be conducted at a variety of types of hospitals, including hospitals located in rural and urban areas, teaching and non-teaching hospitals, and public hospitals, and hospitals with different types of medical staff arrangements.

(2) The demonstration projects shall include projects to demonstrate—

(A) payment under part B of title XVIII of the Social Security Act, and

(B) a combined payment, to a hospital or to appropriate physician group, including both amounts payable under part A as well as amounts payable under part B.

(3) The demonstration projects shall include projects that test the desirability of providing payment based on all the classifications of discharges, as well as only selected classifications.

(4) The demonstration projects shall be designed in a manner to assure that individuals entitled to benefits under title XVIII are not required to pay more for the receipt of health care services than would be the case if the projects were not in operation.

(5) The Secretary shall provide under the demonstration projects for payment of amounts that exceed the amounts otherwise payable under title XVIII of the Social Security Act if the Secretary determines that such increased payments are necessary in order to induce hospital and physician participation in a demonstration project.

(d) TIMETABLE FOR AND REPORT ON PROJECTS.—(1) The Secretary shall first provide for the establishment of demonstration projects not later than July 1, 1986.

(2) The Secretary shall make an interim report to Congress on the demonstration projects conducted under this section not later than January 1, 1988.

(3) The Secretary shall make a final report to Congress on the demonstration projects conducted under this section not later than July 1, 1989.

(e) FUNDING.—There are transferred to the Secretary in appropriate proportions from the Federal Hospital Insurance Trust Fund (established under section 1817 of the Social Security Act) and from the Federal Supplementary Medical Insurance Trust Fund (established by section 1841 of that Act) such sums as the Secretary determines to be appropriate to carry out this section. Grants and payments under contracts may be made either in advance or by way of reimbursement, as may be determined by the Secretary, and shall be made in such installments and on such conditions as the Secretary finds necessary to carry out the purpose of this section.

(f) WAIVER OF MEDICARE REQUIREMENTS.—The Secretary shall waive compliance with such requirements of title XVIII of the Social Security Act to the extent consistent with this section and for the period the Secretary finds necessary for the conduct of the demonstration program.

S. 1614

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 Budget Reconciliation Amendments of 1985".

SEC. 2. COMPUTATION OF ADDITIONAL PAYMENT AMOUNTS FOR HOSPITALS SERVING A DISPROPORTIONATE SHARE OF LOW-INCOME PATIENTS.

(a) REQUIRING ADJUSTMENT.—Section 1886(d)(5) of the Social Security Act (42 U.S.C. 1395ww(d)(5)) is amended by adding at the end the following new subparagraph:

"(F)(i) The Secretary shall provide under this subparagraph, for discharges occurring during fiscal years 1986 and 1987, for an additional payment amount, for discharges occurring in a cost reporting period of a hospital, for a subsection (d) hospital that is located in an urban area, that has 100 or more beds, and that—

"(I) serves a significantly disproportionate number of patients who have low income (as defined in clause (iv)(I)), or

"(II) can demonstrate that its net inpatient care revenues (excluding any of such revenues attributable to this title or State plans approved under title (XIX) during the cost reporting period for indigent care from State and local government sources exceed 30 percent of its total of such revenues during the period.

"(ii) The amount of such payment for each discharge shall be the amount determined under paragraph (1)(A)(ii)(II) (or, of applicable, the amount determined under paragraph (1)(A)(iii)) for that discharge multiplied by the disproportionate share ad-

justment percentage established under clause (iii) for the cost reporting period in which the discharge occurs.

"(iii) The disproportionate share adjustment percentage for a cost reporting period—

"(I) for a hospital described in clause (i)(II) is equal to 16 percent, and

"(II) for other hospitals is equal to seven-tenths of the excess low income patient percentage (as defined in clause (iv)(IV)) for that period,

but in no case may the percentage for any hospital for any period exceed 16 percent.

"(iv) In this subparagraph:

"(I) A hospital 'serves a significantly disproportionate number of patients who have low income' for a cost reporting period if the hospital has a low income patient percentage (as defined in subclause (II)) for that period which equals, or exceeds 15 percent.

"(II) The term 'low income patient percentage' means, with respect to a cost reporting period of a hospital, the percentage of its total number of patient days of inpatient hospital services it provided during period which are attributable to low income patients (as defined in subclause (III)).

"(III) The term 'low income patient' means, with respect to inpatient hospital services provided to a patient, a patient who was, or is determined to have been, entitled to medical assistance under title XIX with respect to some or all of such services during the hospital stay, and includes such an individual notwithstanding the fact that some or all of such services were actually paid for under this title.

"(IV) The term 'excess low income patient percentage' means, for a cost reporting of a hospital, the hospital's low income patient percentage (as defined in subclause (II)) for that period minus 15 percent.".

(b) RESTANDARDIZING DRG PAYMENT AMOUNTS TO REFLECT DISPROPORTIONATE SHARE PAYMENTS.—Section 1886(d)(2)(C) of such Act is amended—

(1) by striking out "and" at the end of clause (ii),

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

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

"(iv) for discharges occurring during fiscal years 1986 and 1987, excluding an estimate of the additional payments to certain hospitals to be made under paragraph (5)(F).".

SEC. 3. RETURN ON EQUITY CAPITAL FOR INPATIENT HOSPITAL SERVICES AND OTHER SERVICES.

(a) INPATIENT HOSPITAL SERVICES.—(1) Section 1861(v)(1) of the Social Security Act (42 U.S.C. 1395x(v)(1)) is amended by adding at the end the following new subparagraph:

"(P) Such regulations may not provide for any payment, with respect to the reasonable costs of inpatient hospital services, for a return on equity capital for hospitals.".

(2) Section 1886(g) of such Act (42 U.S.C. 1395ww(g)) is amended—

(A) by striking out "(1)" after "(g)", and

(B) by striking out paragraph (2).

(b) OTHER SERVICES.—(1) Section 1861(v)(1)(P) of such Act, as added by subsection (a)(1), is amended by inserting "(i)" after "(P)" and by adding at the end the following new clause:

"(ii) If such regulations provide for the payment for a return on equity capital, the rate of return to be recognized, for determining the reasonable cost of services furnished in a cost reporting period, shall be equal to the average of the rates of interest, for each of the months any part of which is included in the period, on obligations issued for purchase by the Federal Hospital Insurance Trust Fund.".

(2) Section 1861(v)(1)(B) of such Act (42 U.S.C. 1395x(v)(1)(B)) is amended—

(A) by striking out "any fiscal period" and "such fiscal period" and inserting in lieu thereof, "any cost reporting period" and "the period", respectively, and

(B) by striking out "not exceed one and one-half times" in the second sentence and inserting in lieu thereof "be equal to".

(c) EFFECTIVE DATES.—(1) The amendments made by subsection (a) shall apply to payments made, on the basis of reasonable cost, for hospital cost reporting periods beginning on or after October 1, 1986. Costs attributable to a return on equity capital shall not be included in determining national and regional adjusted DRG prospective payment rates (under section 1886(d) of the Social Security Act) for discharges occurring on or after October 1, 1986.

(2) The amendments made by subsection (b) shall apply to cost reporting periods beginning on or after October 1, 1985.

SEC. 4. EXPANSION OF MEMBERSHIP AND DUTIES OF THE PROSPECTIVE PAYMENT ASSESSMENT COMMISSION TO INCLUDE REVIEW OF PAYMENTS FOR PHYSICIANS' SERVICES.

(a) EXPANSION AND ESTABLISHMENT OF SUBCOMMITTEES.—

(1) IN GENERAL.—Section 1886(e)(6) of the Social Security Act (42 U.S.C. 1395ww(e)(6) is amended—

(A) by amending subparagraph (A) to read as follows:

"(A)(i) The Commission shall consist of 23 members. Fifteen members of the Commission shall first be appointed no later than April 1, 1984, and the remaining members shall first be appointed no later than January 1, 1986, for a term of three years, except that the Director may provide for such shorter terms as will insure that (on a continuing basis) the terms of no more than eight members expire in any one year. The Director shall appoint a member to serve as Chairman.

"(ii) The Chairman of the Commission shall provide for two subcommittees of the Commission, one with functions and responsibilities relating primarily to hospital payment issues and the other with functions and responsibilities relating primarily to physician payment issues. The Chairman may assign members of the Commission to serve on either or both subcommittees of the Commission."; and

(B) in subparagraph (B), by inserting "representatives of consumer and elderly groups," after "third party payors,".

(2) INITIAL ASSIGNMENT OF MEMBERS TO SUBCOMMITTEES.—The Chairman of the Commission shall initially assign—

(A) to serve on the hospital payment subcommittee of the Commission—

(i) all the members of the Commission serving in positions established before the date of the enactment of this Act, and

(ii) two of the members appointed to the Commission for additional positions established by the amendment made by paragraph (1), and

(B) to serve on the physician payment subcommittee of the Commission the six remaining members of the Commission who are appointed to serve in the additional positions so established.

(b) ADDITIONAL FUNCTIONS RELATING TO PHYSICIANS' PAYMENTS.—Section 1886(e) of such Act is amended by adding at the end the following new paragraph:

"(7)(A) The Commission shall make recommendations to the Congress, not later than February 1 of each year (beginning with 1987), regarding adjustments to the reasonable charge levels for physicians' services recognized under section 1842(b) and changes in the methodology for determining the rates of payment, and for making payment, for physicians' services under this title and other items and services under part B.

"(B) In making its recommendations, the Commission shall—

"(i) consider, and make recommendations on the feasibility and desirability of reducing, the differences in payment amounts for physicians' services under part B which are based on differences in geographic location or specialty;

"(ii) review the input costs (including time, professional skills, and risks) associated with the provision of different physicians' services;

"(iii) identify those charges recognized as reasonable under section 1842(b) which are significantly out-of-line, based on the considerations of clauses (i) and (ii);

"(iv) assess the likely impact of different adjustments in payment rates, particularly their impact on physician participation in the participation program established under section 1842(h) and on beneficiary access to necessary physicians' services;

"(v) make recommendations on ways to increase physician participation in that participation program and the acceptance of payment under part B on an assignment-related basis;

"(vi) make recommendations respecting the advisability and feasibility of making changes in the payment system for physicians' services under part B based on (I) the Secretary's study under section 603(b)(2) of the Social Security Amendments of 1983 (relating to payments for physicians' services furnished to hospital inpatients on the basis of diagnosis-related groups) and (II) the Offices' report under section 2309 of the Deficit Reduction Act of 1984 (relating to physician reimbursement under part B);

"(vii) identify those procedures, involving the use of assistants at surgery, for which payment for those assistants should not be made under this title; and

"(viii) identify those procedures for which an opinion of a second physician should be required before payment is made under this title.

"(C) The Commission also shall advise and make recommendations to the Secretary respecting the development of the relative value scale under section 1845.".

(c) STUDY OF RELATIVE VALUE SCALE FOR PHYSICIANS' SERVICES.—Part B of title XVIII of such Act is amended by adding at the end the following new section:

"STUDY OF RELATIVE VALUE SCALE FOR PHYSICIANS' SERVICES

"SEC. 1845. (a) The Secretary shall develop a relative value scale that establishes a numerical relationship among the various physicians' services for which payment may be made under this part.

"(b) In developing the scale, the Secretary shall consider among other items—

"(1) the report of the Office of Technology Assessment under section 2309 of the Deficit Reduction Act of 1984,

"(2) the recommendations of the Prospective Payment Assessment Commission under section 1886(e)(7)(C), and

"(3) factors with respect to the input costs for furnishing particular physicians' services, such as—

"(A) the differences in costs of furnishing services in different settings,

"(B) the differences in skill levels and training required to perform the services, and

"(C) the time required, and risk involved, in furnishing different services.

"(c) The Secretary shall complete the development of the relative value scale under this section, and report to Congress on the development, not later than April 1, 1987. The report shall include recommendations for the application of the scale to the payment for physicians' services furnished under this part on or after October 1, 1987.".

(d) MODIFICATION OF FUNDING FORMULA.—Section 1886(e)(6)(I)(ii) of such Act is amended by striking out "Eighty-five" and "15" and inserting in lieu thereof "Fifty" and "50".

(e) STAFFING.—Section 1886(e)(6)(C)(i) of such Act is amended by striking out "25" and inserting in lieu thereof "35".

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1985.

SEC. 5. DEMONSTRATION OF PREVENTIVE HEALTH SERVICES UNDER MEDICARE.

(a) DEMONSTRATION PROGRAM.—The Secretary of Health and Human Services (hereinafter in this section referred to as the "Secretary") shall establish a demonstration program designed to reduce disability and dependency through the provision of preventive health services to individuals entitled to benefits under title XVIII of the Social Security Act (hereinafter in this section referred to as "medicare beneficiaries").

(b) PREVENTIVE HEALTH SERVICES UNDER DEMONSTRATION PROGRAM.—The preventive health services to be made available under the demonstration program shall include—

(1) health screenings,

(2) health risk appraisals,

(3) immunizations, and

(4) counseling on and instruction in—

(A) diet and nutrition,

(B) reduction of stress,

(C) exercise and exercise programs,

(D) sleep regulation,

(E) injury prevention,

(F) prevention of alcohol and drug abuse,

(G) prevention of mental health disorders,

(H) self-care, including use of medication, and

(I) reduction of smoking.

(c) CONDUCT OF PROGRAM.—The demonstration program shall—

(1) be conducted under the direction of accredited public or private nonprofit schools of public health;

(2) be conducted in no fewer than five sites, which sites shall be chosen to as to be geographically diverse and shall be readily accessible to a significant number of medicare beneficiaries;

(3) involve community outreach efforts at each site to enroll the maximum number of medicare beneficiaries in the program; and

(4) be designed—

(A) to test alternative methods of payment for preventive health services; including payment on a prepayment basis as well as payment on a fee-for-service basis,

(B) to permit a variety of appropriate health care providers to furnish preventive health services, including physicians, health educators, nurses, allied health personnel, dieticians, and clinical psychologists, and

(C) to facilitate evaluation under subsection (d).

(d) EVALUATION.—The Secretary shall evaluate the demonstration project in order to determine—

(1) the short-term and long-term costs and benefits of providing preventive health services for medicare beneficiaries, including any reduction in inpatient services resulting from providing the services, and

(2) what practical financing mechanisms exist to provide payment for preventive health services under title XVIII of the Social Security Act.

(e) REPORTS TO CONGRESS.—(1) Not later than three years after the date of the enactment of this Act, the Secretary shall submit a preliminary report to the Committee on Ways and Means of the House of Representatives and to the Committee on Finance of the Senate in the progress made in the demonstration program, including a description of the sites at which the program is being conducted and the preventive health services being provided at the different sites.

(2) Not later than five years after the date of the enactment of this Act, the Secretary shall submit a final report to those Committees on the demonstration program and shall include in the report—

(A) the evaluation described in subsection (d), and

(B) recommendations for appropriate legislative changes to incorporate payment for cost-effective preventive health services into the medicare program.

(f) FUNDING.—Expenditures made for the demonstration program shall be made from the Federal Supplementary Medical Insurance Trust Fund (established by section 1841 of the Social Security Act). Grants and payments under contracts may be made either in advance or by way of reimbursement, as may be determined by the Secretary, and shall be made in such installments and on such conditions as the Secretary finds necessary to carry out the purpose of this section.

(g) WAIVER OF MEDICARE REQUIREMENTS.—The Secretary shall waive compliance with such requirements of title XVIII of the Social Security Act to the extent and for the period the Secretary finds necessary for the conduct of the demonstration program.

S. 1615

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 "Health Care Improved Access Act of 1985".

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Section 1. Short title.

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TITLE I—CONTINUATION OF HEALTH INSURANCE FOR INDIVIDUALS LOSING EMPLOYMENT-RELATED COVERAGE

SEC. 101. TEMPORARY EXTENSION OF COVERAGE AT GROUP RATES FOR LAID-OFF WORKERS AND FOR FAMILY MEMBERS OF DECEASED OR DIVORCED WORKERS; OPEN ENROLLMENT FOR SPOUSES OF UNEMPLOYED WORKERS.

(a) IN GENERAL.—The Public Health Service Act is amended by adding at the end the following new title:

"TITLE XXII—REQUIREMENTS FOR CERTAIN GROUP HEALTH INSURANCE POLICIES

"REQUIREMENT OF CONTINUATION COVERAGE AND OPEN ENROLLMENT PERIOD

"SEC. 2201. (a) In accordance with regulations which the Secretary shall prescribe—

"(1) each employer—

"(A) which is now or hereafter required during any calendar quarter to pay its employees the minimum wage prescribed by section 6 of the Fair Labor Standards Act of 1938 (or would be required to pay its employees such wage but for section 13(a) of such Act), and

"(B) which during such calendar quarter employed an average number of employees of not less than 25,

shall include in any health benefits plan, and

(2) any State and each political subdivision thereof which during any calendar quarter employed an average number of employees of not less than 25, as a condition of payment to the State of funds under section 314(d), 317, 318, 1002, 1525, or 1613, shall include in any health benefits plan,

offered to such employees in the calendar year beginning after such calendar quarter of the Secretary (i) the option of continuation coverage specified in section 2202, and (ii) the spousal open enrollment period specified in section 2203.

"(b) DEFINITION OF EMPLOYER.—For purposes of this section, the term 'employer' does not include—

"(1) the Government of the United States, the government of the District of Columbia or any territory or possession of the United States or any agency or instrumentality (including the United States Postal Service and Postal Rate Commission) of any of the foregoing, except that such term includes nonappropriated fund instrumentalities of the Government of the United States;

"(2) a church, convention or association or churches, or any organization operated, supervised or controlled by a church, convention or association of churches which organization is an organization described in section 501(c)(3) of the Internal Revenue Code of 1954; or

"(3) a State or any political subdivision thereof, or any agency or instrumentality thereof.

"OPTION OF CONTINUATION COVERAGE

"SEC. 2202. (a) REQUIRED OPTION.—The requirement of continuation coverage referred to in clause (i) of section 2201(a) is that each covered employee or other qualified beneficiary, who would lose coverage under the health benefits plan because of a qualifying event, is given, in accordance with this section, the option of electing continuation coverage under the plan.

"(b) ELECTION.—

"(1) ELECTION PERIOD.—The option of electing continuation coverage must be offered during a period that—

"(A) begins not later than the termination date (as defined in subsection (c)(2)),

"(B) is of at least 60 days duration, and

"(C) ends not earlier than 60 days after the date the qualified beneficiary is notified under subsection (f)(4) or the termination date, whichever date is later.

"(2) EFFECT OF ELECTION ON OTHER BENEFICIARIES.—Unless otherwise specified in the election—

"(A) any such election by a covered employee shall be deemed to include an election with respect to all other qualified beneficiaries of the employee whose coverage would, but for continuation coverage provided in accordance with this section, be affected by the qualifying event; and

"(B) except as provided in subparagraph (A), any such election by an individual who is a qualified beneficiary described in subsection (g)(2)(A) shall be deemed to include an election of continuation coverage on behalf of any other qualified beneficiary (other than the covered employee) whose coverage would, but for continuation coverage provided in accordance with this section, be affected by the qualifying event.

"(c) QUALIFYING EVENT AND TERMINATION DATE.—For purposes of this section—

"(1) A qualifying event under a health benefits plan, with respect to a covered employee, is any of the following events if the coverage of a qualified beneficiary under the plan would, but for continuation coverage provided in compliance with this section, be terminated by the occurrence of the event:

"(A) The termination, or reduction of hours, of the covered employee's employment (other than for cause).

"(B) The death of the covered employee.

"(C) The divorce or separation of the covered employee from his or her spouse.

"(D) The covered employee becoming entitled to benefits under title XVIII of the Social Security Act.

"(2) The term 'termination date' means, with respect to a qualifying event, the date on which coverage of a qualified beneficiary under a group health plan would be terminated under the plan but for continuation coverage provided in compliance with this section.

"(d) TERMS OF CONTINUATION COVERAGE.—Any continuation coverage elected by or on behalf of a qualified beneficiary shall meet the following requirements:

"(1) NO REQUIREMENT OF INSURABILITY.—The coverage may not be conditioned upon, or discriminate on the basis of lack of, evidence of insurability.

"(2) CONTINUED BENEFITS.—The coverage shall consist of coverage which is identical to the coverage provided under the plan to similarly situated beneficaries under the plan with respect to whom a qualifying event has not occurred.

"(3) FAMILY OPTION.—If, at the time of the qualifying event, an individual was covered under the health benefits plan because of the individual's relationship to a covered employee and the individual is a qualified beneficiary, the option must be provided of continuing coverage of the individual.

"(4) PERIOD OF CONTINUED COVERAGE.—The coverage shall be for a period commencing upon the expiration date and ending not earlier than the earliest of the following:

"(A) ONE YEAR FOR UNEMPLOYED.—In the case of a qualifying event described in subsection (c)(1)(A) (relating to unemployment or reduction of employment), one year after the date the continued coverage begins.

"(B) FIVE YEARS FOR OTHERS.—In the case of a qualifying event not described in subsection (c)(1)(A), five years after the date the continued coverage begins.

"(C) END OF PLAN.—The date on which the employer ceases to provide any health benefits plan to employees.

"(D) FAILURE TO PAY PREMIUMS.—The date on which there is a failure in making timely payment of any premium required under the plan with respect to the qualified beneficary.

"(E) REEMPLOYMENT OR MEDICARE ELIGIBILITY.—The date on which the qualified beneficiary first becomes, after the date of the election, a covered employee under any other health benefits plan offered by an employer or becomes entitled to benefits under title XVIII of the Social Security Act.

"(F) REMARRIAGE OF SPOUSE.—In the case of a qualified beneficiary spouse described in subsection (g)(2)(A), the date on which the qualified beneficiary remarries and becomes covered under a health benefits plan as the spouse of a covered employee.

"(G) CHILD TURNING MAJORITY.—In the case of any individual who is a qualified beneficiary by reason of having been a covered dependent child of a covered employee, the date on which the individual ceases to be a covered dependent child of the qualified beneficiary.

"(5) CONVERSION OPTION.—In the case of a qualified beneficiary whose period of continued coverage expires under subparagraph (A) or (B) of paragraph (4), the plan must provide to the beneficiary, during the 180-day period ending on the date of expiration of the period of continued coverage, the option of enrollment under a conversion health plan otherwise generally available to beneficiaries under the plan.

"(e) PREMIUMS FOR CONTINUATION COVERAGE.—

"(1) AMOUNT.—The total premium charged by a health benefits plan with respect to any qualified beneficiary for continuation coverage under the plan shall not exceed the sum of employer premiums and employee premiums generally charged with respect to coverage under the plan of similarly situated beneficiaries with respect to whom a qualifying event has not occurred. The total of all premiums charged by the plan in any plan year may be based upon reasonably anticipated community costs for such plan year of the entire pool of covered employees and other beneficiaries under the plan, including qualified beneficiaries receiving continuation coverage under the plan under this section.

"(2) PAYMENTS.—The plan may provide for payment of the total premium by the qualified beneficiary receiving such coverage, or for payment of all or part of such premium by the employer or other party and payment of the remainder of such premium by such beneficiary. The plan shall provide for payment of any premium by a qualified beneficiary in monthly installments if so elected by the beneficiary. If an election is made during an election period but after the termination date, the plan shall permit payment of any premium for continuation coverage during the preceding period to be made within 45 days of the date of the election.

"(3) PREMIUM DEFINED.—As used in this subsection, the term 'premium' means any amount payable with respect to the provision of coverage under a health benefits plan.

"(f) NOTICE REQUIREMENTS.—In accordance with regulations of the Secretary—

"(1) the health benefits plan must provide, at the time of commencement of coverage under the plan, for written notice to each covered employee and spouse of the employee (if any) of the rights under this section;

"(2) the employer of a covered employee under the plan must notify the health benefits plan administrator if the employee dies;

"(3) each covered employee is responsible for notifying the health benefits plan administrator of the occurrence of any qualifying event (other than that described in subsection (c)(1)(B)) respecting that employee; and

"(4) the health benefits plan administrator must notify each qualified beneficiary, within a period of 14 days after the date the administrator is notified concerning a qualifying event affecting that beneficiary, of—

"(A) the termination date with respect to the beneficiary, and

"(B) the beneficiary's right to elect continuation coverage under this section and the election period established under subsection (b)(1) during which the beneficiary can exercise that right.

"(g) DEFINITIONS.—For purposes of this section—

"(1) COVERED EMPLOYEE.—The term 'covered employee' means an individual who is (or was) provided coverage under a health benefits plan by virtue of the individual's employment or previous employment with an employer.

"(2) QUALIFIED BENEFICIARY.—The term 'qualified beneficiary' means, with respect to a covered employee under a health benefits plan, the covered individual and any other individual who, on the date before the date of a qualifying event for that employee—

"(A) is a beneficiary under the plan as the spouse of the employee and has been married to the employee for at least the immediately preceding 30-day period, or

"(B) is a beneficiary under the plan as a covered dependent child of the employee.

"(3) COVERED DEPENDENT CHILD.—The term 'covered dependent child' means, with respect to a covered employee, and individual who meets the generally applicable requirements of the plan for treatment as a dependent child covered under the plan by reason of the coverage of the employee under the plan.

"(4) GROUP HEALTH PLAN ADMINISTRATION.—The term 'health benefits plan administrator' means, in connection with a health benefits plan, any person who provides for administrative functions relating to enrollment of individuals under the plan. For purposes of this subparagraph, the term 'person' includes one or more individuals, governments or agencies of the United States or any State or political subdivision thereof, labor unions, partnerships, associations, corporations, legal representatives, mutual companies, joint ventures, joint stock companies, societies, trusts, unincor-

porated organizations, trustees, trustees in bankruptcy, receivers, and fiduciaries.

"OPEN ENROLLMENT FOR SPOUSES OF UNEMPLOYED WORKERS

"SEC. 2203. (a) REQUIRING OPEN ENROLLMENT PERIOD.—The requirement of a spousal open enrollment period referred to in clause (ii) of section 2201(a) is that for each married employee the plan must provide for an open enrollment period (meeting the requirements of this section) for each married employee—

"(1) who is (or, but for a previous election, would be) covered under the plan, and

"(2) whose spouse loses or will lose coverage under a health benefits plan due to the spouse's separation (other than for cause) from employment.

"(b) OPEN ENROLLMENT PERIOD.—The open enrollment period must—

"(1) be a period of not less than 60 days, and

"(2) begin not earlier than 30 days before the date of the spouse's separation from employment and not later than such date, except, at the option of the employee, the period may be delayed to begin on a date not later than the date the employee's spouse actually loses coverage under a health benefits plan.

"(c) LOSS OF COVERAGE.—For purposes of this section, a spouse shall not be considered to have lost coverage during any period (after the separation from employment) in which the coverage is continued and for which a contribution toward the cost of the coverage is being made by an employer, union, or entity other than the spouse.

"(d) TERMS OF ENROLLMENT OPTION.—

"(1) NO REQUIREMENT OF INSURABILITY.—The terms of such an enrollment may not require, or discriminate on the basis of lack of, evidence of insurability.

"(2) BENEFITS AND ENROLLMENT.—Except as provided in paragraph (3), the coverage and terms of an enrollment during an open enrollment period provided under subsection (a) shall be the same as the terms (including any option for coverage of immediate family members) most recently offered with respect to the enrollment of that employee or (at the employer's option), of newly hired or other employees similarly situated.

"(3) EFFECTIVE DATE OF COVERAGE.—Except as provided in paragraph (4), the coverage provided pursuant to an individual's enrollment during an open enrollment period under this section shall be effective no later than—

"(A) the first day of the first pay period that begins more than 5 days after the date the individual enrolls, or

"(B) 30 days after the date the individual enrolls,

whichever is earlier.

"(4) IMMEDIATE COVERAGE OF ADDED FAMILY MEMBERS.—If an employee was previously covered and only exercises the option to cover immediate family members, the coverage of the immediate family members shall begin not later than the first day of the first pay period that begins after the date the individual exercises the option.".

ENFORCEMENT

"SEC. 2204. (a) CIVIL PENALTY.—Any employer (other than a State or political subdivision thereof, or any agency or instrumentality thereof) who knowingly does not comply with one or more of the requirements of this title shall be subject to a civil penalty of not more than $10,000. If such noncompliance continues, a civil penalty may be assessed and collected under this subsection for each 30-day period such noncompliance continues. Such penalty may be assessed by the Secretary and collected in a civil action brought by the United States in a United States district court.

"(b) NOTICE AND HEARING RIGHTS.—In any proceeding by the Secretary to assess a civil penalty under this section, no penalty shall be assessed until the employer charged shall have been given notice and an opportunity to present its views on such charge. In determining the amount of the penalty, or the amount agreed upon in compromise, the Secretary shall consider the gravity of the noncompliance and the demonstrated good faith of the employer charged in attempting to achieve rapid compliance after notification by by the Secretary of a noncompliance.

"(c) TRIAL DE NOVO.—In any civil action brought to review the assessment of a civil penalty assessed under this section, the court shall, at the request of any party to such action, hold a trial de novo on the assessment of such civil penalty and in any civil action to collect such a civil penalty, the court shall, at the request of any party to such action, hold a trial de novo on the assessment of such civil penalty unless in a prior civil action to review the assesment of such penalty the court held a trial de novo on such assessment.

"(d) PRIVATE RIGHT OF ACTION.—Any employer (other than a State or political subdivision thereof, or any agency or instrumentality thereof) who knowingly does not comply with one or more of the requirements of this title shall be liable to individuals for damages (including health care costs incurred) resulting from the employer's failure to comply with the requirements.

"(e) ENFORCEMENT AGAINST STATES.—If the Secretary, after reasonable notice and opportunity for a hearing to a State, finds that it or any of its political subdivisions has failed to comply with one or more requirements of this title, the Secretary shall terminate payments to such State under section 314(d), 317, 318, 1002, 1525, and 1613 and notify the Governor of such State that further payments under such sections will not be made to the State until the Secretary is satisfied that there will no longer be any such failure to comply.".

(b) EFFECTIVE DATES.—

(1) GENERAL RULE.—The amendments made by this section shall apply to plan years beginning on or after January 1, 1986.

(2) SPECIAL RULE FOR COLLECTIVE BARGAINING AGREEMENTS.—In the case of a health benefits plan maintained pursuant to one or more collective bargaining agreements between employee representatives and one or more employers ratified before the date of the enactment of this Act, the amendments made by this section shall not apply to plan years beginning before the earlier of—

(A) the date on which the last of the collective bargaining agreements relating to the plan terminates (determined without regard to any extension thereof agreed to after the date of the enactment of this Act), or

(B) January 1, 1987.

For purposes of subparagraph (A), any plan amendment made pursuant to a collective bargaining agreement relating to the plan which amends the plan solely to conform to any requirement added by this section shall not be treated as a termination of such collective bargaining agreement.

(c) NOTIFICATION TO COVERED EMPLOYEES.—At the time that the amendments made by this section apply to a health benefits plan described in section 2201 of the Public Health Service Act, the plan shall notifiy each covered employee, and spouse of the employee (if any), who is covered under the plan at that time of the continuation coverage and open enrollment period required under sections 2202 and 2203 of that Act. The notice furnished under this subsection is in lieu of notice that may otherwise be required under section 2202(f)(1) of that Act.

TITLE II—INCENTIVES FOR THE ESTABLISHMENT OF STATEWIDE INSURANCE POOLS

SEC. 201. PROVIDING FOR LARGE EMPLOYERS' PARTICIPATION IN QUALIFIED STATE POOLING ASSOCIATIONS.

(a) ADDITIONAL REQUIREMENT UNDER PUBLIC HEALTH SERVICE ACT.—Title XXII of the Public Health Service Act (as added by part A of this title) is amended as follows:

(1) In section 2201(a)—

(A) redesignate subsection (b) as subsection (c), and

(B) insert after subsection (a) the following new subsection:

"(b) PARTICIPATION IN QUALIFIED STATE POOLING ASSOCIATIONS.—

"(1) REQUIREMENT.—In accordance with regulations which the Secretary shall prescribe, in the case of each employer described in subsection (a)(1) that offers a health benefits plan, either the employer or the entity through which benefits under the plan are offered must be a member of a qualified pooling association (described in paragraph (2)) in each State in which benefits under the plan are offered as a result of employment in that State.

"(2) QUALIFIED POOLING ASSOCIATION.—In paragraph (1), the term 'qualified pooling association' means any organization which—

"(A) is a nonprofit corporation established pursuant to and regulated by State law;

"(B) permits any of the following doing business in the State to be participating members:

"(i) insurers writing expense incurred health insurance,

"(ii) hospital and medical service plan corporations,

"(iii) health maintenance organizations, and

"(iv) employers and other health financing entities;

"(C) makes available (without regard to health conditions) to all residents of the State, who are not eligible for benefits under part A of title XVIII of the Social Security, levels of health insurance typical of the levels of coverage provided through large employer groups;

"(D) charges a pool premium rate expected to be self-supporting based upon a reasonable actuarial determination of anticipated experience and expected expenses, such pool premium rate in no event to exceed 150 percent of average premium rates for individual standard risks in the State for comparable coverage; and

"(E) assesses losses of the pool equitably among all participating members.".

(2) In section 2204(a), insert before the period at the end of the first sentence the following: "(or, in the case of a failure to comply with a requirement of section 2201(b), a civil penalty of not more than 10 percent of the amount of an employer's expenditures for plans which do not comply with that requirement)".

(b) EFFECTIVE DATE.—This amendments made by this section take effect on January 1, 1987.

TITLE III—PROHIBITING REFUSAL OF EXAMINATION OR APPROPRIATE CARE TO STABILIZE PATIENTS IN MEDICAL EMERGENCIES

SEC. 301. RESPONSIBILITIES OF HOSPITALS IN EMERGENCY CASES.

(a) MEDICAL SCREENING REQUIREMENT.—In the case of a hospital (as defined in subsection (e)(3)) that has a hospital emergency department, if any individual comes to the emergency department and a request is made on the individual's behalf for examination or treatment for a medical condition, the hospital must provide for an appropriate medical screening examination to determine whether or not an emergency medical condition (within the meaning of subsection (e)(1)) exists or to determine if the individual is in active labor (within the meaning of subsection (e)(2)).

(b) NECESSARY STABILIZING TREATMENT FOR EMERGENCY MEDICAL CONDITIONS AND ACTIVE LABOR.—If any individual comes to the hospital and the individual is determined (through the screening described in subsection (a) or otherwise) by qualified medical personnel to have an emergency medical condition or to be in active labor, the hospital must provide either—

(1) within the staff and facilities available at the hospital, for such further medical examination and such treatment as may be required to stabilize the medical condition or to provide for treatment of the labor, unless the examination or treatment is refused, or

(2) for transfer of the patient to another medical facility in accordance with subsection (c).

(c) RESTRICTING TRANSFERS UNTIL PATIENT STABILIZED.—

(1) RULE.—If a patient at a hospital has an emergency medical condition which has not been stabilized (within the meaning of subsection (e)(4)(B)) or is in active labor, the hospital may not transfer the patient unless—

(A) there has been a written determination by a physician (within the meaning of section 1861(r)(1) of the Social Security Act) that, based upon the reasonable risks and benefits to the patient, and based upon the information available at the time, the benefits obtained from the provision of appropriate medical treatment at another medical facility outweigh the increased risks to the individual's medical condition from effecting the transfer, and

(B) the transfer is an appropriate transfer (within the meaning of paragraph (2)) to that facility.

(2) APPROPRIATE TRANSFER.—An appropriate transfer to a medical facility is a transfer—

(A) in which the receiving facility—

(i) has available space and qualified personnel for the treatment of the patient,

(ii) has agreed to accept transfer of the patient and to provide appropriate medical treatment, and

(iii) is being provided appropriate medical records (or copies thereof) of the examination and treatment effected at the transferring facility;

(B) in which the transfer is effected through qualified personnel and transportation equipment, including the use of medically appropriate life support measures during the transfer; and

(C) which meets such other requirements as the Secretary may find necessary in the interest of the health and safety of patients transferred.

(d) ENFORCEMENT.—

(1) AS CONDITION OF MEDICARE PROVIDER AGREEMENT.—Failure of a hospital to meet the requirements of this section subjects the hospital to termination of its medicare provider agreement under title XVIII of the Social Security Act, in accordance with section 1866(b) of that Act.

(2) CIVIL MONETARY PENALTIES.—In addition to the other grounds for imposition of a civil money penalty under section 1128A(a) of the Social Security Act, a hospital that has entered into a participation agreement under section 1866 of that Act that knowingly violates a requirement of this section is subject, under that section 1128(a) of that Act to a civil money penalty of not more than $25,000 for each such violation.

(3) CIVIL ENFORCEMENT.—Any person that is adversely affected directly by a hospital's violation of a requirement of this section may bring an appropriate action, in an appropriate court of general jurisdiction of the State in which the hospital is located or in the appropriate Federal district court, for damages to the person arising from the violation and for such other equitable relief as may be appropriate to remedy the violation or deter subsequent violations.

(4) CRIMINAL PENALTIES.—

(A) IN GENERAL.—A responsible physician (as defined in subparagraph (B)) who—

(i) has professional responsibilities for the provision of a screening examination of a patient in the hospital's emergency department and either (I) knowingly fails to provide for any screening examination required under subsection (a) if the failure represents a gross deviation from the prevailing local standards of medical practice, or (II) provides for such a screening examination which is conducted in a manner that is so inappropriate as to represent a gross deviation from the prevailing local standards of medical practice, or

(ii) has professional responsibilities for the treatment of a patient, knows (or has reason to know) that the patient has an emergency medical condition or is in active labor, and who, within the staff and facilities available at the hospital, either (I) knowingly fails to carry out the individual's responsibilities to provide for treatment of the patient under subsection (b) if the failure represents a gross deviation from the prevailing local standards of medical practice, or (II) provides for such treatment in a manner that is so inappropriate as to represent a gross deviation from the prevailing local standards of medical practice, or

(iii) has professional responsibilities for the treatment of a patient, knows (or has reason to know) that either the patient has an emergency medical condition which has not been stabilized or the patient is in active labor, and either—

(I) knowingly transfers (or orders the transfer of) the patient other than to another medical facility, or

(II) knowingly transfers (or orders the transfer of) the patient to another medical facility, if the physician knows (or has reason to know) that the other facility does not have space available for the treatment of the patient and has not agreed to accept the patient.

shall be fined not more than $100,000 or imprisoned not more than one year, or both; except that, if, as a direct result of the violation of this paragraph, the patient dies, the physician shall be fined not more than $250,000 or imprisoned not more than five years, or both.

(B) RESPONSIBLE PHYSICIAN DEFINED.—As used in subparagraph (A), the term "responsible physician" means, with respect to a patient, a physician who—

(i) is employed by, or under contract with, a hospital, and

(ii) acting as such an employee or under such a contract, has professional responsibilities for the provision of examinations or treatments for the patient or tranfers of the patient.

(e) DEFINITIONS.—In this section:

(1) The term "emergency medical condition" means a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in—

(A) placing the patient's health in serious jeopardy,

(B) serious impairment to bodily functions, or

(C) serious dysfunction of any bodily organ or part.

(2) The term "active labor" means labor at a time at which—

(A) delivery is imminent,

(B) there is inadequate time to effect safe transfer to another hospital, or

(C) a transfer may pose a threat of the health and safety of the patient or the unborn child.

(3) The term "hospital" includes only a hospital that receives Federal financial assistance (including payments under title XVIII of the Social Security Act).

(4)(A) The term "to stabilize" means, with respect to a medical condition, to provide such medical treatment of the condition as may be necesary to assure that no material deterioration of the condition is likely to result from the transfer of the individual from a facility.

(B) The term "stabilized" means, with respect to a medical condition, that no material deterioration of the condition is likely to result from the transfer of the individual from a facility.

(5) The term "transfer" means the movement (including the discharge) of a patient outside a hospital's facilities at the direction of any person employed by (or affiliated or associated, directly or indirectly, with) the hospital, but does not include such a movement of a patient who (A) has been declared dead, or (B) leaves the facility without the permission of any such person.

(f) PREEMPTION.—The provisions of this section do not preempt any State or local law requirement respecting hospitals, except to the extent that the requirement directly conflicts with a requirement of this section.

(g) EFFECTIVE DATE.—This section shall apply to individuals who come to hospitals on or after October 1, 1985.

TITLE IV—DEMONSTRATION PROJECTS ON IMPROVING ACCESS TO HEALTH INSURANCE FOR SMALL EMPLOYERS AND SELF-EMPLOYED INDIVIDUALS

SEC. 401. IMPROVING ACCESS TO HEALTH INSURANCE FOR SMALL EMPLOYERS AND SELF-EMPLOYED INDIVIDUALS.

(a) STUDIES AND DEMONSTRATION PROJECTS.—The Secretary of Health and Human Services shall provide for the conduct of studies and demonstration projects on ways to reduce the costs for small employers and self-employed individuals in obtaining health insurance. In particular the Secretary shall examine, demonstrate, and evaluate how savings in marketing and administrative costs can be achieved through the use of—

(1) standardized policy packages,

(2) State arrangements for the pooling of health insurance,

(3) State or Federal reinsurance of group health contracts,

(4) contracts with banks to offer such insurance to depositors or other groups,

(5) contracts with medicare carriers,

(6) contracts or grants to Chambers of Commerce or similar groups representing business, and

(7) other innovative means.

(b) REPORT.—The Secretary shall report to Congress on the results of the studies and demonstration projects not later than January 1, 1988.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each fiscal year (beginning with fiscal year 1986) such sums as may be appropriate to carry out this section.

By Mr. McCLURE (by request):

S.J. Res. 192. Joint resolution to authorize financial assistance for the Northern Mariana Islands, and for other purposes; to the Committee on Energy and Natural Resources.

FINANCIAL ASSISTANCE FOR THE NORTHERN MARIANA ISLANDS

● Mr. McCLURE. Mr. President, at the request of the Department of the Interior, I send to the desk for appropriate reference a joint resolution to authorize financial assistance for the Northern Mariana Islands, and for other purposes.

Mr. President, this draft legislation was submitted and recommended by the Department of the Interior, and I ask unanimous consent that the bill, and the executive communication which accompanied the proposal from the Assistant Secretary for Territorial and International Affairs be printed in the RECORD.

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

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of Public Law 94-241 (97 Stat. 1461) is amended—

(1) in Section 703, subsection (a), after the words "Section 702" add the words "and Section 705";

(2) in Section 704, subsections (a), (b) and (d), after the words "Section 702" add the words "and Section 705";

(3) in Section 704, delete subsection (c), and redesignate subsection (d) as subsection (c);

(4) after Section 704 add a new Section 705, as follows:

"Section 705. Enactment of this section by the United States Congress and approval by the President shall constitute a commitment and pledge of the full faith and credit of the United States for the payment, as well as an authorization for the appropriation, of $228 million at guaranteed annual amounts of direct grant assistance for the Government of the Northern Mariana Islands for an additional period of seven fiscal years after the expiration of the initial seven-year period specified in Section 702, which assistance shall be provided according to the Agreement of the Special Representatives on Future United States Financial Assistance for the Government of the Northern Mariana Islands, executed July 19, 1985, between the special representative of the President of the United States and the special representatives of the Governor of the Northern Mariana Islands. The islands of Rota and Tinian shall each receive no less than a ⅛ share and the island of Saipan shall receive no less than a ⅜ share of annualized capital improvement project funds, which shall be no less than 80% of the capital development funds identified in the schedule of payments in paragraph 2 of part II of the Agreement of the special representatives."; and

(5) In Section 1003, subsection (b), delete "Article VII" and insert in lieu thereof "701-704"; redesignate subsection (c) as subsection (d); and add a new subsection (c) as follows:

"(c) Section 705 will become effective on October 1, 1985.".

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, July 29, 1985.

Hon. GEORGE BUSH,
President of the Senate, Washington, DC.

DEAR MR. PRESIDENT: Enclosed are the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands, and draft joint resolution "To authorize financial assistance for the Northern Mariana Islands."

We recommend that the joint resolution be referred to the appropriate committee for consideration, and that it be enacted.

Section 902 of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, approved by the Congress in Public Law 94-241, provides that the President, and Governor of the Northern Mariana Islands shall appoint special representatives for the Northern Mariana Islands. President Ronald W. Reagan and Governor Pedro P. Tenorio, respectively, appointed the special representatives. On July 10, 1985, in Saipan, Northern Mariana Islands, the special representatives signed the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands (hereinafter referred to as "agreement").

At such time as the recommended legislation is enacted by the Congress, the agreement will provide the framework for United States financial assistance for the Northern Mariana Islands for a second seven-year period, fiscal years 1986 through 1992. The United States full faith and credit guarantee would continue to be applicable under the agreement to the negotiated $228 million in United States funding over the seven-year period. This funding includes $126 million for capital development, $100.5 million for government operations, and $1.5 million for hospital start-up costs and pension planning. The government operations portion of the funds is conditioned on the Northern Mariana Islands meeting a series of performance standards.

The agreement in other respects, is a departure from past practice. The first seven-year period saw funding, indexed to 1975 prices, with no strings attached for operations, the economic development loan fund, or construction.

The new agreement provides a schedule of annual financing based on the principles of:

Priority for capital and economic development (with augmenting private bonding) over government operations,

Reduction in government operations by at least $1 million a year,

Continuation of Northern Mariana Islands' independent and autonomous regulatory authorities governing utilities, borrowing and economic development, which will put utilities on a full user-fee/pay-as-you-go basis within three years,

Planning for full funding of the government's pension system by the end of the agreement's seven-year period, and

Privatization.

The agreement includes standards to ensure performance under the above principles in addition to calling for Federal technical assistance, biennial meetings to assess progress under the agreement, and annual reports to the Congress. Should performance be found lacking the Secretary of the Interior would be authorized to propose deferral of the Northern Mariana Islands government operations funds.

Also understood by the special representatives are the facts that indexing would no longer be applicable to Northern Mariana Islands funds, and that legislature expenses would be reduced according to public law enacted by the Northern Mariana Islands legislature.

The agreement does not change the amount requested for fiscal year 1986 for the Northern Mariana Islands by the Department of the Interior—$27,726,000. Appropriations language in current appropriations bills, therefore, is not affected by the agreement. Enactment of the attached joint resolution, however, is vital for fulfillment of the agreement and its requirements. With agreement emphasis on capital development, and reduced and efficient government administration, we strongly urge early action by the Congress.

The Office of Management and Budget has advised that enactment of this draft joint resolution would be in accord with the program of the President.

Sincerely,

RICHARD MONTOYA,
Assistant Secretary.

AGREEMENT OF THE SPECIAL REPRESENTATIVES ON FUTURE UNITED STATES FINANCIAL ASSISTANCE FOR THE NORTHERN MARIANA ISLANDS

Whereas, under the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America (Covenant) the peoples of the Northern Mariana Islands and the United States of America desire to improve their mutually beneficial relationship, and to develop the economic resources referenced in Section 701 needed to meet the financial responsibilities of local self-government in the Northern Mariana Islands; and

Whereas, the guaranteed annual levels of direct grant assistance will expire at the end of fiscal year 1985; and

Whereas, Section 704(d) of the Covenant provides that the Congress may appropriate different amounts at the end of the seven-year period of guaranteed annual direct grant assistance provided by Section 702 of the Covenant; and

Whereas, the Covenant provides for the appointment of special representatives of the two governments to consider and make recommendations regarding future multi-year financial assistance to the Government of the Northern Mariana Islands; and

Whereas, President Ronald Reagan and Governor Pedro P. Tenorio appointed such special representatives who have considered such United States future financial assistance;

Now, therefore, we, Richard T. Montoya, special representative for the President of the United States, and Pedro A. Tenorio, Benjamin T. Manglona, Gregorio C. Sablan, and Ignacio K. Quichocho, special representatives of the Governor of the Northern Mariana Islands, agree as follows:

PART I. POLICY STATEMENT

The Government of the United States and the Government of the Northern Mariana Islands mutually agree that the people of the Northern Mariana Islands will be best served by promoting economic development, lessening dependence on Federal financial assistance for government operations, and reducing the size of government, including the executive and legislative branches. Priority shall be given to maximizing capital development through the use of public and private financing techniques. The Government of the United States recognizes recent significant efforts and the future commitment on the part of the Government of the Northern Mariana Islands to achieve these objectives.

This document affirms the mutual commitment of the Government of the United States and the Government of the Northern Mariana Islands to these goals.

PART II. FUNDING

1. Full Faith and Credit. After approval of this Agreement by the Congress and the President of the United States, payments under this second multi-year financial assistance agreement shall be accorded the full faith and credit of the United States, except that the full faith and credit for the payment of government operations funds shall be subject to the performance standards (paragraph 4 of this Part) and settlement of disputes provisions (paragraph 2 of Part III) contained in this agreement.

2. Schedule of Payments. The Government of the United States shall provide the Government of the Northern Mariana Islands $228 million over a seven-year period, beginning October 1, 1985, and ending September 30, 1992, to be appropriated according to the following schedule:

	Capital development	Government operations	Special programs	Total
Fiscal year:				
1986	$8,466,000	$17,760,000	$1,500,000	$27,726,000
1987	18,294,000	17,050,000		35,344,000
1988	18,000,000	16,360,000		34,360,000
1989	25,150,000	15,000,000		40,150,000
1990	20,850,000	13,000,000		33,850,000
1991	17,850,000	11,000,000		28,850,000
1992	17,390,000	10,330,000		27,720,000
Totals	126,000,000	100,500,000	1,500,000	228,000,000

When appropriated, funds shall be granted annually by the Department of the Interior according to such regulations as are applicable to such grants. All previous funds granted under Section 702 of the Covenant remain subject to the provisions and restrictions under which they were granted.

3. Capital Development.

(a) The Government of the Northern Mariana Islands shall develop a seven-year strategic plan for capital improvement projects and economic development activities. At a minimum, eighty percent of the annual capital development funds identified in the schedule of payments (paragraph 2 of this Part) shall be obligated and expended in accordance with such plan that shall provide for essential infrastructure through capital improvement projects in the areas of power, water, sewers, roads, schools, ports and harbors, and public facilities. The balance, not to exceed a maximum of twenty percent of such annual capital development funds, shall be obligated and expended in accordance with the provisions of such plan that shall provide for economic development activities. Such plan and amendments thereto shall be submitted in accordance with Northern Mariana Islands law and mutually agreed upon by the Government of the Northern Mariana Islands and the Secretary of the Interior, or his designee. The plan shall be project specific with sufficient detail to perform cost/benefit analyses and develop financing strategies and alternatives. The Government of the Northern Mariana Islands shall establish a revolving fund, into which repayments of principal and interest from revenue-producing projects shall be deposited for financing of additional revenue-producing capital development projects. Interest earned on capital development funds before such funds are expended shall be treated as capital development funds; interest earned on moneys in the revolving fund shall become part of the revolving fund.

(b) The payment of federally appropriated funds, backed by the full faith and credit of the United States, may be applied or directed by the Government of the Northern Mariana Islands but such an application or direction by the Government of the Northern Mariana Islands shall not be a guarantee of payment by the United States, either directly or indirectly) for the repayment of debt instruments issued by the Government of the Northern Mariana Islands for capital development funds.

(c) The islands of Rota and Tinian shall each receive no less than a ⅛ share and the island of Saipan shall receive no less than a ⅝ share of annualized capital improvement project funds which shall be no less than 80% of the capital development funds identified in the Schedule of Payments in paragraph 2 of this Part.

4. Government Operations. The full faith and credit of the United States for the payment of government operations funds shall be subject to fulfillment of the following performance standards during the entire seven-year period:

(a) The Government of the United States shall provide $100.5 million in operations funds over the seven-year period in the annual amounts set forth in the schedule of payments. These annual funds shall be provided according to a separate payment schedule developed by the Government of the Northern Mariana Islands consistent with Federal regulations.

(b) The Government of the United States, through its designee, subject to the availability of funds, and at the request of and in cooperation with the Government of the Northern Mariana Islands, shall provide technical assistance, including but not limited to the following purposes: (i) the development and operation of a financial management system, (ii) the development of a plan for the transfer to the private sector by the Government of the Northern Mariana Islands of those functions that can be privately owned and operated, (iii) the promotion of government efficiency, (iv) the improvement of Northern Mariana Islands business development capability, (v) the promotion of business development and marketing by the Government of the Northern Mariana Islands, and (vi) assistance in bonding and financing techniques to be used in capital development.

(c) Representatives of both governments shall meet at least biennially to evaluate and discuss progress and achievements made under this agreement.

(d) The Government of the Northern Mariana Islands shall demonstrate a decreasing reliance on Federal Covenant financial assistance for government operations by reducing such assistance by an average of $1 million a year during the seven-year period of this agreement, and by reducing the overall size of government. Capital development funds shall not be spent for government operations purposes.

(e) The Government of the Northern Mariana Islands shall ensure continuation of an independent public agency that sets rates and fees for public utilities as described in Northern Mariana Islands Public Law 4-47. These services shall be fully funded, including both current expenses and long-term debt, without government subsidy through such user rates and fees by the end of the third year after this agreement is effective.

(f) The Government of the Northern Mariana Islands shall ensure the continued administration of capital development funds by an autonomous public agency of the Northern Mariana Islands, as described in Northern Mariana Islands Public Law 4-49. Such administration shall include the coordination and approval of all public financing of capital improvement projects and economic development activities.

(g) The Government of the Northern Mariana Islands shall obligate and expend those capital development funds to be devoted to capital improvement projects only according to definitions now contained in Northern Mariana Islands Public Law 4-46.

(h) The Government of the Northern Mariana Islands, within three months after this agreement becomes effective, shall initiate a study and an implementation plan that shall ensure an actuarially sound, locally funded pension system for the Government of the Northern Mariana Islands by the end of the seven years after this agreement becomes effective. Alternative strategies to bring the pension system into actuarial balance and alternative time periods necessary to accomplish this objective shall also be analyzed. The plan shall be fully implemented within the seven years referred to above unless otherwise mutually agreed by representatives of the Government of the United States and the Government of the Northern Mariana Islands based on long-term financial considerations and sound governmental management.

(i) The Government of the Northern Mariana Islands shall, within one year after this agreement becomes effective, develop a comprehensive plan for the transfer to the private sector of selected functions currently operated by the Government of the Northern Mariana Islands, and thereafter to the extent feasible, shall implement such transfers to the private sector.

5. Special Programs. The Government of the United States shall provide a one-time payment of $1 million for the Commonwealth Health Center operational start-up costs, and $500,000 for special technical assistance for developing a plan to fully fund the Government of the Northern Mariana Islands pension system. Should a portion of these pension study funds remain unexpended, the balance may be used for such technical assistance as the Government of the Northern Mariana Islands may determine.

PART III. CONGRESSIONAL OVERSIGHT AND REPORTING

1. Reporting. In addition to other reports and audits required by the Government of the United States, the Government of the Northern Mariana Islands shall furnish to the Congress of the United States, as part of its annual budget justification, a report on the use of the funds made available under the schedule of payments contained in this agreement. Such annual reports shall outline the achievements to date under the categories of funding (including the status of efforts to provide for capital development through the use of revenue and general obligation bonds, like instruments of public debt, and other financing techniques) and the progress of efforts to transfer selected functions to the private sector.

2. Settlement of Disputes. Should the Government of the United States believe that understandings or the performance standards of this agreement are not being met, it shall notify the Government of the Northern Mariana Islands in writing, with the intent to resolve such issue in a mutually agreeable and expeditious manner. Should the issue not be resolved within thirty days after such notification is received, the Secretary of the Interior may propose deferral of Government of the Northern Mariana Islands operations funds pursuant to the Congressional Budget and Impoundment Control Act of 1974, (United States Public Law 93-344, 2 U.S.C. 681, et seq.).

PART IV. AMENDMENT OF THIS AGREEMENT

This agreement may be amended from time-to-time as mutually determined by the Secretary of the Interior, or his designee, and the Government of the Northern Mariana Islands, provided that the full faith and credit authorization and appropriation of the capital development funds, and the minimum shares guaranteed for Rota, Tinian and Saipan as provided in Part II, paragraph 3(c), shall not be subject to such amendment.

PART V. RECOMMENDED STATUTORY AMENDMENTS

In order to give effect to this agreement, the parties recommend that the Covenant (Public Law 94-241, 97 Stat. 1461) be amended as follows:

Be it Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 2 of Public Law 94-241 (97 Stat. 1461) is amended as follows—

In Section 703, Subsection (a), after the words "Section 702" add the words "and Section 705".

In Section 704, Subsection (a), (b) and (d), after the words "Section 702" add the words "and Section 705".

In Section 704, delete Subsection (c), and redesignate Subsection (d) as Subsection (c).

After Section 704 add a new Section 705, as follows:

"Section 705. Enactment of this section by the United States Congress and approval by the President shall constitute a commitment and pledge of the full faith and credit of the United States for the payment, as well as an authorization for the appropriation, of $228 million at guaranteed annual amounts of direct grant assistance to the Government of the Northern Mariana Islands for an additional period of seven fiscal years after the expiration of the initial seven-year period specified in Section 702, which assistance shall be provided according to the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands, executed July 10, 1985, between the special representative of the President of the United States and the special representatives of the Governor of the Northern Mariana Islands. The islands of Rota and Tinian shall each receive no less than a ⅓ share and the island of Saipan shall receive no less than a ⅔ share of annualized capital improvement project funds, which shall be no less than 80% of the capital development funds identified in the Schedule of Payments in paragraph 2 of Part II of the Agreement of the Special Representatives."

In Section 1003, Subsection (b), delete "Article VII" and insert in lieu thereof "Section 731-734"; redesignate Subsection (c) as Subsection (d); and add a new Subsection (c) as follows:

(c) Section 705 will become effective on October 1, 1985.

Signed at Saipan, Northern Marina Islands on the tenth day of July, 1985.

For the United States of America:

RICHARD T. MONTOYA,
Special Representative of the President of the United States.

For the Northern Mariana Islands:

PEDRO A. TENORIO,
Special Representative of the Governor of the Northern Mariana Islands.

GREGORIO C. SABLAN,
Special Representative of the Northern Mariana Islands.

BENJAMIN T. MANGLONA,
Special Representative of the Governor of the Northern Mariana Islands.

IGNACIO K. QUICHOCHO,
Special Representative of the Governor of the Northern Mariana Islands.●

ADDITIONAL COSPONSORS

S. 44

At the request of Mr. THURMOND, the name of the Senator from Alabama [Mr. HEFLIN] was added as a cosponsor of S. 44, a bill to grant the consent of the Congress of the Southeast Interstate Low-Level Radioactive Waste Management Compact.

S. 72

At the request of Mr. INOUYE, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 72, a bill to amend titles XVIII and XIX of the Social Security Act to provide that mental health counselor services shall be covered under part B of Medicare and shall be a required service under Medicaid.

S. 231

At the request of Mr. DOLE, the names of the Senator from Michigan [Mr. LEVIN] and the Senator from West Virginia [Mr. BYRD] were added as cosponsors of S. 231, a bill to establish a National Commission on Neurofibromatosis.

S. 361

At the request of Mr. MOYNIHAN, the names of the Senator from Iowa [Mr. HARKIN] and the Senator from Montana [Mr. MELCHER] were added as cosponsors of S. 361, a bill to amend the Internal Revenue Code of 1954 to make permanent the deduction for charitable contributions by nonitemizers.

S. 554

At the request of Mr. ROTH, the name of the Senator from Oklahoma [Mr. NICKLES] was added as a cosponsor of S. 554, a bill to amend title 18, United States Code, to include the transportation of males under the Mann Act, to eliminate the lewd and commercial requirements in the prosecution of child pornography cases, and for other purposes.

S. 808

At the request of Mr. KENNEDY, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 808, a bill to provide grants for school-based child care and early childhood education demonstration projects.

S. 809

At the request of Mr. KENNEDY, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 809, a bill to provide financial assistance to expand the availability of child care services for college students, particularly low-income students, in order to increase the access of such students to institutions of higher education, and for other purposes.

S. 881

At the request of Mr. KENNEDY, the name of the Senator from Texas [Mr. BENTSEN] was added as a cosponsor of S. 881, a bill to extend title X of the Public Health Service Act for 3 years.

S. 887

At the request of Mr. DOLE, the names of the Senator from Connecticut [Mr. WEICKER], and the Senator from Michigan [Mr. LEVIN] were added as cosponsors of S. 887, a bill to amend the Internal Revenue Code of 1954 to extend the deduction for expenses incurred in connection with the elimination of architectural and transportation barriers for the handicapped and elderly.

S. 908

At the request of Mr. MCCONNELL, the names of the Senator from Indiana [Mr. LUGAR], and the Senator from Missouri [Mr. DANFORTH] were added as cosponsors of S. 908, a bill to provide market expansion and income protection for farmers, assure consumers an abundance of food and fiber at reasonable prices, and for other purposes.

S. 980

At the request of Mr. TRIBLE, the name of the Senator from Texas [Mr.

BENTSEN] was added as a cosponsor of S. 980, a bill to amend title I of the Housing and Community Development Act of 1974.

S. 1084

At the request of Mr. GOLDWATER, the names of the Senator from Illinois [Mr. DIXON], the Senator from Mississippi [Mr. COCHRAN], the Senator from Ohio [Mr. METZENBAUM], the Senator from New Hamphire [Mr. RUDMAN], the Senator from Tennessee [Mr. GORE], and the Senator from Delaware [Mr. BIDEN] were added as cosponsors of S. 1084, a bill to authorize appropriations of funds for activities of the Corporation for Public Broadcasting, and for other purposes.

S. 1181

At the request of Mr. HATCH, the names of the Senator from Oregon [Mr. PACKWOOD], and the Senator from Arkansas [Mr. BUMPERS] were added as cosponsors of S. 1181, a bill to establish a program for the provision of home and community based services to elderly individuals.

S. 1209

At the request of Mr. CHILES, the names of the Senator from Georgia [Mr. NUNN], and the Senator from Michigan [Mr. LEVIN] were added as cosponsors of S. 1209, a bill to establish the National Commission to Prevent Infant Mortality.

S. 1223

At the request of Mr. ARMSTRONG, the names of the Senator from Delaware [Mr. BIDEN], the Senator from Nebraska [Mr. EXON], and the Senator from South Carolina [Mr. HOLLINGS] were added as cosponsors of S. 1223, a bill to authorize the erection of a memorial on Federal land in the District of Columbia or its environs to honor members of the Armed Forces of the United States who served in the Korean War.

S. 1233

At the request of Mr. DOLE, the names of the Senator from Illinois [Mr. SIMON], the Senator from Kentucky [Mr. FORD], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Montana [Mr. BAUCUS], the Senator from New Mexico [Mr. DOMENICI], the Senator from Pennsylvania [Mr. SPECTER], the Senator from Rhode Island [Mr. CHAFEE], and the Senator from Rhode Island [Mr. PELL] were added as cosponsors of S. 1233, a bill to amend the Animal Welfare Act to ensure the proper treatment of laboratory animals.

S. 1259

At the request of Mr. THURMOND, the name of the Senator from North Dakota [Mr. BURDICK] was added as a cosponsor of S. 1259, a bill to correct certain inequities by providing Federal civil service credit for retirement purposes and for the purpose of computing length of service to determine entitlement to leave, compensation, life insurance, health benefits, severance pay, tenure, and status in the case of certain individuals who performed service as National Guard technicians before January 1, 1969.

S. 1298

At the request of Mr. ANDREWS, the name of the Senator from Oklahoma [Mr. NICKLES] was added as a cosponsor of S. 1298, a bill to coordinate and expand services for the prevention, identification, and treatment of alcohol and drug abuse among Indian youth, and for other purposes.

S. 1305

At the request of Mr. TRIBLE, the names of the Senator from Florida [Mr. CHILES], the Senator from South Carolina [Mr. HOLLINGS], and the Senator from Minnesota [Mr. BOSCHWITZ] were added as cosponsors of S. 1305, a bill to amend title 18, United States Code, to establish criminal penalties for the transmission by computer of obscene matter, or by computer or other means, of matter pertaining to the sexual exploitation of children, and for other purposes.

S. 1328

At the request of Mr. SIMON, the names of the Senator from Mississippi [Mr. COCHRAN]. the Senator from Arkansas [Mr. PRYOR], the Senator from Kentucky [Mr. FORD], the Senator from Ohio [Mr. GLENN], and the Senator from Georgia [Mr. NUNN] were added as cosponsors of S. 1328, a bill to strengthen programs under title III of the Higher Education Act of 1965, relating to institutional aid, and for other purposes.

S. 1362

At the request of Mr. EVANS, the names of the Senator from Oklahoma [Mr. NICKLES], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Georgia [Mr. NUNN], and the Senator from Rhode Island [Mr. PELL] were added as cosponsors of S. 1362, a bill to amend part A of title IV of the Social Security Act to provide for a study of quality control standards and procedures under the Aid to Families with Dependent Children Program, to provide for a moratorium on the imposition of penalties for erroneous payments, and for other purposes.

S. 1393

At the request of Mr. ABDNOR, the name of the Senator from Georgia [Mr. NUNN] was added as a cosponsor of S. 1393, a bill to provide for a study of the use of unleaded fuel in agricultural machinery, and for other purposes.

At the request of Mr. D'AMATO, his name was added as a cosponsor of S. 1393, supra.

S. 1399

At the request of Mr. DOLE, the name of the Senator from Michigan [Mr. RIEGLE] was added as a cosponsor of S. 1399, a bill to amend the Rehabilitation Act of 1973 to strengthen the Architectural and Transportation Barriers Compliance Board.

S. 1476

At the request of Mr. CHAFEE, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 1476, a bill to strengthen the Nation's competitive position in international trade and to improve its ability to respond to unfair and injurious foreign trade practices.

S. 1507

At the request of Mr. NICKLES, his name was added as a cosponsor of S. 1507, a bill to increase the tariff on petroleum used for motor fuel.

S. 1537

At the request of Mr. HELMS, the names of the Senator from South Carolina [Mr. THURMOND], and the Senator from Idaho [Mr. SYMMS] were added as cosponsors of S. 1537, a bill to amend title IV of the Higher Education Act of 1965 to provide standards for students for maintaining satisfactory progress as a condition for assistance under that title.

S. 1570

At the request of Mr. NICKLES, the names of the Senator from North Carolina [Mr. HELMS], the Senator from Alabama [Mr. DENTON], the Senator from Oklahoma [Mr. BOREN], the Senator from Virginia [Mr. TRIBLE], the Senator from Iowa [Mr. GRASSLEY], and the Senator from Indiana [Mr. QUAYLE] were added as cosponsors of S. 1570, a bill to amend the Fair Labor Standards Act of 1938 to exclude the employees of States and political subdivisions of States from the provisions of that act relating to maximum hours, to clarify the application of that act to volunteers, and for other purposes.

S. 1578

At the request of Mr. THURMOND, the names of the Senator from Tennessee [Mr. SASSER], the Senator from Kentucky [Mr. FORD], and the Senator from Alabama [Mr. HEFLIN] were added as cosponsors of S. 1578, a bill to amend the Low-Level Radioactive Waste Policy Act to improve procedures for the implementation of compacts providing for the establishment and operation of regional disposal facilities for low-level radioactive waste, and for other purposes.

SENATE JOINT RESOLUTION 43

At the request of Mr. THURMOND, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of Senate Joint Resolution 43, a joint resolution to authorize the Armored Force Monument Committee, the United States Armor Association, the World Wars Tank Corps Association, the Veterans of the Battle of the Bulge, the 11th Armored Cavalry Regiment Association, the Tank Destroyer Association, the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th,

12th, 13th, 14th, and 16th Armored Division Associations, and the Council of Armored Division Associations, jointly to erect a memorial to the "American Armored Force" on U.S. Government property in Arlington, VA, and for other purposes.

SENATE JOINT RESOLUTION 165

At the request of Mr. SIMON, the names of the Senator from New Jersey [Mr. LAUTENBERG], the Senator from South Carolina [Mr. THURMOND], the Senator from Michigan [Mr. RIEGLE], the Senator from South Carolina [Mr. HOLLINGS], and the Senator from Illinois [Mr. DIXON] were added as cosponsors of Senate Joint Resolution 165, a joint resolution designating the month of October 1985 as "National High-Tech Month."

SENATE JOINT RESOLUTION 173

At the request of Mr. EAST, the name of the Senator from Tennessee [Mr. GORE] was added as a cosponsor of Senate Joint Resolution 173, a joint resolution to designate the month of September 1985 as "National Sewing Month."

SENATE JOINT RESOLUTION 174

At the request of Mr. HEINZ, the names of the Senator from Indiana [Mr. LUGAR], the Senator from South Carolina [Mr. HOLLINGS], the Senator from North Dakota [Mr. ANDREWS], the Senator from Maryland [Mr. SARBANES], the Senator from Delaware [Mr. ROTH], the Senator from Michigan [Mr. LEVIN], the Senator from New York [Mr. MOYNIHAN], the Senator from Massachusetts [Mr. KERRY], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Idaho [Mr. MCCLURE], the Senator from California [Mr. CRANSTON], the Senator from Connecticut [Mr. WEICKER], and the Senator from Michigan [Mr. RIEGLE] were added as cosponsors of Senate Joint Resolution 174, a joint resolution to designate November 18, 1985, as "Eugene Ormandy Appreciation Day."

SENATE JOINT RESOLUTION 175

At the request of Mr. PROXMIRE, the name of the Senator from Ohio [Mr. METZENBAUM] was added as a cosponsor of Senate Joint Resolution 175, a joint resolution to designate the week of August 25, 1985, through August 31, 1985, as "National CPR Awareness Week."

SENATE JOINT RESOLUTION 185

At the request of Mr. MOYNIHAN, the names of the Senator from Louisiana [Mr. JOHNSTON], the Senator from West Virginia [Mr. BYRD], the Senator from Arkansas [Mr. BUMPERS], and the Senator from Minnesota [Mr. DURENBERGER] were added as cosponsors of Senate Joint Resolution 185, a joint resolution to designate August 18, 1985, as "National Flowers-by-Wire Day."

SENATE JOINT RESOLUTION 186

At the request of Mr. THURMOND, the names of the Senator from New Jersey [Mr. LAUTENBERG], and the Senator from West Virginia [Mr. BYRD] were added as cosponsors of Senate Joint Resolution 186, a joint resolution to designate the week of September 23, 1985, through September 29, 1985, as "National Historically Black Colleges Week."

SENATE JOINT RESOLUTION 189

At the request of Mr. HATCH, the names of the Senator from New Hampshire [Mr. HUMPHREY], the Senator from Oklahoma [Mr. NICKLES], the Senator from Florida [Mrs. HAWKINS], the Senator from Iowa [Mr. GRASSLEY], the Senator from Arkansas [Mr. BUMPERS], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Hawaii [Mr. INOUYE], the Senator from Idaho [Mr. MCCLURE], the Senator from Michigan [Mr. RIEGLE], the Senator from North Carolina [Mr. EAST], the Senator from South Dakota [Mr. ABDNOR], the Senator from North Dakota [Mr. BURDICK], the Senator from New Jersey [Mr. BRADLEY], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Minnesota [Mr. BOSCHWITZ], the Senator from Georgia [Mr. NUNN], and the Senator from New Jersey [Mr. LAUTENBERG] were added as cosponsors of Senate Joint Resolution 189, a joint resolution designating the week beginning January 12, 1986 as "National Fetal Alcohol Syndrome Awareness Week."

SENATE CONCURRENT RESOLUTION 24

At the request of Mr. MATTINGLY, the name of the Senator from Hawaii [Mr. MATSUNAGA] was added as a cosponsor of Senate Concurrent Resolution 24, a concurrent resolution to direct the Commissioner of Social Security and the Secretary of Health and Human Services to develop a plan outlining the steps which might be taken to correct the Social Security benefit disparity known as the notch problem.

SENATE RESOLUTION 174

At the request of Mr. GORE, the names of the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Connecticut [Mr. DODD] were added as cosponsors of Senate Resolution 174, a resolution expressing the sense of the Senate with respect to the proposed closing and downgrading of certain offices of the Social Security Administration.

SENATE RESOLUTION 186

At the request of Mr. D'AMATO, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of Senate Resolution 186, a resolution expressing the sense of the Senate that the President should call for negotiations with those democratic nations plagued by terrorism for a treaty to prevent and respond to terrorist attacks.

SENATE RESOLUTION 213

At the request of Mr. METZENBAUM, his name was added as a cosponsor of Senate Resolution 213, a resolution to express the sense of the Senate concerning recess appointments.

SENATE RESOLUTION 217—HONORING ALF LANDON

Mr. DOLE (for himself, Mr. BYRD, and Mr. THURMOND) submitted the following resolution; which was considered and agreed to:

S. RES. 217

Whereas Alfred Mossman Landon, former Governor of Kansas and 1936 Republican nominee for President, is celebrating his ninety-eighth birthday today, September 9, 1985;

Whereas Alf Landon has a firm foothold in American political history of another period, and is ever ready to comment on current affairs with an expertise and sensibility that reveals his unique position as a grand old man of the GOP;

Whereas his blend of morality, humanity and practical politics, has led politicians, labor leaders, reporters, and academicians to seek advice and counsel at his west Topeka home over the last forty-nine years;

Whereas as early as 1936, Alf Landon was a man ahead of his times, reminding Americans of the evils of inflation and pointing to the dangers of uncontrolled Government spending;

Whereas his record of fiscal integrity and balanced budgets during his tenure as Governor of Kansas would be the envy of any contemporary President;

Whereas Alf Landon has contributed much to the development and education of young people;

Whereas for over fifty years, Alf Landon has been one of our most respected and inspiring citizens, earning a permanent niche in American history; and

Whereas as a statesman, politician, businessman, counselor, sportsman, and friend, Alf Landon is a model for all who know him: Now, therefore, be it

Resolved, That the Senate hereby extends to the Honorable Alf Landon our affectionate greetings and best wishes on the occasion of his ninety-eighth birthday.

AMENDMENTS SUBMITTED

JAPANESE TECHNICAL LITERATURE ACT OF 1985

BAUCUS (AND ROCKEFELLER) AMENDMENT NO. 590

(Order referred to the Committee on Commerce, Science, and Transportation.)

Mr. BAUCUS (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by them to the bill (S. 1073) to amend the Stevenson-Wydler Technology Innovation Act of 1980 for the purpose of improving the availability of Japanese science

and engineering literature in the United States, and for other purposes; as follows:

Strike all after the enacting clause and insert in lieu thereof the following:

That this Act may be cited as the "Japanese Technical Literature Act of 1985".

SEC. 2. Section 5 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3704) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting immediately after subsection (c) the following new subsection:

"(d) JAPANESE TECHNICAL LITERATURE.—(1) In addition to the duties specified in subsection (c), the Secretary shall establish and, through the National Technical Information Service and such other offices within the Department of Commerce as the Secretary considers appropriate, maintain a program (including an office in Japan) which shall, on a continuing basis—

"(A) monitor Japanese technical activities and developments;

"(B) consult with businesses and professional societies in the United States regarding their needs for information on Japanese developments in technology and engineering;

"(C) acquire and translate selected Japanese technical reports and documents that may be of value to agencies and departments of the Federal Government, and to businesses and researchers in the United States; and

"(D) coordinate with other agencies and departments of the Federal Government to identify significant gaps and avoid duplication in efforts by the Federal Government to acquire, translate, and disseminate Japanese technical information.

Activities undertaken pursuant to subparagraph (C) of this paragraph shall only be performed on a cost-reimbursable basis. Translations referred to in such subparagraph shall be performed only to the extent that they are not available from sources within the private sector in the United States.

"(2) Beginning in 1986, the Secretary shall prepare annual reports regarding important Japanese scientific discoveries and technical innovations in such areas as computers, semiconductors, biotechnology, and robotics and manufacturing. In preparing such reports, the Secretary shall consult with professional societies and businesses in the United States. The Secretary may, to the extent provided in advance by appropriation Acts, contract with private organizations to acquire and translate Japanese scientific and technical information relevant to the preparation of such reports.

"(3) The Secretary also shall encourage professional societies and private businesses in the United States to increase their efforts to acquire, screen, translate, and disseminate Japanese technical literature.

"(4) In addition, the Secretary shall compile, publish, and disseminate an annual directory which lists—

"(A) all programs and services in the United States that collect, abstract, translate, and distribute Japanese scientific and technical information; and

"(B) all translations of Japanese technical documents performed by agencies and departments of the Federal Government, in the preceding twelve months that are available to the public.

"(5) The Secretary shall transmit to the Congress, within one year after the date of enactment of the Japanese Technical Literature Act of 1985, a report on the activities of the Federal Government to collect, abstract, translate, and distribute declassified Japanese scientific and technical information.".

"SEC 3. Section 9 of the National Bureau of Standards Authorization Act for Fiscal Year 1986 (Public Law 99-73; 99 Stat. 173) is amended by striking "$2,715,000" and inserting in lieu thereof "$3,715,000".

● Mr. BAUCUS. Mr. President, some months ago I and my colleague Mr. ROCKEFELLER introduced the Japanese Technical Literature Act of 1985. This bill was designed to be one small block in the rebuilding of U.S. competitiveness. It was aimed at increasing our attention and access to technological developments in Japan.

BACKGROUND

All of us are keenly aware of the large and growing U.S. trade deficit. That trade deficit is not the illness—it is the symptom of a number of illnesses. One of them is our declining productivity growth.

One commonly accepted explanation for Japan's postwar miracle is that country's ability to acquire and incorporate American technological developments. This has not happened accidentally. Japanese students learn English, and so they can read American journals. In addition, the Japanese Government and Japanese companies have worked hard at learning from American technology. The Japanese Information Center of Science and Technology and many individual Japanese businesses gather, abstract, and translate information and articles from around the world.

In contrast, we have paid little attention to Japanese technical literature. Whether or not this was ever the right attitude, it certainly is not today. Today Japan ranks third in scientific research.

There is plenty of published material describing Japanese technical developments. About 10,000 technical journals are published in Japan.

Some American companies and trade associations monitor this material. Some Federal agencies do the same in specialized areas. But the efforts are uncoordinated and inadequate—they cover barely 20 percent of the available material.

THE JAPANESE TECHNICAL LITERATURE ACT

The Japanese Technical Literature Act director the Directed of Industrial Technology in the Commerce Department to increase the availability of Japanese science and engineering literature to U.S. businesses, scientists, and engineers through a number of activities. The Director was given substantial flexibility.

Senator ROCKEFELLER and I are pleased to be able to say that reaction to this proposal has been favorable. The National Association of Manufacturers has endorsed the bill. We have received favorable comments from representatives of the American Electronics Association, the American Chemical Society and the Global Competitiveness Council.

IMPROVEMENTS IN THE BILL

Why then would we propose an amendment to the Japanese Technical Literature Act? Because we have learned things that make us think the bill can be made even better.

In the revised bill, we propose a much more specific program in the Commerce Department—building on existing programs and adding new elements.

We have also made some changes to make absolutely clear that the intent of the bill is to complement ongoing or future private sector efforts—not to supplant them or compete with them.

Specifically, the revised legislation would authorize a $1 million Commerce Department program with four tasks:

Issuing an annual report on Japanese technological trends, especially trends in computers, semiconductors, biotechnology, and robotics;

Operating an office in Japan to monitor Japanese scientific and technical developments and translate selected Japanese scientific and technical documents for government, businesses, and academia, on a cost-reimbursable basis, and only to the extent that those documents are not readily available from private-sector sources;

Coordinating existing Federal Government translation programs, including publishing an annual index of existing Federal translations;

Reporting on overall Federal efforts to translate and disseminate Japanese scientific and technical information.

CONCLUSION

Mr. President, this bill is not the single, total answer to all our productivity and competitiveness problems. But we believe this bill represents a significant step.●

● Mr. ROCKEFELLER. Mr. President, on May 6, Senator BAUCUS and I introduced legislation to encourage the translation of Japanese scientific and technical information and to help American companies and researchers obtain access to this material. In the months since then, we have explored these issues through congressional hearings and other consultations, and have clarified our views about how modest Government resources might be directed to meeting such needs.

From these examinations, we're convinced that this country could benefit considerably from greater availability of Japanese R&D—in much the same way Japan has benefited from the work of others. For years, the Japanese have made strenuous efforts to learn from us: They read our professional journals, send students to study

in our universities, attend international meetings and consult with U.S. companies and researchers about discoveries and new technology.

Fluency in English has obviously facilitated such efforts on the part of the Japanese, and many of their brightest scientists and engineers know the language well. But the Japanese Government also makes a systematic effort to collect and translate technical information from all over the world—and encourages companies to use it. Partly because of this, the Japanese have excelled in applying the research findings of others to the development of new products and processes.

But there's no good reason—apart from the language barrier—why this flow of information should go only one-way. Japan devotes over 2 percent of its GNP to R&D and ranks third—after the United States and the Soviet Union—in spending on scientific research. The Japanese have become first-rate innovators and, like us, are engaged in pioneering research in fields like telecommunications equipment, biotechnology, robotics, and computers. At the very least, greater access to Japanese technical literature would alert our industries to the kind of competition they'll be facing. But it could also help us develop and perfect new technologies and products that will keep our industries in the lead.

At present, American researchers and businesses have relatively few opportunities to learn from the Japanese. The language is terribly difficult, and only a few of our largest companies can afford the expense of gathering and translating technical material from Japanese into English. Private services and trade associations are involved in abstracting, indexing, and identifying material which could be useful to read. But translation and dissemination of full texts of articles and reports by either private or government organizations in this country remains very limited—and barely scratches the surface of the Japanese professional literature in most scientific fields.

Our revised bill aims to build on these activities by earmarking $1 million within the Department of Commerce for the following purposes:

To monitor Japanese technical development, collect and translate selected documents, and coordinate the efforts of Federal agencies involved in such information-gathering to make the material available to businesses and researchers.

To prepare annual reports on important Japanese technological developments, in fields like computers, semiconductors, biotechnology, robotics, and manufacturing.

To assist the efforts of professional societies and other private organizations to acquire, screen, translate, and distribute Japanese technical literature.

To publish an annual directory of private and government services to collect and translate Japanese technical information.

To report to the Congress within 1 year on the translation activities of Federal agencies, with recommendations on how they might be improved upon.

We envision a core staff at Commerce to carry out these responsibilities, assisted by an office in Japan to facilitate the identification and acquisition of pertinent documents. With limited resources, the department will need to work closely with professional societies and other potential users to select material to be translated. The legislation further states that government translations be done on a cost-reimbursable basis, and only when the translated document is not available from private sources.

Recent events have proved—in sector after sector—that we can't blithely count on staying in the lead. There are multiple reasons for concern about the competitive position of a wide range of American industries—and the staggering trade imbalances that are sapping our economy's vitality.

We offer this legislation as one important facet of a response to these problems. More effective competition depends on a number of initiatives on our part: We cannot continue to handicap ourselves with an overvalued dollar or to refuse to move against unfair trading practices by some of our competitors. But there are also steps we can and must take to improve our industrial performance—to remain at the forefront of science and technology, to produce high quality products and services.

If Japanese businesses and scientists have access to our best scientific and technical information, it's only right that we should have the same kinds of opportunities to learn from them. The program we've outlined would help bring vital information about Japanese research and technology to the attention of American industry. That's the kind of business help our Government should be providing. And that's why we think the effort is one of the best investments our Government can make.

Mr. President, an article from the New York Times corroborates this view, and I ask unanimous consent that the article be printed in the RECORD. Private sector interest in the material is increasing, making supportive activities by the Government all the more important.

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

[From The New York Times, Sept. 8, 1985]

AMERICANS PICKING JAPANESE BRAINS

(By Nicholas D. Kristof)

After decades of pooh-poohing Japanese scientific research, American business executives no longer patronize the Japanese as "imitators." End "copiers" of American technology. Quite the contrary. In the wake of Japan's drive for technological supremacy, they are scrambling to keep up with the new scientific research in Japan.

It is not an easy task. As Japan finally moves from imitation to innovation—and becomes a formidable competitor in crucial areas such as supercomputers; biotechnology and robotics—American scientists find themselves hard-pressed to learn of Japanese breakthroughs. So in the past year or so, a small industry has been, emerging, consisting of companies that help monitor Japanese technology and, in effect, broker developments to American corporations.

"What's at stake may well be the competitiveness of American-industry," said Richard J. Samuels, who directs a program on Japanese science at the Massachusetts Institute of Technology. "If you can't pay attention to and assimilate technological information beyond your borders, you're playing the game with one arm tied behind your back."

The new technology brokers are trying to address the problem by translating and indexing Japanese scientific articles. For example, the Japanese Technical Information Service, a Xerox subsidiary, is starting up operations near Philadelphia this fall. (See box inside.) Nissho Iwai, the Japanese trading company, already has done something similar. A year ago, it began publishing Techgram Japan, a magazine full of brief summaries of Japanese technological developments. Here are some recent examples:

A new "killer yeast" that destroys harmful bacteria while fermenting beer.

A machine, run by a microcomputer, that manufactures "riceburgers," a Japanese food consisting of ground meat inside a ball of rice.

A machine that reads aloud from Japanese paperbacks (but takes 25 minutes a page).

So far there are few success stories of American companies successfully adopting Japanese technologies, partly because by the time an invention is practical it is often cheaper to manufacture it in Japan than in the United States. One exception, however, is a missile tracking guidance system developed in part by Toshiba. In June it became the first Japanese military technology officially requested by the United States, which over the years has passed on a great deal of military technology to Japan.

Many scientists say that the new American effort to get at the stream of Japanese research information is too little and too late. Even with the latest undertakings, the vast majority of the 10,000 technical journals published in Japan will be neither indexed nor abstracted in the West. And while the number is rising, only about 400 science students at universities around the country are studying the Japanese language.

"There's a certain hard-to-define intellectual arrogance that everthing on the cutting edge is done here," said Adm. Bobby R. Inman, the former deputy director of the Central Intelligence Agency who now heads the Microelectronics and Computer Technology Corporation, a research consortium. "That's been true in the past, but I detect a smugness setting in."

That smugness certainly is not justified. In robotics, an expanding area of high technology, Japan deploys more than twice as many robots as the United States. Fifty-four percent of new chemical patents worldwide now belong to the Japanese. Biotechnology was pioneered by the United States, but Japan is already the dominant producer of amino acids, an important field in biotech, and is generally believed to be improving its work extremely quickly. Likewise, the United States still has the lead in supercomputers, but Fujitsu and Hitachi are frantically designing plans for computers far more powerful than anything that now exists.

These are all emerging scientific areas that the United States cares about immensely and in the last year or so, there has been a surge of American interest in Japanese technology. A Congressional subcommittee published a report emphasizing business concerns about being able to keep up with Japanese technology. Two conferences have addressed the issue. American companies have sent more scientists to Japan to learn about that country's lastest scholarship. For the first time, M.I.T. is offering Japanese classes, beginning this fall. The Commerce Department is proposing a joint venture with industry to program computers to translate Japanese into English.

Some experts in industry even draw an analogy between today's heightened concern about Japanese technology and the national alarm that followed the Soviet Union's launching of the Sputnik satellite in October 1957. Clearly the concern is on a far smaller scale today, but the purpose of the comparison is to urge the same kind of national commitment to science today as was born after Sputnik's launching.

"We need more effort—there's no question," said Robert W. Gibson Jr., head of the library department at the General Motors Research Laboratories.

The technological issues are complicated by the tensions between the United States and Japan over trade relations. Some Americans, such as Representative Doug Walgren, a Pennsylvania Democrat, contend that Japan is taking advantage of the language barrier to limit access to its research. Others say that the onus lies on the Americans to learn Japanese, or at least to translate Japanese periodicals—just as the Japanese have learned English and translated American journals.

Some companies, sensing profits, are happy to bear that burden. One result of the growing concerns in the United States about Japanese scientific progress has been a modest boom in the publication of indexes and abstracts of Japanese scientific articles. For some companies that already do this for other foreign journals, this just means expanding the Japanese section. Chemical Abstracts, for example, already publishes 140-word summaries of articles in 1,500 Japanese chemical magazines, plus innumerable periodicals from other countries. And Engineering Information, a New York company, publishes abstracts from 5,000 journals from around the world, including 150 from Japan.

Last year, sensing a quickening interest, Engineering Information tried to initiate a new service that would publish abstracts from 1,000 Japanese-language journals. The fee was $45,000 a year for full coverage, or $24,000 annually for just the electronic engineering publications. Five companies signed up for each service, but it was not enough to make it worthwhile, so the project was abandoned. Herbert B. Landau, Engineering Information's president, said.

It is Japan's basic research that experts say the United States needs most to monitor, not inventions that already are practical. And to this end, several American companies—including the International Business Machines Corporation, Motorola, Burroughs, TRW, General Motors and Hughes—are said to be improving their surveillance of Japanese technology, normally from offices in Tokyo.

In late July, I.B.M.—whose trade secrets Hitachi and Mitsubishi Electric tried to steal in 1982, resulting in a much publicized court case—reached an unusual deal with the Japanese Government permitting the company to license technology developed by the joint efforts of Japanese, industry and Government. I.B.M. is considered the dean of Japan-watchers, in large part because of its big Japanese subsidiary.

And although Robert C. Kirkwood, director of government affairs at the Hewiett-Packard Company, describes his company's Japanese surveillance as "spotty at best," it does have about 50 Japanese employees in Tokyo who do research in addition to other work.

With the backing of several American companies, and a two-year, $500,000 grant from the Commerce Department, the American Electronics Association opened an office last year in Tokyo, in part to monitor Japanese technology. Several months ago, the office issued a 72-page source list on Japanese technology, and this fall it will begin publishing a newsletter on technological developments.

"With our small staff we can't look at all technology, but we'll try to pick the raisins out of the cake," said Ralph J. Thomson, a senior vice president of the association.

The Government is also limbering up. A bill before the Senate would authorize $1 million for the Commerce Department to monitor Japanese technology more carefully. Translation costs now prevent the Government from tracking Japanese research more comprehensively.

"The key is machine translation," said Bruce Merrifield, an Assistant Secretary of Commerce. "That's where the major breakthrough would come." He has been meeting with business executives and officials from the Patent Office and intelligence agencies, trying to promote a joint effort to develop a computer program that could efficiently translate Japanese journal articles into English. So far, machine translators are clumsy, stumbling over idioms and metaphors.

In the absence of better computer translations, some researchers are encouraging scientists to study Japanese and work in Japanese research labs. M.I.T., for example, has a program to train scientists to speak Japanese and then put them temporarily in Japanese research facilities.

Behind America's scramble to monitor Japanese technology is a fundamental shift in Japanese scientific research. For most of the period since World War II, Japan devoted itself to importing technologies from the United States and other countries and applying them. Du Pont's nylon patent led to Japan's boom in synthetic textiles; Bell Laboratories' break-throughs in making transistors produced Japan's semiconductor industry; RCA's licenses provided the foundation for Japan's color televisions, and so on.

From 1951 through 1984, more than 42,000 contracts were signed to transfer-technology to Japan from abroad. Very little technology crossed the ocean going the other way, and indeed very little exciting, basic research was under way in Japan. The Japanese borrowed ideas from abroad, learning English to do so, and often studying at foreign universities, which were viewed on both sides of the Pacific as better than Japanese institutions, at least in the sciences.

Many Japanese scientists still study in the United States, and read English well enough to absorb a journal article, but in the meantime they have constructed their own research industry. A rigorous education system—longer hours and a longer academic year mean that by the time they graduate from high school, Japanese students have had four more years of school than American students—prepared a foundation. Then, goaded by foreigners who called them mere imitators, Japanese industry and business began a major campaign, a bit more than five years ago, to develop a basic research capability second to none.

"It has been said for a long time that the Japanese are good only at applying technology, that they are not skilled enough or talented enough to develop technology on their own," said Yasuo Wataru, general manager of the Washington office of the Nissho Iwsl American Corporation, a Japanese trading company. "I don't think that is true. Certainly we are spending a great deal of money on basis research."

Since 1965, for example, Japan has roughly quadrupled its research expenditures, after adjusting for inflation. In the United States, spending on research has grown by less than 50 percent in the same period.

Moreover, in Japan it is the big companies, the *kaisha*, that have dominated research and development, which could mean that scholarship is more likely to lead to commercial gains than work financed by, say, America's Pentagon. Half of research in the United States is paid for by the Government—much of it military research—while the Government share of Japanese research is about a quarter.

A study of research spending in the two countries, in a forthcoming book by James C. Abegglen and George Stalk, Jr., two consultants in the Tokyo office of the Boston Consulting Group, found that in 1978 major American and Japanese companies both spent about 3 percent of total revenues on research. But by 1983, the fraction had risen to 5.1 percent in Japan, compared to 3.7 percent here.

Canon was spending 14.6 percent of its income on research, NEC was spending 13 percent, Shionogi stood at 9.6 percent. But with the exception of Eli Lilly, at 9.7 percent, American companies spent substantially smaller fractions. General Electric, for example, spent 3.4 percent on research and development, Xerox spent 6.8 percent and RCA 2.4 percent. In many cases, of course, the American companies are larger and to spend a larger total, even though the percentage is smaller.

In scientific fields, software and aerospace are the only two areas where Japan is indisputably well behind the United States—in part because of past American strengths and heavy military spending on aerospace.

"The competitive strength of Japanese companies has been based on price and on quality of product," Mr. Abegglan and Mr. Stalk of the Boston Consulting Group say in "Kaisha, the Japanese Corporation," their book. "Added now, very rapidly, is a highly competitive level of research and development expenditure, with technological

innovation becoming the center of competitive capability."●

NOTICES OF HEARINGS

SUBCOMMITTEE ON ENERGY RESEARCH AND DEVELOPMENT

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that the Subcommittee on Energy Research and Development of the Committee on Energy and Natural Resources will conduct a hearing on Wednesday, September 18, 1985, beginning at 9:30 a.m. in room SD-366 of the Senate Dirksen Office Building in Washington, DC.

Testimony will be received on S. 1517, a bill to amend the Low-Level Radioactive Waste Policy Act of 1980 to authorize continued financial and technical assistance of the Department of Energy to the regional low-level waste compact regions, and to revise the guidelines and procedures for the establishment and use of regional disposal facilities for low-level radioactive waste, and for other purposes.

Those wishing to testify or who wish to submit written statements for the hearing record should write to the Subcommittee on Energy Research and Development, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510.

For further information regarding this hearing, please contact Ms. Marilyn Meigs on the subcommittee staff at 202-224-4431.

SELECT COMMITTEE ON INDIAN AFFAIRS

Mr. ANDREWS. Mr. President, I would like to announce for the information of the public that the Select Committee on Indian Affairs will be holding hearings on September 11, 1985, in Senate Dirksen 628, beginning at 10 a.m., on S. 1396, to settle unresolved claims relating to certain allotted Indian lands on the White Earth Indian Reservation, to remove clouds from the titles to certain lands, and for other purposes. Those wishing additional information on S. 1396, should contract Mike Mahsetky or Peter Taylor of the committee at 224-2251.

On September 18, 1985, in Senate Russell 485, beginning at 10 a.m., on S. 1298, to coordinate and expand services for the prevention, identification, and treatment of alcohol and drug abuse among Indian youth, and for other purposes. Those wishing additional information on this bill should contact Mary Jane Wrenn or Peter Taylor of the committee at 224-2251.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. MATHIAS. Mr. President, I wish to announce that the Committee on Rules and Administration will hold 2 days of hearings on the subject of television and radio coverage of Senate proceedings next week. The committee will meet to receive testimony from Senators on Tuesday, September 17, 1985, at 9:30 a.m., in SR-301, Russell Senate Office Building. On the following day, Wednesday, September 18, at 9:30 a.m., in SR-301, representatives of the media and other interested individuals and organizations will present their views on broadcast coverage of the Senate.

Senators, individuals, and organizations who wish to participate in these hearings or to submit a statement for the hearings record are requested to contact John Swearingen of the Rules Committee staff at 224-9078.

SUBCOMMITTEE ON LABOR

Mr. NICKLES. Mr. President, the Subcommittee on Labor will hold an oversight hearing on pension policy implications of the President's tax proposals on fringe benefits and retirement savings on October 1, 1985. The hearing is scheduled for 9:30 a.m. in room 430 of the Dirksen Senate Office Building. Persons wishing to testify should submit a written request to Chairman DON NICKLES, Subcommittee on Labor, 428 Dirksen Senate Office Building, Washington, DC 20510 by September 16, 1985. If you have any questions concerning the hearing, please contact Rick Lawson, on the subcommittee staff, at 202-224-5546.

ADDITIONAL STATEMENTS

CONGRESSIONAL CALL TO CONSCIENCE FOR SOVIET JEWS

● Mr. WEICKER. Mr. President, I rise today as a participant in the Congressional Call to Conscience Vigil for Soviet Jews, organized by our distinguished colleague Senator BOSCHWITZ. Embedded in the tradition and the national conscience of the United States is a deep concern for oppressed people, whether they reside within our borders or halfway around the world. It is thus our duty and privilege to speak out in defense of those whose basic rights are denied by governments that do not share our regard for the dignity of all human beings. Foremost in these efforts should be our advocacy for Soviet Jewry, for whom conditions have progressively worsened in recent years.

One such example is that of Igor Gregorovich Malishev. He and his wife, Anna, and their son, Stanislav, first applied for visas in January of 1980 in order to join Igor's sister in Israel. They were denied. Subsequent applications were submitted every 6 months. These visa applications were also denied. Although Anna's mother gave her written permission for them to go to Israel, they were refused on the pretext that they should not split the family by leaving a parent behind.

Until 1979 the Malishevs lived in Kiev where Igor worked as a math lecturer at the university for 11 years. After Igor's dismissal from the university, Malishevs moved to Riga where Igor worked as a relief teacher until 1982 when he was forced to resign in order to submit his sixth application for an exit visa. Since then he has given private tutoring in mathematics.

The continued repression of the Jews in the Soviet Union must be stopped. The Malishevs are only one of the thousands of the Soviet Jewish families wishing to flee the Soviet Union, but who are not permitted. It is our duty to call for the discontinuation of this tyranny of Soviet authorities and to put the full strength of our diplomatic and economic resources behind our words.●

AMENDING THE FAIR LABOR STANDARDS ACT

● Mr. HELMS. Mr. President, I strongly support Senator NICKLES' bill, S. 1570, a bill to exempt States and their political subdivisions from the maximum hour provisions of the Fair Labor Standards Act. I am happy to cosponsor this measure.

Mr. President, in a 1976 decision, National League of Cities against Usery, the Supreme Court struck down the 1974 legislation which used the commerce clause to mandate that States and their political subdivisions comply with the maximum hour and minimum wage provisions of the Fair Labor Standards Act. Knowing the vital role State autonomy plays in our federalist system, the Court stated that the 10th amendment limits the commerce clause's applicability to the States and their political subdivisions when the State is involved in a "traditional governmental function" such as fire prevention, police protection, sanitation, and public health. Setting wage and hour laws for State and local government employees likewise falls within this perimeter, according to the Court, and therefore, should be exempt from wage and hour provisions of the Fair Labor Standards Act.

Mr. President, on February 19, 1985, in Garcia against San Antonio Metropolitan Transit, the Court overturned the 1976 decision and mandated that State and local governments comply with all the provisions of the Fair Labor Standards Act.

Mr. President, I am gravely concerned about this decision for two reasons. First, Mr. President, Garcia has dealt a serious if not fatal blow to State sovereignty and the power of the 10th amendment to shield the States from Federal intrusion. As Justice Powell stated in his dissenting opinion in Garcia, "the Court today propounds a view of federalism that pays only lip service to the roles of the States."

Mr. President, contrary to what the majority in Garcia would have you be-

lieve, the framers of our Constitution were strong proponents of States' rights and the necessary division of authority between the Federal and State Governments. In Federalist Paper No. 45 Madison stated:

The powers delegated by the proposed Constitution to the Federal Government, are few and defined. Those which are to remain in the State Governments are numerous and indefinite. The former will be exercised principally on external objects, as war, peace, negotiation, and foreign commerce; with which last the power of taxation will for the most part be connected. The powers reserved to the several States will extend to all the objects, which in the ordinary course of affairs, concern the lives, liberties and properties of the people; and the internal order, improvement, and prosperity of the State.

Mr. President, the 10th amendment embodies this fundamental belief:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the State, are reserved to the States respectively, or to the people.

Mr. President, this Congress should act without delay to restore the constitutionally mandated balance of power between the States and the Federal Government.

Second, Mr. President, compliance with the maximum hour provisions of the Fair Labor Standards Act as mandated by Garcia will fiscally cripple State and local governments in their ability to provide crucial services to their citizenry. The North Carolina Attorney General's office compiled some statistics that past spring on the effect of Garcia on the State government budget. These statistics are based on fiscal year 1983-84 wages. Estimated overtime costs for the State highway patrol will cost an estimated $4,743,277; for the alcohol and law enforcement—$241,731; for State bureau of investigation $1,270,000. In addition, estimates ranging from $7 million to $15 million have been quoted from various State budget sources as the cost to the State of North Carolina to pay overtime and compensatory time to State employees, based on figures from the last fiscal year.

The North Carolina League of Municipalities have compiled statistics on the effect compliance with the Federal maximum hour laws will have on 10 local governments for fiscal year 1985-86. Their estimates predict that compliance will cost these cities a total of $1.75 million for fiscal year 1985-86 alone. Mr. President, in light of this financial burden, the State and local governments have been left with no alternative but to increase taxes and reduce or eliminate crucially needed services to their citizens .

Mr. President, I applaud Senator NICKLES in his efforts to weaken Garcia's blatant assault on our States' fiscal stability and autonomy and I am proud to join him in cosponsoring S. 1570. I urge my other colleagues to support the distinguished Senator from Oklahoma in this endeavor.●

THE BUDGET IRRESOLUTION

● Mr. SIMON. Mr. President, the New York Times had an excellent editorial titled "The Budget Irresolution." I suggests that we are not paying nearly enough attention to the deficit.

I heartily concur in that assumption.

I urge my colleagues to read the editorial if they have not already, and I ask that it be inserted at this point.

The editorial follows:

THE BUDGET IRRESOLUTION

Why all the moaning and groaning that Congress didn't cut the deficit enough? If I remember correctly, it set out to cut $50 billion and the new budget resolution ends up cutting $55 billion. What's so bad about that?

What's bad is that those numbers don't tell the whole story. The Congressional Budget Office says the $55 billion will actually work out to only $39 billion. So we'll still be looking at a deficit next year that's more than $180 billion. Some cut.

And remember, we're still talking about estimates. Budget projections are notoriously unreliable. Tax collections fall short. Spending runs over. In any case, the deficit in the final year year of the Reagan Administration would still be way over $100 billion—and that was the original target of this exercise.

All right, but I'm still impressed. The President pushed Congress and it worked. You just wish it had worked your way.

Worked? The President wanted to eliminate a whole bundle of programs. How many did Congress kill? One—revenue sharing—and it was due to expire in a couple of years anyway. People can disagree on which programs are good or bad. But when Congress can't bring itself to kill any at all, that says something important about the functioning of government. Paralysis.

And so far, we've only been talking about spending cuts. We haven't said a word about holding down Social Security increases, or about new taxes.

Why are you so determined to be gloomy? They cut $55 billion this year. They can cut some more next year.

You've got it backward. If they can't make the tough choices this year, when there's no election, do you really think they'll do it next year, when there is one? This was the critical moment. Congress and the Administration finally acknowledged that deficits had gotten out of hand. They sounded serious.

Then look at what happened. Congress started making real cuts in defense and nondefense programs. There was a moment when it looked as if the President might bend on taxes and Social Security. He actually agreed to a temporary freeze in Social Security, but backed off in a hurry. And for a while, he said he'd consider tax increases as a "last resort." But at last resort, he said no. You may say he has the courage of his convictions. I say his convictions guarantee a deficit crisis long after he's gone.

What crisis? Things are pretty good. Inflation and interest rates are down. Jobs are up. The stock market has never been higher.

All true, but that's just the point. If you can't save during good times, how on earth can you expect to do so when the economy turns down again? Besides, big deficits carry with them the expectation of more inflation, sooner or later, and that's why interest rates are still quite high. The Government's enormous borrowing to cover the deficit just adds to that pressure. And jobs may be up but unemployment is stuck at more than 7 percent.

I'm not gloomy. I'm worried about our leaders' failure to cope with our problems when the time is ripe. Deficits are all right, even desirable, in recessions. But when the next recession comes, the deficit will already be excessive. Why? Because it was reduced so little on Aug. 1, 1985.●

DEPARTMENT OF THE INTERIOR REPORT ON SENATE JOINT RESOLUTION 43

● Mr. McCLURE. Mr. President, on August 1, 1985, the Committee on Energy and Natural Resources filed a report on Senate Joint Resolution 43, to authorize the erection of a memorial to the "American Armored Force" on Federal property in Arlington, VA, and for other purposes. At the time that this report was filed no executive communications on the resolution had been received by the committee from the Department of the Interior or the Office of Management and Budget. Those views have now been transmitted to the committee, and I ask unanimous consent that the administration's report be printed in the RECORD.

The report follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, July 31, 1985.

Hon. JAMES A. McCLURE,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: This responds to your request for our views on S.J. Res. 43, a bill "To authorize the Armored Force Monument Committee, the United States Armor Association, the World Wars Tank Corps Association, the Veterans of the Battle of the Bulge, the 11th Armored Cavalry Regiment Association, the Tank Destroyer Association, and the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, and 16th Armored Division Associations, and the Council of Armored Division Associations jointly to erect a memorial to the 'American Armored Force' on United States Government property in Arlington, Virginia, and for other purposes."

We recommend against enactment of this joint resolution.

This measure would authorize several military and veterans associations jointly to erect a memorial to honor those who have served in armored units of the United States armed forces, and those who continue to serve to maintain world peace. It would direct the Secretary of the Interior to select, with the approval of the Commission of Fine Arts and the National Capital Planning Commission, a site on government property in Arlington for the memorial. The measure contains the usual provisions requiring approval of the design, providing for private funding except for maintenance, and requiring assurances that funds will be available to insure completion of the memorial. Normally, memorial legislation is not site specific, as it is in this resolution.

Numerous memorial proposals place a constant demand on the parklands of the Nation's Capital and its environs. In order to protect the concept of open space and dignity which contributes so much to the beauty of the capital, the Secretary of the Interior's National Capital Memorial Advisory Committee was established administratively under the Federal Advisory Committee Act. Among the purposes of the Committee was that of recommending broad criteria, guidelines, and policies for memorializing persons and events on Federal lands in the National Capital Region. The Committee's criteria and guidelines recommended limiting the use of the remaining sites to memorialization of exceptional significance, quality and value; and, as to persons, their degrees of achievement. The Committee's policy is that only military memorials commemorating all members of the armed forces identified with a single event should be placed on parklands in the Nation's Capital. The recently completed Vietnam Veterans Memorial, for example, commemorates all members of the armed forces who served in that conflict, and the Navy Memorial which will be constructed soon on Pennsylvania Avenue at 8th Street, will commemorate all U.S. naval personnel.

There are existing 80 memorials which are located on parklands in Washington, DC., and its environs. Many of these commemorate military heroes dating back to the revolutionary war, and various military units. As a result, most of the desirable memorial spaces have been taken. It is our understanding from discussions with the American Battle Monuments Commission (a member of the Memorial Advisory Committee), that there are over 150 division size units of all the armed forces which have participated in combat. If each of these units or groups of units were to ask the Congress for the use of Federal parklands, there would not be enough open space available to accommodate the memorializations.

S.J. Res. 43 would commemorate only those members of the armed forces who served in armored units. In a June 29, 1984, report to the Committee, the Department recommended against the enactment of a similar measure, S.J. Res. 277 in the 98th Congress, because commemorating only certain units of the armed forces would not be consistent with the policy recommended by the Advisory Committee. On July 31, 1984, the Advisory Committee recommended against enactment of S.J. Res. 277 and supported the Department's report. The Department continues to recommend against enactment of this legislation.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

WILLIAM P. HORN,
Assistant Secretary.●

TAXES MUST RISE

● Mr. SIMON. Mr. President, one of the more thoughtful observers of the American political scene is Kevin Phillips.

In the Los Angeles Times, of August 4, he published an article that basically says we had better face up to this deficit and, among other things, we are going to have to increase revenue.

He is, of course, absolutely right, as almost all of us admit privately and an increasing number are admitting publicly.

I urge my colleagues to read the Kevin Phillips piece, and I ask that it be inserted in the RECORD at this point.

The article follows:

TIME FOR TRUTH: TAXES MUST RISE

(By Kevin Phillips)

WASHINGTON—Let the truth be told: New or increased taxes are coming in the name of deficit reduction, and the only question is when—and how long it will take President Reagan to come around.

The President feels strongly about the no-tax-increase pledges he made last year. Such is the unhappy legacy of Ronald Reagan's unfolding 12-month response to Democratic presidential nominee Walter F. Mondale's July, 1984, speech urging a tax increase to reduce the federal deficit. That, in retrospect, was a fateful moment in U.S. fiscal history. Not because the subsequent tax debate defeated Mondale and reelected Reagan—its actual impact on November voting was no more than a point or two—but because it created a major misperception about the "mandate" of the 1984 election.

The most recent manifestation, of course, is Reagan's late-July rejection of the Senate GOP's deficit-reduction proposal, involving a $5-a-barrel oil import fee and a biennial instead of annual computation of Social Security cost-of-living increases. These two ideas themselves are debatable. Rejection may be justified. But it is the larger symbolism that disappoints.

What must change is the President's refusal to accept any tax increase—a mistake on three dimensions. First, because although opinion polls did show Americans opposed to Mondale's 1984 tax posture, the major 1980-84 changes in the presidential vote were regional, ethnic and religious; tax policy was only a collateral factor.

Second, because the economic health of the United States now demands that taxes be increased (and new revenue sources found) as part of this autumn's congressional tax-reform process. Deficit-reduction is far more important than revenue-neutral tax reform, which the public rightly dismisses as peripheral.

And finally, from the political standpoint, because the Administration is in the process of dissipating the fiscal responsibility image the Republican Party earned so painfully over so many years.

The probable consequences of failure to increase revenues can be stated easily enough: a mushrooming deficit likely to produce resurgent inflation and rising interest rates would send the country reeling back into recession. Without a tax increase, deficit reduction can't achieve meaningful scale. And if the President doesn't regard the defict as important enough for political sacrifice, why should Congress? In the meantime, several troublesome U.S. economic circumstances are being aggravated by Reagan's no-tax-increase posture.

DEFICIT DANGERS

Angry Senate Republicans now justifiably feel that their efforts to pose hard choices and make sacrifices to reduce the deficit have substantially been for nought. (The budget that Congress finally agreed to last Thursday included an alleged $55-billion deficit-reduction package—as well as a $172-billion shortfall.)

Part of the senators' concern is political. If re-emerging deficit problems start inflation and interest rates ratcheting up, it will be hard for the GOP to maintain Senate control in the 1986 elections. But the President has a stake here, too. Let deficit-reduction hopes implode, and some painful mixture of inflation, interest rates and recession could shred his Second American Revolution. His historical reputation could follow.

The irony is that just when the old GOP politics of commitment to balanced ledgers is becomming the electorate's greatest concern, the White House has eschewed what should be natural Republican leadership. The public, realistic as usual shrugs at the Administration's new tax reform preoccupation. They know the deficit is much more critical. Indeed, mid-July NBC News Poll results found the public putting virtually every other economic priority ahead of tax reform.

In a nutshell, what we need from the President is less attention to tax reform's ideological will-o'-the-wisp and more commitment to what should also be good fiscal policy and good politics: A national mobilization that uses tax overhaul in part for some new revenues and deficit reduction. Time, meanwhile, is becoming an enemy. For the last few years, we've been financing a fair part of the deficit abroad. That won't continue, though, if the dollar keeps dropping.

DOLLAR WORRIES

Since the early 1980s, a considerable percentage of the federal budget deficit has been financed by foreigners, lured by high real interest rates and steadily rising value of the dollar. Belief in the success of Reagan's political economics was also an important part of that equation.

That belief is declining now, though. The President's refusal to come to grips with the deficit is one factor. So is the possibility that the White House might try to stack the Federal Reserve Board with easy-money supporters. And so is the uncertainty about U.S. trade policy and protectionist changes that could occur.

To rebut these fears, the Reagan Administration desperately needs a coherent strategy for coping with the deficit, trade and tax situation. Until one exists, why should foreigners buy dollar-denominated U.S. bonds and other instruments that could depreciate if Reaganomics flounders?

This is not an abstract question. If we're going to have re-escalating deficits because the President won't raise taxes, then skittish overseas investors will stop funding those deficits. That, in turn, means that interest rates would rise. No one can be sure, but the case is plausible.

TAX INCREASE OPTIONS

Nobody *wants* a significant federal tax increase in the near future. However, if we *don't* have one, we'll probably suffer an equivalent or worse economic levy in the form of 1) higher interest rates needed to get Americans and foreigners alike to finance the deficit, 2) a resultant slowdown in economic activity and decline in prosperity or 3) resurgent inflation, the so-called "cruelest tax of all."

To avoid these fates, there's a growing sense in Congress, the Fed and the financial community that serious deficit reduction must entail a tax increase. Powerful Republican Senators such as Majority Leader Bob Dole of Kansas, Finance Committee Chairman Bob Packwood of Oregon and Appropriations Committee Chairman Mark O. Hatfield of Oregon have all been privately

and semipublicly saying so for a while now. Last week, House Ways and Means Committee Chairman Dan Rostenkowski (D-Ill.) forecast a tax increase. And in mid-July, Federal Reserve Board Chairman Paul A. Volcker said that if the deficit couldn't be brought down by reducing spending, then increased revenue would be necessary, and "a consumption tax in the long run would be a desirable way to do it."

Taxes can be increased other ways, too, of course. Rostenkowski is suggesting that if a tax-reform package can be worked out by swapping elimination of deductions for bracket reduction, then it would be easy enough to follow up with a tax increase that would raise the new tax rates a point or two. Also, Congress could tell the President it's time to start taxing imports. True, the President just rejected the Senate's idea of an oil-import tax, but, at $5 a barrel, it wouldn't have raised much money—about $9 billion a year. A broader import surcharge, by contrast, could raise a lot. The new Democratic proposal by Rostenkowski and Texas Sen. Lloyd Bentsen to impose a conditional 25 percent import surcharge on goods from Japan, Korea, Taiwan and Brazil could bring in about $20 billion a year, while a 20 percent across-the-board surcharge could raise roughly $75 billion.

But consumption-tax revenues would be larger still. A 10 percent value-added or national sales tax would raise about $250 billion a year. Modified to exclude food, drugs, basic housing, energy expenses and the like, it would raise about $150 billion a year. Another slightly different version, the business transfer tax (BTT), would apply to business transactions and omit the retail-level tax. Imports coming into the country would pay this levy, and the BTT's designers have also come up with a feature to make it rebateable against federal taxes. The significance: If U.S. corporations can offset their BTT payments against other federal taxes, about half of the net revenue impact—totaling $75 billion a year—would be borne by foreigners exporting into the United States. Not surprisingly, interest is growing in this kind of consumption tax, which would not only raise a lot of money for deficit reduction and tax modification, but also strike a blow at the U.S. trade imbalance.

The changing sentiment in the GOP and the business community could convince the President to shift position later this year or early next year. Almost two decades ago, as governor of California, Reagan jokingly dismissed a "my feet are in concrete" pledge not to increase taxes by telling reporters the sound they heard was cement cracking. Today's fiscal crisis is infinitely greater, and the President may find himself confronting a choice between the cement again cracking around his ankles or the economic and political floor collapsing beneath him.●

ADVANCE NOTIFICATION PROPOSED ARMS SALES

● Mr. LUGAR. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive advance notification of proposed arms sales under that act in excess of $50 million or, in the case of major defense equipment as defined in the act, those in excess of $14 million. Upon receipt of such notification, the Congress has 30 calendar days during which the sale be reviewed. The provisions stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Committee on Foreign Relations.

Pursuant to an informal understanding, the Department of Defense has agreed to provide the committee with a preliminary notification 20 days before transmittal of the official notification. The official notification will be printed in the RECORD in accordance with previous practice.

I wish to inform Members of the Senate that such a notification has been received.

Interested Senators may inquire as to the details of this advance notification at the office of the Committee on Foreign Relations, room SD-423.

The notification follows:

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, DC, August 29, 1985.
In reply refer to I-04829/85ct.

Dr. M. GRAEME BANNERMAN,
Deputy Staff Director,
Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR DR. BANNERMAN: By letter dated 18 February 1976, the Director, Defense Security Assistance Agency, indicated that you would be advised of possible transmittals to Congress of information as required by Section 36(b) of the Arms Control Act. At the instruction of the Department of State, I wish to provide the following advance notification.

The Department of State is considering an offer to a Southwest Asian country for major defense equipment tentatively estimated to cost $14 million or more.

Sincerely,

PHILIP C. GAST,
Lieutenant General, USAF, Director.

POLICY JUSTIFICATION

[Deleted].
[Deleted].
[Deleted].
(U) The prime contractor will be the Hughes Aircraft Corporation of Fullerton, California.
[Deleted].
(U) There will be no adverse impact on U.S. defense readiness as a result of this sale.●

THE PLIGHT OF THE AMERICAN FARMER

● Mr. SIMON. Mr. President, the plight of the American farmer has been in the national spotlight for many months now. There seems to be no end to declining land values and lower prices. More and more farmers are being forced into bankruptcy and off the land they love. During the congressional recess, I had the opportunity to talk to farmers across Illinois and learn firsthand about the pain they are suffering. In a weekly column I write for newspapers in my State, I have detailed our problems and what might be done by Government to ease the strain on the backbone of our country—the American farmer. I ask to have the column printed in the CONGRESSIONAL RECORD.

The column follows:

THE VANISHING DREAM OF THE AMERICAN FARM

America's farmers are hurting. If anyone has any doubt about that, I wish you would travel across the state with me.

Talk to the Christian County farmer, perhaps thirty years old, who with his wife stretched himself to buy a farm—their dream—and picked up a mortgage. Now it looks like it is all vanishing: their dream, their hard work.

I sense that his pride is hurt as well. One of the generally accepted beliefs in this country is that if you get out and work hard, success will follow. He did that; he and his wife worked incredibly hard. But failure is his lot.

He told me that he hates to go into town because he sees the people to whom he owes money, and he feels guilty.

"I'm not the kind of a guy who doesn't pay his bills," he commented.

"The banker's on me and I don't blame him. I'm afraid those notes I've signed for him aren't worth much unless corn and soybean prices improve."

He is bitter, and understandably so, for the problems he faces—low prices and high interest rates—were not caused by him but by his government.

Twenty-three percent of our nation's farmers are in serious financial difficulty. In some parts of Illinois it is higher than that, in some parts lower, but no farmer will tell you that agriculture is not hurting.

As I was writing this I called Dillinger's Grain Elevator near Carbondale to get current grain prices: corn $2.30, soybeans $5.03. Five year ago, corn was $3.43 and beans $8.96. If you add an inflation factor, in today's prices that would probably be about $4.00 and $10.00, respectively. If those were today's prices, farmers would not be desperate.

Adding to farm woes is the prediction that corn production will be up another 8 percent this year, and soybean production will be up 5 percent to 6 percent. In addition to that, because of the over-valued dollar, farm exports are expected to drop $10 billion more on top of the drops of last year and the year before.

It is a grim picture for farmers, for rural banks, for farm implement dealers and for the many sectors of our economy heavily dependent on agriculture. We are all going to feel it if things don't turn around.

What can the federal government do?

More important that anything else is to get the federal government's financial house in order. If we can get our deficit down, interest rates will go down and exports will go up. That would be of tremendous help to farmers.

There are some short-term, immediate steps that can also be taken, like stopping the dumping of ethanol (gasoline produced from corn) from Brazil that adds to our woes.

But the major legislative need is to produce a good, sound farm bill. My colleague, Senator Alan Dixon, understands the plight of Midwest farmers and is working on the Agriculture Committee to produce something solid, but what will emerge is not clear. A bill that shores up prices and calls for a genuine, long-range conservation program will serve the nation well.

If such a bill does not emerge, the farm situation will worsen before it improves.●

HENRY RAINEY

● Mr. SIMON. Mr. President, a half century ago Henry Rainey was pushing President Franklin Roosevelt's legislative package through Congress. Today, his memory has faded but his legacy lives on. In a weekly column I write for newspapers in my State, I remember Henry Rainey and his contributions both to Illinois and to the Nation. I ask to have the column printed in the CONGRESSIONAL RECORD.

The column follows:

AN ILLINOISIAN WHO MADE A DIFFERENCE

Who was Henry T. Rainey?

I doubt that one Illinois citizen out of a hundred recognizes his name.

Henry T. Rainey of Illinois served as Speaker of the U.S. House of Representatives until his death on Aug. 19, 1934, 51 years ago.

President Franklin D. Roosevelt took a train ride from Washington, D.C., to Carrollton, Ill., to be present for the funeral. This was in the days before a president traveled by plane.

A much more famous speaker of the House from Illinois was Joe Cannon of Danville, for whom the Cannon Building on Capitol Hill in Washington is named.

But half a century ago Henry Rainey was a big name on the national scene. He succeeded John Nance Garner as Speaker when Garner became Roosevelt's vice president.

Born in Carrollton a few months before the Civil War started, he attended Knox College in Illinois, Amherst College in Massachusetts and the no-longer-existing Union College of Law in Chicago, now Northwestern University Law School.

Elected to Congress in 1902, he served 18 years and then lost an election in the Harding landslide of 1920. Two years later he was elected once again, serving until his death.

He called himself "progressive," but his opponents called him "radical." He favored things like an eight-hour day, considered by many to be a radical idea at the time.

On the national scene he was perhaps best known for his fights for a low tariff. For most Illinois citizens, his significant effort was to open up the Illinois River to freight, connecting the Great Lakes to the Mississippi River.

But for the nation as a whole, his greatest contribution was pushing through the House the significant legislative package President Roosevelt presented the nation during FDR's first 100 days in office.

In Carrollton, about 70 miles southwest of Springfield, there is a statue of Rainey.

The last time I had a chance to look at the old Rainey farm home—I am told he was very proud of it—it was gradually falling apart, unoccupied, chickens walking through the place.

A man who contributed as much as Henry T. Rainey to the nation should be remembered.

The Illinois State Historical Society or the Greene County Historical Society should investigate if there is any chance of redeeming what was once a magnificent farm home.

If that is not possible—and it may not be—there ought to be an annual Henry T. Rainey lecture in his hometown of Carrollton. Here the nation paid its final tribute to him. Here the nation could hear an annual message of significance.

He should not be forgotten.●

PROPOSED ARMS SALES

● Mr. LUGAR. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive advance notification of proposed arms sales under that act in excess of $50 million or, in the case of major defense equipment as defined in the act, those in excess of $14 million. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Foreign Relations Committee.

In keeping with the committee's intention to see that such information is immediately available to the full Senate, I ask to have printed in the RECORD at this point the notification which has been received. The classified annex referred to in the covering letter is available to Senators in the office of the Foreign Relations Committee, room SD-423.

The notification follows:

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, DC, September 6, 1985.

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Arms Export Control Act, we are forwarding herewith Transmittal No. 85-55 and under separate cover the classified annex thereto. This Transmittal concerns the Department of the Air Force's proposed Letter of Offer to the Federal Republic of Germany for defense articles and services estimated to cost $25 million. Shortly after this letter is delivered to your office, we plan to notify the news media of the unclassified portion of this Transmittal.

Sincerely,

PHILIP C. GAST,
Lieutenant General, USAF, Director.

TRANSMITTAL NO. 85-55—NOTICE OF PROPOSED ISSUANCE OF LETTER OF OFFER PURSUANT TO SECTION 36(b) OF THE ARMS EXPORT CONTROL ACT

(i) *Prospective Purchaser:* Federal Republic of Germany.

(ii) *Total Estimated Value:* Major Defense Equipment,[1] $22 million; Other, $3 million; Total, $25 million.

(iii) *Description of Articles or Services Offered:* Three hundred ten AGM-65B MAVERICK missiles, with related initial spares and support equipment.

(iv) *Military Department:* Air Force (YDJ).

(v) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None.

(vi) *Sensitivity of Technology Contained in the Defense Articles or Defense Services Proposed to be Sold:* See Annex under separate cover.

(vii) *Section 28 Report:* Case not included in Section 28 report.

(viii) *Date Report Delivered to Congress:* September 6, 1985.

[1] As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

FEDERAL REPUBLIC OF GERMANY—AGM—65B MAVERICK MISSILES

The Government of the Federal Republic of Germany (FRG) has requested the purchase of 310 AGM-65B MAVERICK missiles, with related initial spares and support equipment. The estimated cost is $25 million.

This sale will contribute to the foreign policy and national security objectives of the United States by improving the military capabilities of the FRG; furthering NATO rationalization, standardization, and interoperability; and enhancing the defense of the Western Alliance.

The sale is essential to the FRG as the AGM-65B MAVERICK missiles will provide the electro-optical conventional weapons delivery capability for which German Air Force F-4F aircraft have recently been modified through the Improved Armament Capability Program. The AGM-65B capability fulfills one of the inter-operability objectives between the U.S. and FRG. This is a follow-on sale. The FRG procured 450 AGM-65B missiles in 1982 and an additional 120 missiles in 1985.

The sale of this equipment and support will not affect the basic military balance in the region.

The prime contractor will be Hughes Aircraft Company of Tucson, Arizona.

Implementation of this sale will not require the assignment of any additional U.S. Government personnel or contractor representatives to the FRG.

There will be no adverse impact on U.S. defense readiness as a result of this sale.●

HITLER, SOUTH AFRICA AND "THE THIN VENEER"

● Mr. SIMON. Mr. President, the lessons we learned by not speaking loudly enough to protest Adolf Hitler's campaign to extinguish the Jews should provide some direction now as we struggle with our stance on South Africa and apartheid. If we need some reminders of those lessons, David Wyman's "The Abandonment of the Jews" is must reading. In a weekly column I write for newspapers in my State, I have drawn some comparisons between those two oppressive governments and the direction we can receive from Mr. Wyman's book. I ask that the column be printed in the RECORD.

The column follows:

HITLER, SOUTH AFRICA AND "THE THIN VENEER"

(By Senator Paul Simon)

A thin veneer sometimes holds civilizations together.

That thin veneer is threatened, in part, by our fears and those who appeal to fears.

An obvious example is that civilization is threatened by nuclear obliteration because we have fears of the Soviets, and they have fears of us, and each side piles up more and more nuclear weapons—far beyond the point of reason on either side. We are spending more and more on nuclear weapons, less and less to understand each other. The result is that our fears are multiplied.

But the lesson of the problems caused by those who appeal to fears was brought home to me recently by one of the most

powerful books I have ever read. It is *The Abandonment of the Jews* by David Wyman.

It is not comforting reading for Protestants, Catholics, Jews and others, or for Americans with no affiliation.

It tells the story of the years during World War II when word gradually filtered from Germany and German-conquered territory about what was happening.

U.S. leadership, from the President on down, was nominally opposed to what Hitler was doing, but time and again when opportunities presented themselves to save thousands of Jews, the opportunities were not seized.

Sometimes Jews in the United States did not stand up because they feared they might spread the poison of anti-Semitism that Hitler encouraged, and an anti-Semitism that had penetrated into our society as well as in other nations.

Protestants and Catholics were also far too timid. The strong message of condemnation of this mass murder that you might expect came not in a torrent, but in a trickle.

As a Lutheran, I wish I could relate that Lutherans were an exception to the general rule; they were not. Nor were Catholics, Baptists, Presbyterians—and the list goes on.

Two groups did speak out forcefully: the Quakers (Friends) and the Unitarians. Even those two groups, which did much better than the others, could have done more.

Religious journals were audibly silent.

In Congress, the voices of humanity and the calls for help were few. The nation was so wrapped up in winning the war that anything else seemed secondary.

But history is not likely to judge us kindly for not opening our shores to desperate people; for not taking advantage of neutral nations that could have saved hundreds of thousands, perhaps millions; for not bombing railroad lines that led to the mass execution sites, and for not bombing those sites themselves.

What can we learn from this?

When there is injustice, in whatever form, we must speak out.

That is true in our communities; it is true in the community of nations. South Africa's situation is a clear example today, with uncomfortable parallels to the beginning of WWII policy, except for a different group being suppressed.

In our desires to reach working accommodation with the Soviet Union and other countries—and I favor getting along better with others—we should not hesitate to speak out about injustices we see. They point out our blemishes, like unemployment, as they should, and we should not hesitate to speak out about their human rights violations. And within our country and our communities, whenever we see people oppressed or criticized or held down solely on the basis of race, creed, national background or sex, we should stand up.

David Wyman's book will haunt you if you read it. We need to be haunted.●

THE NECESSITY OF PEACE CONVERSION

● Mr. SIMON. Mr. President, during the congressional recess, I went through a great variety of things that I had accumulated, and one of them was the testimony of a California businessman, Theodore Williams, chief executive officer of Bell Industries in California, before this State's senate committee on investment priorities.

This testimony was given a few years ago, but it seems to me just as applicable today as it was then.

We have to move off the present course which, ultimately, has to be a catastrophic course.

We must reduce the arms race; we must build a base of understanding between nations.

I ask that the testimony of Theodore Williams be inserted at this point, and I urge my colleagues to read it.

The testimony follows:

TESTIMONY OF THEODORE WILLIAMS

My name is Theodore Williams. I am President, Chairman of the Board and Chief Executive Officer of Bell Industries, a California corporation. I am a Mechanical and Industrial Engineer and have done graduate work in Business Administration. After graduation, I went into the business of manufacturing aircraft engine parts and ordnance tooling during World War II for approximately 2½ years, and then served in the Army as an ordnance officer in the South Pacific. After the war I moved to California where I became a manufacturer of aircraft hydraulic components and computer hardware. In 1968, I merged my company with Bell Industries and assumed my present position in 1970.

Bell Industries is a diversified NYSE listed company whose sales last year were $132 MM with earnings of $5 MM after taxes. We expect to exceed $150 MM in sales this year with approximately 50 percent in electronic products, 25 percent in recreational products and 25 percent in residential products. We have 1600 employees located in 28 divisions, 18 of which are in California, the balance in Oregon, Illinois, Washington, Colorado, New Mexico, Minnesota, Michigan, Wisconsin, and Utah. Since 1970, we have tripled in size and concentrated our efforts in non-defense-oriented businesses. At this point in time we have only one division that is totally defense-oriented.

We have the following objections to defense work:

(a) Too much government looking over our shoulder during the period it takes to fill the order.

(b) Always the possibility of renegotiation even if, due to our own ingenuity, we make a high profit. This is true even on fixed price sealed bid contracts.

(c) We feel more comfortable with a broader customer base, so that the loss of any one order does not have too great an impact on our overall business.

(d) It is very difficult to mix commercial and military business. The excess paperwork, manufacturing and quality control are not warranted in commercial products.

Let me direct your attention to the following points made in a recent publication of the Businessmen's Education Fund about military spending and unemployment:

"Military spending aggravates the problem of unemployment both directly and indirectly. Directly, on the average the number of jobs created by the expenditure of a given sum for defense creates fewer jobs than the same amount spent for civilian goods and/or services. The making of military hardware requires relatively far more capital than most civilian production. Indirectly, so much military spending has gone to finance research and development that a large proportion of American scientists and engineers (some estimates are over half) are engaged in military work. This has resulted in the nondefense industry of the United States falling behind in development of new or improved products. Foreign countries are getting an increased share of the American market in many fields as is easily noticeable in regard to autos, radios, TVs and cameras and less noticeable in regard to machine tools and similar products requiring high technology.

"Some of our older industries, such as steel, are suffering from obsolescence due to a shortage of capital for development of new and improved facilities.

"The U.S. balance of payments has suffered by the fact that in so many lines our products are no longer among the best in the world. This has contributed to the decline of our dollar, a decline which makes our products more attractive to foreigners while making it harder for us to pay for imports of the raw materials we need. Employment has therefore been lessened.

"Military spending does not increase employment—it generates unemployment, according to 'The Empty Pork Barrel,' a report of the Michigan Public Interest Research Group (590 Hollister Road, Lansing, Michigan, 48933). During the years 1970–1974 every time the military budget went up $1 billion, 11,600 jobs disappeared in the United States. That meant that between 1970–74 there was an annual net loss of 907,000 jobs when the military budget averaged $78 billion."

According to the Center for Defense Information, using data from the Department of Defense, Congressional Budget Office, and Bureau of Labor Statistics, about 62 percent of U.S. federal R&D spending is for military and space; only about 13 percent for energy, even though the energy crisis is one of the most important threats to our nation we have yet had to face.

A document called "More Jobs: Converting to a Peaceful, Productive Economy," distributed by several major national unions, states:

"The facts show that defense production is one of the least effective ways of creating employment. As military production has become more capital intensive and automated, the volume of employment has dropped.

In California, defense spending is at an all time high, but total aerospace employment has dropped from a 1968 high of 750,000 to approximately 440,000 today.

If just a fraction of the money now spent on the military were redirected to human and social needs, many additional new jobs could be created in the economy. Unemployment lines would shorten, and welfare and poverty rolls could be reduced."

Perhaps the greatest cost of the defense budget is the diversion of needed technology away from civilian production. For over a generation, approximately half of all scientists and engineers in the country have worked on military-related projects. As a result, the United States has the most advanced missiles and warplanes in the world, but we cannot build a decent railroad. Arms manufacturers prosper, while the heart of the industrial economy decays. A major reason for the present crisis in the steel industry, for example, is that corporations have not put sufficient funds into new equipment and technology. Our scientific talent has gone instead into the military or has been exported abroad by the multinational companies.

From my personal experience over the past 30 years, many small companies I knew

and did business with have gone out of business due to discontinuance or cancellation of military subcontracts. We, in turn, have prospered due in large part to our diversification as well as minimizing our dependency on defense contracts.

I would like to now respond to the questions in your Notice of Public Hearing:

1a. Are U.S. Defense Department prime contractors overly dependent on federal military contracts?

Answer. Yes, and I would cite Lockheed, Northrop, Rockwell, Hughes, and General Dynamics as examples. The reasons are due to the fact that personnel from a defense-oriented business are more wasteful, not sufficiently cost conscious, nor geared to product simplification. They do not understand the highly competitive commercial world that does not have room for layers of bureaucracy and no one to turn to for cost overruns.

1b. If so, are defense contractors presently diversified or planning diversification of their production facilities?

Answer. The previous answer is the reason for so little diversification.

1c. Could prime contractors convert to alternative production if there is a major shift in U.S. defense policy?

Answer. It would be difficult, require much time and planning to avoid a domino effect on the subcontractors who depend on the primes.

2. Should a large, federally financed military or weapons system project be cancelled, could prime contractor employees be retrained and employed in non-defense related industry, either inside the corporation or with another corporation?

Answer. The answer is yes, but over a period of time.

3a. To what extent are U.S. Defense Department prime contracts subcontracted to small business, and are such small businesses located in or outside the State of California?

Answer. To a large extent many small plants are very dependent, both inside and outside California. There are also many suppliers of small plants that would also be affected.

3b. To what extent is small business actualy involved in the defense industry in the state?

Answer. To what extent—I don't know.

4. How will small businesses that subcontract with defense-related prime contractors be affected should there be a major shift in federal defense spending?

Answer. A great many would be destroyed due to the limited number of customers most of them have. They have limited capital, very little access to obtain capital and generally lack knowledge of commercial markets.

5. Who should be responsible for economic conversion planning in the future?

Answer. Perhaps a clearly stated government policy of gradual guaranteed reduction in military spending over a 10 to 15 year period. This coupled with an increase in spending for essential public needs such as public transportation, alternative energy sources, and low cost housing might enable the job market to adjust by itself.●

NEW BUDGET SCOREKEEPING REPORT

● Mr. DOMENICI. Mr. President, I hereby submit to the Senate the first weekly budget scorekeeping report prepared by the Congressional Budget Office in response to section 5 of the first budget resolution for fiscal year 1986 which was adopted by Congress on August 1.

Section 5 of the budget resolution calls on the Director of the Congressional Budget Office to prepare a report weekly when the Senate is in session that provides up-to-date information on congressional action on bills and resolutions that affect the budget.

The report shows the current revenue, spending, and public debt levels based on completed congressional action as of this time, and compares those amounts to the levels contained in the budget resolution. The report covers fiscal year 1986, the budget year, and fiscal year 1985, the current year. Future reports will continue to provide information on fiscal year 1985 until its expiration on September 30.

This report also serves as the scorekeeping report for the purposes of section 311 of the Congressional Budget Act.

We plan to print this report in the CONGRESSIONAL RECORD each week when the Senate is in session, normally on Monday, for the information of all Senators.

The staffs of the Budget Committee or the Congressional Budget Office will be pleased to answer any questions regarding the report, or to provide further details.

The report follows:

CONGRESSIONAL BUDGET OFFICE,
U.S. CONGRESS,
Washington, DC, September 9, 1985.

Hon. PETE V. DOMENICI,
Chairman, Committee on the Budget, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The attached report shows the effects of Congressional action on the budget for fiscal years 1985 and 1986. The estimated total of budget authority, outlays, and revenues for each fiscal year are also compared to the appropriate or recommended levels contained in the most recent budget resolution, S. Con. Res. 32. This report meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32 and is current through September 5, 1985. The report is submitted under Section 308(b) and in aid of Section 311(b) of the Congressional Budget Act.

Since my last report on fiscal year 1985, the Congress has cleared and the President has approved the Supplemental Appropriations Bill, P.L. 99-88, thereby changing estimated budget authority and outlays. This is my first report on fiscal year 1986.

With best wishes,

Sincerely,

ERIC HANUSHEK
(For Rudolph G. Penner).

CBO WEEKLY SCOREKEEPING REPORT FOR THE U.S. SENATE, 99TH CONGRESSS, 1ST SESSION, AS OF SEPT. 9, 1985

[In billions of dollars]

	Budget authority	Outlays	Revenues	Debt subject to limit
Fiscal year 1985:				
Current level [1]	1,062.2	946.4	736.5	1,823.8

CBO WEEKLY SCOREKEEPING REPORT FOR THE U.S. SENATE, 99TH CONGRESSS, 1ST SESSION, AS OF SEPT. 9, 1985—Continued

[In billions of dollars]

	Budget authority	Outlays	Revenues	Debt subject to limit
Budget resolution, Senate Concurrent Resolution 32	1,062.1	946.3	736.5	[2] 1,847.8
Current level is:				
Over resolution by	.1	.1		
Under resolution by			([3])	24.0
Fiscal year 1986:				
Current level [1]	618.9	719.4	792.8	1,823.8
Budget resolution, Senate Concurrent Resolution 32	1,069.7	967.6	795.7	[2] 2,078.7
Current level is:				
Over resolution by				
Under resolution by	450.8	248.2	2.9	255.0

[1] The current level represents the estimated revenue and direct spending effects (budget authority and outlays) of all legislation that Congress has enacted in this or previous sessions or sent to the President for his approval. In addition, estimates are included of the direct spending effects for all entitlement or other programs requiring annual appropriations under law even though the appropriations have not been made. The current level excludes the revenue and direct spending effects of legislation that is in earlier stages of completion, such as reported from a Senate Committee or passed by the Senate. Thus, savings from reconciliation action assumed in S. Con. Res. 32 will not be included until Congress sends the legislation to the President for his approval. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions.

[2] The current statutory debt limit is $1,823.8 billion.

[3] Less than $50 million.

FISCAL YEAR 1985: SUPPORTING DETAILS FOR CBO WEEKLY SCOREKEEPING REPORT, U.S. SENATE, 99TH CONGRESS, 1ST SESSION AS OF SEPT. 9, 1985

[In millions of dollars]

	Budget authority	Outlays	Revenues
Enacted in previous sessions:			
Revenues			736,650
Permanent appropriations and trust funds	686,253	607,885	
Other appropriations	542,981	516,642	
Offsetting receipts	−182,025	−18,025	
Total enacted in previous sessions	1,047,209	942,502	736,650
II. Enacted this session:			
Famine Relief and Recovery in Africa (Public Law 99-10)	784	289	
Appropriations for the MX missile (Public Law 99-18)		79	
Agriculture supplemental appropriation (Public Law 99-71)	1,000		
Federal supplemental compensation phaseout (Public Law 99-15)	160	160	
Statue of Liberty-Ellis Island Coin Act (Public Law 99-61)	18	16	
Contemporaneous recordkeeping repeal bill (Public Law 99-44)			−150
United States-Israel Free Trade Act (Public Law 99-47)			([1])
State Department authorization (Public Law 99-93)			−1
Supplemental appropriations bill (Public Law 99-88)	(13,029)	(3,369)	
Offsetting receipts	(−48)	(−48)	
Bill total	12,981	3,321	
Total enacted this session	14,943	3,865	−151
III. Continuing resolution authority			
IV. Conference agreements ratified by both Houses			
V. Entitlement authority and other mandatory items requiring further appropriation action			
Total current level as of September 9, 1985	1,062,152	946,368	736,499
1985 budget resolution (S. Con. Res. 32)	1,062,100	946,300	736,500
Current level is:			
Over budget resolution	52	68	
Under budget resolution			1

[1] Less than $500 thousand.

Note.—Numbers may not add due to rounding.

FISCAL YEAR 1986: SUPPORTING DETAILS FOR CBO WEEKLY SCOREKEEPING REPORT, U.S. SENATE, 99TH CONGRESS, 1ST SESSION AS OF SEPT. 9, 1985

[In millions of dollars]

	Budget authority	Outlays	Revenues
I. Enacted in previous sessions:			
Revenues			792,800
Permanent appropriations and trust funds	717,652	631,009	
Other appropriations		185,348	
Offsetting receipts	−162,006	−162,006	
Total enacted in previous sessions	555,645	654,351	792,800
II. Enacted this session:			
Appropriations for the MX missile (Public Law 99–18)		368	
Famine Relief and Recovery in Africa (Public Law 99–10)		421	
Statue of Liberty—Ellis Island Coin Act (Public Law 99–61)	−15	31	
Contemporaneous recordkeeping repeal bill (Public Law 99–44)			13
United States-Israel Free Trade Act (Public Law 99–47)			−8
State Department authorization (Public Law 99–93)			2
Supplemental appropriations bill (Public Law 99–88)	36	3,138	
International Security and Development Cooperation Act (Public Law 99–83)	−25	−25	
Federal supplemental compensation phaseout (Public Law 99–15)			10
Total enacted this session	−4	3,932	1
III. Continuing resolution authority			
IV. Conference agreements ratified by both Houses			
V. Entitlement authority and other mandatory items requiring further appropriation action:			
Payment to the CIA retirement fund	110	110	
Claims, defense	165	161	
Payment to the Foreign Service retirement trust fund [2]	(161)	(161)	
National forest system	64	52	
Range improvements	10	7	
BLM: Miscellaneous trust fund	([1])	([1])	
Payments to air carriers, DOT	54	50	
Retired pay—Coast Guard	352	318	
Maritime, operating-differential subsidies		303	
BIA: Miscellaneous trust funds	4	4	
Social services block grant	2,700	2,700	
Family social services	550	550	
Guaranteed student loans	3,267	2,606	
Higher education facilities loans and insurance	18		
Government payment for annuitants	1,606	1,448	
Retirement pay for PHS officers	84	78	
Medicaid	17,910	17,579	
Medical facilities guarantee and loan fund	25		
Payments to health care trust funds [2]	(19,761)	(19,761)	
Special milk program	12	7	
Child nutrition programs	4,059	4,039	
Federal unemployment benefits and allowances	75	74	
Advances to the unemployment trust fund [2]	(516)	(516)	
Special benefits (general retirement and Federal employee retirement)	260	259	
Black lung disability trust fund	1,035	1,035	
Supplemental security income	7,587	7,587	
Special benefits for disabled coal miners	752	752	
Assistance payments	6,783	6,783	
Child support enforcement	436	436	
Payments to social security trust funds [2]	(497)	(497)	
Veterans insurance and indemnities	10	9	
Veterans readjustment benefits	1,006	963	
Veterans compensation	10,076	9,269	
Veterans pensions	3,951	3,631	
Veterans burial benefits	144	144	
Salaries of judges	82	81	
Fees and expenses of witnesses	42	32	
Compensation of the President	([1])	([1])	
Payment to the civil service retirement trust fund [2]	(4,621)	(4,621)	
National wildlife refuge fund	6	6	

FISCAL YEAR 1986: SUPPORTING DETAILS FOR CBO WEEKLY SCOREKEEPING REPORT, U.S. SENATE, 99TH CONGRESS, 1ST SESSION AS OF SEPT. 9, 1985—Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
General revenue sharing [2]	(4,567)	(4,567)	
Total entitlements	63,235	61,070	
Total current level as of September 9, 1985	618,877	719,353	792,817
1986 budget resolution (Senate Concurrent Resolution 32)	1,069,700	967,600	795,700
Amount remaining:			
Over budget resolution			
Under budget resolution	450,823	248,247	2,883

[1] Less than $500 thousand.
[2] Interfund transactions do not add to budget totals.
Note.—Numbers may not add due to rounding.

SMALL BUSINESS SERVICE BUREAU LEADS EXPORT PROMOTION

● Mr. KERRY. Mr. President, one of the most serious economic issues facing our nation today is our massive international trade deficit which has resulted in a loss of as many as 500,000 American manufacturing jobs since 1981. While Congress and the administration are currently engaged in addressing this crisis through a variety of policy measures, it is vitally important the private sector redouble its efforts to increase U.S. exports and become competitive in markets overseas.

In this regard, I would like to call the attention of my Senate colleagues to the successful efforts of the Small Business Service Bureau, Inc., of Worcester, MA. Through the vision and determination of Mr. Francis R. Carroll, one of the Nation's most respected small business leaders, the SBSB has led two delegations of small business owners to the People's Republic of China. As the New York Times reported today, these visits have resulted in solid contacts and increased sales abroad. I am particularly proud to note that in addition to his other endeavors, Mr. Carroll serves as a member of the Senate Small Business Committee's Advisory Council.

Mr. President, I ask that the article from the New York Times be printed with my remarks.

The article follows:

[From the New York Times, Sept. 9, 1985]

U.S. SMALL BUSINESS IS DRAWN TO CHINA: TRIPS PAY OFF IN CONTRACTS

(By John F. Burns)

PEKING, September 8.—A little more than 20 months ago, Michael A. Andreottola was out of a job, his position as an engineer and designer with Applicon, Inc. eliminated when a French company, Schlumberger, took over the American concern and transferred part of its operations to France.

Last week, Mr. Andreottola was in China as the president of his own company, the American Ink Jet Corporation of Woburn, Mass. While here, the 38-year-old executive made fresh inroads into a market that has provided his company with $80,000 of business in little more than a year. His company's total first-year revenues were about $600,000.

Since President Nixon's visit in 1972 opened the way for a resumption of trade between the United States and China, the dominant corporate players have been large multinational corporations such as the Boeing Company, the General Electric Company and the International Business Machines Corporation. The Chinese like to buy from companies that are market leaders, and big corporations are better equipped to meet the often heavy costs of building up a relationship here.

Nonetheless, entrepreneurs like Mr. Andreottola are proving that there is a niche in the Chinese market for small businesses, and not only in the arts and crafts trade that has flourished since Mr. Nixon's visit opened the door.

A READY MATCH

Mr. Andreottola, making his first visit here, found little time to see the sights. At Applicon, he specialized in the development of computer-aided plotters and the inks used with them, notably in seismology. He has built up his own business in maintaining and servicing plotters, supplying inks and consulting, which provided a ready match for Chinese companies involved in the burgeoning oil exploration here.

In a few days here and in Canton, which is close to the major explorations being conducted by Chinese and Western oil companies in the South China Sea, Mr. Andreottola met with the buyers of his inks and identified the operators of several plotters previously sold here who are potential customers of his company. Along the way he also sounded out the possibility of selling the Chinese secondhand plotters from United States companies hit by slumping oil exploration at home.

"About 90 percent of my business is seismology-oriented, and in the United States that's going down fast," Mr. Andreottola said, "Here, it's headed in the opposite direction—there's a lot of oil exploration, and a lot of seismology." He added, "I can see where I will be doing 10 to 15 percent of my business here, more or less offsetting losses in the market at home."

SENDING DELEGATIONS

Mr. Andreottola's effort to enter the Chinese market has been aided by another Massachusetts-based company, the Small Business Service Bureau Inc. Under the leadership of Francis R. Carroll, who founded the company in 1968, the Worcester-based S.B.S.B. has organized two small-business delegations to China in the past year that have produced promising links for participants.

Mr. Carroll's company has signed up 35,000 small businesses in the United States as members, and provides them with a broad range of services from management assistance to electronic mailing, access to group medical insurance and legislative lobbying.

Years ago, before the Communist takeover in Vietnam, Mr. Carroll was involved in a business that built concrete-hulled shrimp boats there. Later, he was the prime mover behind an appeal that raised $100,000 in the Worcester area for a small hospital in the Vietnamese central highlands that was dedicated to Americans who died in the war. From those experiences grew a conviction that an American company did not have to

be listed in the Fortune 500 to be competitive overseas.

VISIT BY CHINESE OFFICIAL

The opening to China came when the Governor of Guangdong, one of the most populous of China's provinces, visited Massachusetts in 1983. At Mr. Carroll's invitation, the official, Liang Lingguang, spent two days looking at business and industry in the Worcester area and reciprocated by inviting Mr. Carroll to lead a small-business delegation to Guangdong. That trip, in November 1984, provided the contacts for the most recent visit.

"As the Chinese explained it to us," Mr. Carroll said, "a lot of their companies have no opportunity—and insufficient funds—to deal with I.B.M. or G.E., but they are eager for the advantages that can flow from dealing with smaller companies that provide a match for their activities." He added: "I think they realize that smaller companies are more flexible, can make their decisions more quickly and can work on smaller profit margins."

On the negative side, many small companies could be daunted by the high costs and the time involved in visiting here. But Mr. Carroll, whose company charges a basic fee of $1,000 for organizing a business executive's trip and setting up introductions, says that a first journey here can be budgeted at less than $5,000, half or less of what the same trip would cost if organized through one of the United States banks that are now offering introductions to the China market.

Another participant in the Carroll group who went away happy was Albert J. DiGregorio, president of the United Lens Company of Southbridge, Mass., who came to China wondering whether the market his father found here in the 1930's could be revived.

After a visit to an optical factory, the American concluded that the Chinese have little need for United States products. However, he was impressed by the quality and cost of the plant's silica and quartz materials, and will investigate the possibility of buying some of his own plant's supplies here. ●

50TH ANNIVERSARY OF THE SOCIETY OF REAL ESTATE APPRAISERS

● Mr. D'AMATO. Mr. President, I rise today to honor the 50th anniversary of the founding of the Society of Real Estate Appraisers. In so doing, I join with my distinguished colleague from Illinois, Senator ALAN DIXON, as a cosponsor of Senate Concurrent Resolution 51, a resolution to honor the golden anniversary of the society.

This organization came into being during the tumultuous period of the Great Depression. In a period of instability for the residential real estate market, real estate appraisers lent credibility during a very uncertain time. The society joined to meet this need and was incorporated in Illinois in 1935.

Today the Society of Real Estate Appraisers boast of a membership of 16,000. They are spread throughout all 50 States, the Caribbean, the Far East, Africa, and the United Kingdom. As appraisers they operate independently and perform their services for various lending and financial institutions, corporations, and all levels of government.

Each year thousands of individuals attend the educational programs sponsored by the society; as a result, the profession has continually flourished and served its communities well. I commend these progressive professionals and urge my colleagues to join me and do the same.●

FAMINE AREAS OF AFRICA—A REPORT BY ANDREW MAIR

● Mr. ARMSTRONG. Mr. President, recently I was given a report on the famine situation in northern Africa by a fellow Coloradan, Mr. Andrew Mair. This report resulted from the deep concern of Mr. Mair for the people suffering from the extended drought in Africa which motivated him to undertake a tour of the area at his own expense. He and two friends, Mr. Ed Rau and Elmer Reed, traveled Kenya, Ethiopia, and Sudan over a 16-day period and made contact with the top officials of the major voluntary agencies responsible for assistance to the drought victims.

I ask that Mr. Mair's report be printed in the CONGRESSIONAL RECORD for two reasons. The first is that it is a most encouraging chronicle of cooperation between nations in a great international effort to ease the suffering of the starving. The second is that the report represents a tangible expression of concern by three citizens who cared enough to become personally involved and to learn the situation first hand.

Mr. Mair has a wealth of experience in aid programs by the U.S. Government. During 12 years of service in the Department of Agriculture, Andy spent 4 years as Deputy Assistant Secretary for International Affairs. He also worked for the Department of State for 9 years and was Coordinator for Food-for-Peace from 1973 to 1975. On his trip he was accompanied by Attorney Ed Rau, who is a 25-year veteran of the Air Force who also served as Air Attaché in Kabul, Afghanistan. Also making the trip was Elmer Reed who is a 35-year veteran of the ASCS of the Department of Agriculture.

The most disturbing aspect of Mr. Mair's discussion of his trip with me is that the current agony of the people of northern Africa is likely to be a forerunner of a series of similar crises in the future. It is Mr. Mair's conclusion that it is not only of great importance to supply food to ease the immediate crisis, it is equally important to convince the nations of the area of the critical necessity to undertake the reforms necessary to improve the long-term food production capability. His report raises a very delicate issue of how to help the unfortunate victims and at the same time lay the foundation for fundamental reforms to avert catastrophes of this kind in the future.

I commend Andrew Mair, Ed Rau, and Elmer Reed for their humanitarian concern that prompted their trip and their efforts to inform the American people about this crisis.

The report follows:

JULY 22, 1985.

Senator WILLIAM ARMSTRONG,
528 Hart Senate Office Building,
Washington, DC.

DEAR SENATOR ARMSTRONG: As your office requested, I am sending you a report of my trip to the famine areas of Kenya, Ethiopia and Sudan. I and two friends and former colleagues of mine from Colorado returned July 6, 1985 from a 16-day tour of the famine areas in the above countries. In each country we contacted the top officials of the major voluntary agencies responsible for distributing the food and other assistance to the drought victims in each country. The agencies we contacted were CARE, Catholic Relief Services, World Vision, Church World Service, Save the Children, and others. We also contacted representatives of F.A.O., the United Nations Food and Agriculture Organization and World Food Program.

These organizations are doing a good job under very difficult circumstances. Getting food to the drought victims in the isolated areas of Ethiopia and Sudan is all but impossible. We returned with increased appreciation for those U.S. citizens and others we met who are assisting those desperate people in the refugee camps and out in the villages in the famine area. They are risking their future health to serve their fellow men. They deserve our appreciation and support.

We were also impressed by the fine spirit of cooperation that exists between various U.S. groups and the international groups working on the same problem. It appears that this crisis is so bad that each group was concentrating on the best way to save lives with little regard for who would get the credit. On June 30 we witnessed an example of this international cooperative effort when we were privileged to travel over 500 miles over the drought area of Ethiopia in an M-I-8 Soviet helicopter piloted by a crew from the Polish Air Force and accompanied by the Polish Ambassador to Ethiopia. They were delivering food to drought victims who could not be reached by other means of transportation.

We saw C-130 cargo planes operated by the British Royal Air Force carrying 16 tons per load and dropping U.S. grain to drought victims. The Royal Air Force had four C-130's and the German Air Force had three C-130's participating in this food distribution system. The Belgians and the Swiss Air Forces were also supplying planes and/or helicopters for the system. We were told that members of the armed forces of the NATO countries had participated with members of the armed forces of eastern bloc countries in a joint project like this.

The United States is the largest contributor of food aid to Ethiopia and Sudan with over one million tons approved under the Food for Peace program for fiscal year 1985.

The time we spent in Africa plus the time we spent researching for the trip convinced us that Africa is truly a continent in crisis. I participated in a tour of the drought areas of Africa a decade ago in preparing for the

World Food Conference held in Rome, Italy in November 1974. In the last decade food production per capita has dropped ten percent in Africa. There is little evidence to show food production per capita will increase in the next decade.

Leaders of most of the countries of Africa are reluctant to let the market system work. They prefer to keep prices of food low for the people in the cities and thereby providing no incentive for food producers to increase production.

The pro-communist military government that has controlled Ethiopia since Emperor Haile Selassie was executed in 1974 is anti-United States and pro-Soviet Union. The Soviets supported Ethiopia in their war with Somalia in 1977 and 1978 and the United States supported Somalia. They have not forgiven us. The present government is a centralized planned economy based on socialist principles with the Soviet Union as a model. During the past ten years Comrade Mengistu has eliminated all organized opposition to his leadership using many of the same tactics Stalin used in eliminating his competitors for power in his early days in the Soviet Union. They have nationalized many industries and attempted to collectivize their farms. As a result, production has decreased and scarcities of many commodities have developed. Military conflict between neighboring countries and between different areas within countries is the way of life for much of Africa. The conflict between the central government of Ethiopia and the people in the province of Eritrea in northern Ethiopia has been going on for the past 19 years, and there is little to indicate that conflict will be resolved anytime in the near future. People are being killed and property destroyed.

Sudan is providing for one-and-one-half million refugees from Ethiopia, Chad and Uganda. You asked for our recommendations for future actions. We believe the Christian and moral thing to do is to share our abundance with the victims of the drought to the maximum extent possible. There is little doubt that this is the most severe drought to hit parts of Ethiopia and Sudan in this century. The Food and Peace program, or Public Law 480 as it is known to the Congress, was designed for emergencies such as this. The U.S. Department of Agriculture has adequate supplies of grain for this purpose.

The private sector should be encouraged to continue its efforts to assist in the area.

Food aid should not be continued indefinitely. The leaders responsible for government action must be made to realize the United States is not going to continue to feed their people. If requested, we can provide technical assistance on how to improve their food production, but individual countries must take corrective actions to bring about change in their own countries.

I was encouraged by the success of "Live Aid" organized by Bob Geldof. Reports indicate that over $50 million will be provided for assistance to Africa by the entertainment community in that one-day activity. I would encourage you to do what you can to promote the following:

1. Encourage a maximum amount of assistance in food aid and medicine be given from both government and private sources.

2. Encourage your colleagues in the Senate to take whatever actions they can to bring about an increase in food production in Africa. If corrective action is not taken, we will see the present crisis developing again in the years ahead.

I hope you will find this report useful. If I can be of further assistance to you, please let me know.

Sincerely,

ANDREW J. MAIR,
Consultant on World Hunger.

OFFICIALS CONTACTED

Ethiopia

Joseph P. O'Neil—Dept. Chief of Mission, U.S. Embassy; Ann Gray—Economic Councilor, U.S. Embassy; Dr. Frederick E. Mackmer, Jr.—U.S. Coordinator for Emergency Relief, U.S. Embassy; Stanley Dunn—Deputy Commissioner Relief and Rehabilitation, Peoples Republic of Ethiopia, Addis.

Hans A.H. Dall—Resident Representative F.A.O. (Food and Agriculture Organization), Addis; Kevin Farrell—W.F.P. (World Food Program), Addis; His Excellency Anderzej Konopacki—Ambassador of Poland to Sudan; Colonel Kazimierz Pogorzelski—Commanding Officer, Polish Relief Helicopter Squadron in Ethiopia; William Rastetter—Director, Catholic Relief Services, Addis; Dr. James Oxley—Animal Science Department, Colorado State University, Addis.

Kenya

Frederick Sheppard—Administrative Officer, U.S. Embassy, Nairobi; Brian Flanigan—Reg. Security Officer, U.S. Embassy: Robert Downing—Political Officer, U.S. Embassy; Arthur M. Fell—Deputy Director, Regional Economic Development Office; Nancy Metcalf—Regional Food for Peace Officer, U.S. Aid.

Jon O'Rourke—Deputy Food for Peace Officer; Barry Riley—Deputy Director, U.S. Aid, Mission, Nairobi; Robbin Cheetham—Project Manager, Drought Relief Project, CARE, Kenya; Richard Alton—Area Director, Institute of Cultural Affairs, Nairobi; Clive T. Froome—Managing Director, Flamingo Tour, Nairobi.

Sudan

David H. Shinn—Deputy Chief of Mission, U.S. Embassy; Arthur Moss—Refugee Officer, U.S. Embassy; William R. Brown—Director of U.S. Aid, U.S. Embassy; Richard C. Copeland—Coordinator Overseas Services Oxfam, Oxford, United Kingdom; Ken Curtin—Specialist, Refugees and Disasters, Catholic Relief Services, Khartoum.

Dr. Aziz Saleh—F.A.O. Representative for Sudan; Jean-Paul F. Jesse—Delegate of the Commissions of the European Community for Sudan; Mr. Emil Steinkraus—Director, CARE, Sudan; Bill Newell—Executive Director of World Vision for Canada. Acting Director for World Vision United States, Khartoum; Colonel Hasan Ahmed Siddig—Deputy Chief of Police Khartoum; Dr. Nour—Animal Science Department, University of Khartoum.

VISITOR TO ETHIOPIA SEES FAMINE RELIEF EFFORT FIRSTHAND

(By Andrew J. Mair)

If a Westerner arrives at the airport in Addis Ababa, the capital of Ethiopia, and takes the major thoroughfare into the city, he will be surprised to see giant signs displaying the communist hammer and sickle. As you move into the city and approach Independence Square you will see 30-foot pictures of Marx, Engels, and Lenin, the patron saints of the Communist Party. You also see many large pictures of a man in his early 40s with a neatly trimmed mustache and penetrating dark eyes. This is the current strongman of Ethiopia. His name is Mengistu Haile Mariam. His full title is Chairman of the Council of Ministries and the Commission for the Organization of the Party of the Working People of Ethiopia; Commander in Chief of the Armed Forces, Head of State. His full title is used whenever he is quoted in the Ethiopian newspapers.

Ethiopia has an area of 472,000 square miles—about the size of Texas, Oklahoma and New Mexico combined. The country has a high central plateau that varies from 6,000 to 10,000 feet above sea level, with some mountains reaching 15,000 feet.

The official population figures released in 1980 show a population of 31 million, but Ethiopian officials report the population is now more than 40 million. Its history goes back more than 4,000 years, and the Old testament of the Bible records the visit of the Queen of Sheba of Ethiopia to Jerusalem.

Its high plateaus and rugged mountains make it all but impossible to build and maintain roads in many sections of the country. Officials tell us that more than one-half the population of Ethiopia live more than one-half day's walk from the nearest road. Less than 10 percent of the population has access to electricity.

Throughout its history Ethiopia has been plagued by periodic droughts. There is considerable soil erosion caused by overgrazing and high population density. The current drought is reported to be the most severe drought of this century.

Reports from the United Nations show Ethiopia to be one of the poorest countries in the world. Eighty-six percent of its population is dependent on subsistence agriculture for their livelihood. This bit of background information about the country helps you to understand the current situation in the country.

The current military government took over control of the government when Emperor Haile Selassie was dethroned in September 1974. The present government is anti-United States and pro-Soviet Union. The Soviet Union supported Ethiopia in its war with neighboring Somalia during 1978 and 1979 and they have not forgiven us. The present government controls all the political life in Ethiopia. It is a centralized, planned economy based on Socialist principles with the Soviet Union as a model. During the past 10 years Mengistu has eliminated all organized opposition to his leadership, using many of the same tactics Stalin used during his early days in the Soviet Union.

You might say the world discovered Africa and particularly Ethiopia in January 1984 when worldwide television began showing on the evening news pictures of starving people, especially children, in the refugee camps in Ethiopia and Sudan.

As of July 1, 1985, almost one-half million metric tons of United States grain has been allotted for the famine victims in Ethiopia under the Food for Peace Program. The United States is the largest contributor, but there is also a broad base of support coming from most of the industrialized countries of the free world.

In late June I was a witness to this international cooperative effort when I and two other American citizens from Colorado were privileged to travel more than 500 miles over the drought area in a Soviet M-I-8 helicopter piloted by a crew from the Polish Air Force and accompanied by the Polish ambassador. They were delivering food to drought victims who could not be reached by other means of transportation.

We saw C-130 planes operated by the British Royal Air Force carrying 16 tons per

load dropping U.S. grain to drought victims. The Royal Air Force had four C-130s and the West German air force had three C-130s participating in the food distribution system. The Belgians and the Swiss air force also were providing planes and/or helicopters for the system. We were told this was the first time that members of the armed forces of NATO countries had participated with members of the armed forces from eastern bloc countries in a joint project like this.

The U.S. Embassy reports that more than 10 voluntary and charitable organizations from many countries are participating in the famine relief programs in Ethiopia. We were impressed by the cooperative spirit and willingness to help one another that existed between the leaders of the many groups we visited that are working in Ethiopia. The objective appeared to be how can we save more lives and not who will get the credit.

During the past 18 months millions of lives have been saved by this massive effort to get food and medicine to the famine areas in Africa. The problem is getting the food to the people in a country that has limited railroads and almost no highway system. You can get the food to the port but how do you move it to the people who live several hundred miles from the port in rugged mountainous area?

Many lives have been saved but many more will die before this crisis is over. Many are nomads who have followed their livestock over those hills for centuries. Now their livestock are gone—what do they do? One of the Ethiopian government officials told us he had read about the droughts we had experienced in the United States. He said he had read "The Grapes of Wrath," and he knew how the people of the United States had moved and changed their way of making a living because of drought.

Two former colleagues of mine—Edward Rau, an attorney from Denver and Elmer Reed, a retired U.S. Department of Agriculture employee of Denver—and I made a 16-day inspection tour of the drought areas of Kenya, Ethiopia and Sudan. We attempted to contact officials of all the major private groups, such as CARE, Catholic Relief Service, Church of World Service, International Red Cross, World Vision, Save the Children, and others. We also contacted international organizations such as the United Nations Food and Agriculture Organization (FAO) and the World Food Program (WFP).

The three countries we visited received a major portion of the famine aid going to Africa from the United States. Ethiopia has received the most publicity, but many believe the famine has affected more people in Sudan than it has in Ethiopia. Kenya had its worst drought in history in 1983 and 1984, but the rains came to Kenya in the Fall of 1984 and Kenya will harvest a good crop in 1985. It still has many problems. It has the highest rate of increase in population of any country in the world—more than 4 percent. This rapidly expanding population means serious trouble ahead for that government.

The rains in Ethiopia and Sudan have been very spotty or non-existent. Officials estimate that another one-half million people will die of starvation in these countries during the next six months despite massive efforts to get food to them.

We returned to the United States with renewed appreciation of our nation and its system of government—a nation that can provide food and other basic necessities for its citizens and much of the world. We returned with increased appreciation for those U.S. citizens we met who were assisting those desperate people in the refugee camps and out in the villages in the famine area. They are willing to risk their future health to serve their fellow men. They deserve our support and appreciation.

If readers of this report have not contributed to African relief through their favorite charitable organization, I hope they will consider it. For those who have contributed I say thank you and God bless you.

(Andrew J. Mair, a consultant living in Fort Collins, was a delegate to the United Nations World Food Conference in Rome in 1974. He has been deputy assistant secretary for international affairs and commodity programs in the Department of Agriculture and coordinator of Food for Peace in the Department of State.)●

ACID RAIN

● Mr. MOYNIHAN. Mr. President, acid rain is a matter of great concern to Americans in many parts of the Nation, and also to the Senate.

In upstate New York, acid rain is an especially severe and critical problem. Mr. Louis Greppo, a member of the Adirondack North Woodsmen, recently made some very forthright and sensible remarks on the subject at a public forum in Amsterdam, NY.

Mr. President, I ask that Mr. Greppo's statement be printed in the RECORD, and I urge my colleagues to note the concerns of such a conscientious New Yorker, for they are of great importance to all of us.

The statement follows:

NEW YORK STATE AND THE ACID RAIN TRAGEDY

Our great state has paid the highest price in this environmental tragedy. We have lost some of our most beautiful and wild trout ponds in our beloved Adirondacks, and we are seeing our great forest preserve denuded by this acid fallout. It hurts more because New Yorkers are today celebrating the centennial of our unique Adirondack Forest Preserve, which generations of New Yorkers have seen fit to protect from any internal or external degradation now only to see it attacked from an enemy many hundreds of miles away. Others might wonder why we get so upset over a few dead fish. Well, these dead fish just happen to be wild brook trout, legislated the State Fish. They are an indicator of a healthy environment, and they are an integral part of our wilderness system in the Adirondacks.

What to tell our children when the magnificient spruce forest of the high peaks are gone? How will we answer them when they ask us what it was like to fish a wild mountain pond for native Adirondack Brook Trout? Who will explain to them that the reason the haunting cry of the loon no longer can be heard in the North Woods is because none of their forefathers had courage enough to develop a national strategy to clean up the air? We needed cheap energy—"the next generation can worry about the environment."

I hope we will never have to explain to our children and grandchildren that we just couldn't get our act together on this acid rain question. I pray that we can leave our children a world cleaner than the one we were born into. Senator Moynihan tried way back in 1979 by introducing the Acid Precipitation Act (S. 1754) which became law in 1980 and created the Acid Precipitation Task Force to coordinate a 10 year federal research program on acid rain.

Unfortunately, although several acid rain bills have been introduced in both the House and Senate over the past six years, we still have no national acid rain legislation which will control sulfur emissions and thus help put an end to the acid rain tragedy. Senator Moynihan has been one of our biggest supporters in Washington in trying to develop and pass an acid rain bill, but he can't do it alone—we must let the nation know that although the Northeast is being impacted the worst thus far, the forest, lakes, streams, and fishlife of the entire nation and our neighbor to the north, Canada, are suffering from acid rain. We must help Senator Moynihan point out to the administration and to Congress that the answer to the problem must be a national answer.●

THE LATE DR. C. HENRY KEMPE

● Mrs. HAWKINS. Mr. President, I stand before my distinguished colleagues to pay tribute to the late Dr. C. Henry Kempe, whose pioneering efforts in the service of children and families affected by child abuse have established him as a true American hero.

Although his many accomplishments are unknown to most Americans, they have changed the lives of thousands of children in need. I hope that by publicizing Dr. Kempe's significant contributions, I shall not only pay proper respect to him but also make the public more aware of the importance of the fight against child abuse and neglect.

Dr. Kempe dedicated over 25 years of his life to the cause of abused and neglected children. In 1958, he was instrumental in the founding of the Child Protection Team, one of the first of its kind, at Colorado General Hospital in Denver. In 1972, with a $1,800,000 grant from the Robert Wood Johnson Foundation, the Child Protection Team became the National Center for the Prevention and Treatment of Child Abuse, which in 1981 was renamed the Kempe Center in honor of Dr. Kempe.

But Dr. Kempe's accomplishments did not stop there. Throughout his career, one of Dr. Kempe's major goals was to treat the cause of child abuse as well as the symptoms, and in 1959 he developed individual therapy programs for abusive and neglecting parents. Not content to rest on his laurels, he instituted the Lay Therapy program in 1967, using nonprofessionals to support and befriend abusive parents. In the same year, Families Anonymous was created as a self-help support group with professional facilitators for abusive and neglecting parents, and the sexual abuse research and treatment program was expanded in 1981 to include adult male offend-

ers, adolescents, couples, and mothers of children in therapeutic preschool.

In addition to sponsoring numerous symposia on child abuse and neglect, Dr. Kempe, in conjunction with the National Center, wrote, edited, and published a host of books, articles, journals, and instructive films in order to disseminate information on this important, yet until recently overlooked, problem. Some of the titles published are "Helping the Battered Child and His Family," "Sexually Abused Children and Their Families," both of which were coedited by Dr. Kempe, "Abuse and Neglect: The International Journal," which now has five volumes, and "Region 8 News," a quarterly newsletter distributed to 5,000 subscribers free of charge in Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming. Dr. Kempe's own book, "Child Abuse," is a seminal work on the subject and is translated into 13 languages.

Mr. President, what I have said so far is only the tip of the iceberg. The late Dr. Kempe's achievements are truly too numerous to mention. In order to do him justice, I ask unanimous consent that a more complete chronology of the Kempe National Center's accomplishments be placed in the RECORD at this point.

Despite Dr. Kempe's death, the National Center for the Prevention and Treatment of Child Abuse and Neglect continues to study and treat the problem of child abuse. The center has recently merged with CHILDHELP, U.S.A. In order to increase its ability to reach abused children and their families. Now renamed CHILDHELP Diagnostic and Treatment Center, it continues to provide a treatment team made up of professionals from pediatrics, psychiatry, developmental psychology, social work, and early childhood education. Ongoing treatment services include individual psychotherapy, marital therapy, and group therapy, often in conjunction with other programs at the Kempe Center.

Among these additional programs is the therapeutic preschool, which began at the Kempe Center in 1974. At the preschool, children who have experienced sexual abuse, physical abuse, neglect, or were failure-to-thrive infants receive individual help in the form of play therapy, developmental stimulation, and speech and language therapy. What is truly remarkable about this school is that there is no tuition; the program is supported entirely through private foundation moneys.

Another specialized assistance program is the Adolescent Perpetrator's Network, geared toward juvenile sex offenders. Its purpose is to provide professional help in order to prevent today's juvenile offenders from becoming tomorrow's adult abusers of children.

The Kempe Center provides consultation and training for those interested in the general field of child abuse. This training takes the form of professional education, workshops and seminars, symposia, and a scholars-in-residence program. By educating and training a new generation of researchers and citizens concerned about child abuse, the center extends its benefits into the future.

Mr. President, I thank you for this opportunity to honor an outstanding citizen. I hope that Dr. Kempe's success serves to inspire others to aid in the fight against child abuse.

Mr. President, I ask that the list of selected events of the C. Henry Kempe National Center for the Prevention and Treatment of Child Abuse and Neglect be printed in the Record.

The material follows:

SELECTED HISTORICAL EVENTS OF THE C. HENRY KEMPE NATIONAL CENTER FOR THE PREVENTION AND TREATMENT OF CHILD ABUSE AND NEGELECT/DENVER, CO

1958

*Creation of the Child Protection Team, Colorado General Hospital, Denver (one of three started nationally that year).

1959

*Development of individual therapy programs for abusive and neglecting parents.

1961

Drs. D. Henry Kempe and Brandt F. Steele made their first presentation about "The Battered Child Syndrome" in Chicago, at the 30th Annual Meeting of the American Academy of Pediatrics, October 3 (focusing on the medical and psychiatric aspects).

1962

"The Battered Child Syndrome," by C. Henry Kempe, et al., published in the *Journal of the American Medical Association* (a classic in the field of child abuse and neglect literature).

Acted as catalysts and consultants for enactment of Colorado Child Abuse Reporting Statute.

Workshop on the Battered Child held to convene statewide professionals of various disciplines, May 25, Denver, conducted by C. Henry Kempe and Brandt F. Steele.

1966

National workshop roundtable on "Patterns of Parental Behavior Leading to Physical Abuse of Children," March 21-22, Colorado Springs, conducted by Drs, C.H. Kempe and Steele (15 selected participants).

1967

*Instituted Lay Therapy program using non-professionals to support and befriend abusive and neglecting parents.

Dr. C. Henry Kempe receives Robert L. Stearns Award from the University of Colorado.

Creation of Families Anonymous as a self-help support group for abusive and neglecting parents with professional facilitator(s).

1968

Publication of *The Battered Child* (1st ed.) edited by C. Henry Kempe and Ray E. Helfer.

1st annual Battered Child Symposium, May 22-23, Denver.

1969

3rd annual Battered Child Symposium, November 19-21, Denver (163 registrants from U.S., Canada and England).

1970

Research (instituted and continued through 1974) on Health Visitor's Role in Prediction of Early Childhood Injuries and Failure-to-Thrive cases (to examine early maternal attitudes and subsequent childhood injuries).

Participation in "Children in Peril" an ABC-TV news documentary on child abuse.

1971

Predictive Study on Child Abuse initiated and continued through 1976.

1972

Robert Wood Johnson Foundation grant to begin The National Center and over a seven-year period gave $1,800,000.

Publication of *Helping the Battered Child and His Family*, edited by C. Henry Kempe and Ray E. Helfer.

Publication of the *National Child Protection Newsletter*, disseminated free of charge to 800 subscribers nationally and internationally.

4th annual Battered Child Symposium, November 27-28, Denver (263 registrants from U.S., Canada and Netherlands).

1973

Crisis Nursery opened for 24-hour, 7-day-per-week care for abused and neglected children, operative through 1976.

5th annual Battered Child Symposium, May 31-June 1, Denver.

Establishment of library and training facilities to service professionals and students nationally.

Production of self-instructional audio-visual materials: Videotapes:

"Pediatric Interview Between Pediatrician and Mother."

"Diagnosis of Child Abuse and Neglect—Consulting Pediatrician."

"Social Worker and Abusive Parent."

"Team Management of Child Abuse/Neglect."

"Lay Therapy (treatment modality)."

"Families Anonymous (treatment modality."

"A Case of Child Abuse—Pediatric Grand Rounds" (featuring Dr. C.H. Kempe).

Slides and Cassettes by Barton D. Schmitt, M.D. "Visual Diagnosis of Child Abuse and Neglect" (1st edition).

Videotape and film of delivery room "Mother-Infant Interaction" by Janet Dean and Christy Cutler.

1974

Opening of Circle House, a residential treatment facility for multi-problem families, operative through 1977.

*Opening of Therapeutic Preschool for physically abused and neglected children, ages 1-5.

*Initiation of group therapy for abusive/neglectful parents.

1975

*Initiation of group therapy program for preschool-age children.

Over 2,000 letters and packets of materials disseminated in response to requests for information on child abuse/neglect nationally and internationally.

Acquisition of and move to facility at 1205 Oneida St., Denver—which is a large, homelike building in residential area.

Dr. C. Henry Kempe receives George Armstrong Award from the Ambulatory Pediatric Association.

•Initiation of group therapy program for mothers of children in Therapeutic Preschool.

Consultation provided for Colorado and Utah child abuse and neglect legislation.

•Granted status as Regional Resource Demonstration Project (through DHEW) to provide training and professional consultation for Region 8 states (Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming).

Dr. C. Henry Kempe receives Edward W. Browning Award from American Public Health Association.

5th annual Battered Child Symposium, September 29-30, Denver (197 registrants from U.S., Canada and England).

Formulation of Ad Hoc International Committee on Child Abuse and Neglect in Bellagio, Italy (a first of its kind).

Receipt of funds from Commonwealth and Grant Foundations for general operations.

Production of training tapes:

"Difficulty Getting Help"—with Helen Alexander, MSW.

"Psychiatrist's Diagnostic Interview"—with Brandt F. Steele, M.D.

1976

•Study of Hospitalized Children (interaction with children under the age of 18 months who had been hospitalized for failure to thrive, abuse or accidental injuries; comparisons with interactions of the normal clinic population).

Publication of *The Abused Child: A Multidisciplinary Approach to Developmental Issues and Treatment*, edited by Harold Martin. M.D.

•Initiation of group therapy program for physically abused/neglected latency-age children.

Publication of *Child Abuse and Neglect: The Family and the Community* edited by Ray E. Helfer and C. Henry Kempe.

•Formulation of the Friends of the National Center—to facilitate financial support from the private and corporate communities.

1st International Congress on Child Abuse and Neglect held in Geneva, Switzerland.

Edith B. Jackson bequest of $17,000 to the Friends for work of the Center.

Over 2,500 letters and packets of information disseminated in response to requests nationally and internationally.

6th annual Battered Child Symposium, October 25-26, Denver.

Production of two Hospitalization Study training tapes: "Parent-Child Interaction Within the Hospital."

Federal grant to develop and evaluate *Hospital Guidelines for Child Abuse and Neglect.*

Production of slides and audio-cassette by Barton D. Schmitt, M.D. "Visual Diagnosis of Non-Accidental Trauma and Failure to Thrive" (2nd ed.) for American Academy of Pediatrics.

1977

Provision of legislative consultation for *Colorado Termination of Parent-Child Legal Relationship Act* and *Wyoming Child Protection Act.*

Dr. C. Henry Kempe receives C. Anderson Aldrich Award from the American Academy of Pediatrics.

Initiation of group therapy for sexually-mistreated latency-age children.

Establisnment of Scholars-in-Residence program to provide on-site, internship experiences in child abuse and neglect issues to eight post-graduate students and professionals from various disciplines, federal funding $100,000.

Preliminary investigation of Foster Care program to integrate foster parents into the family treatment program.

Formation of foster parents' support group.

Formation of biologic parents' group.

•Sexual Mistreatment Pilot Project—to provide diagnostic evaluation of sexually mistreated children and their families and age-appropriate group therapy for children (preschool-age, latency and adolescent) and group therapy for parents.

•Incorporation of the International Society for the Prevention of Child Abuse and Neglect as as a non-profit organization with C.H. Kempe as President.

Publication of first issue of *Child Abuse and Neglect: The International Journal*, C.H. Kempe, editor.

Over 3,000 letters and packets of materials disseminated in response to requests for information on child abuse and neglect nationally and internationally.

7th annual Battered Child Symposium, October 6-8, in Denver.

Dr. C. Henry Kempe received Jacoby Award of the American Medical Association, Pediatrics Division.

Production of training tape: "Parent-Child Interaction: Evaluation and Treatment."

•Initiation of Lay Health Visitor Program to provide evaluation of mothers at time of delivery and screen for potential abuse/neglect.

Publication of *Crisis Nurseries: Practical Considerations* by P. Beezley and M. McQuiston.

•Formation of the National Association of Counsel for Children (an organization for lawyers representing children and others involved in child advocacy) with the encouragement and technical assistance of National Center staff.

Publication of *Child Protection Team Handbook*, edited by Barton D. Schmitt.

•Implementation of pilot study of Mother-Child Interaction Related to Child Abuse and Neglect to evaluate and compare interaction in a structured setting between biological parents and children, foster parents and children, and controls.

Publication of *Legal Representation of the Maltreated Child*, first publication of the National Association of Counsel for Children.

•Initiation of group therapy for adult females who were victims of sexual mistreatment in childhood.

First national meeting and seminar of the National Association of Counsel for Children, held in Denver with 150 participants from 12 states.

1978

Publication of *Hospital and Clinical Management of Child Abuse and Neglect*, through HEW in cooperation with Region 8 states.

Implementation of Foster Care Enrichment program (to encourage interaction between biologic and foster parents around placement and treatment of children).

2nd International Congress on Child Abuse and Neglect, London, England (1,300 registrants from Europe and the U.S.).

Publication of *Child Abuse* by Ruth S. and C. Henry Kempe, published as part of the Developmental Series, Harvard University Press.

Dr. C. Henry Kempe receives Vincent de-Francis Award from the American Humane Association.

Friends of the National Center conducted Kids Campaign to Fight Child Abuse in association with MacDonalds and Red Miller, Coach of the Denver Broncos.

Publication of *Child Abuse and Neglect: The International Journal*, Vol. 2.

Sexual abuse research program expanded to include preschool-age children and adolescents.

Dr. C. Henry Kempe receives University of Colorado Medal.

Research initiated on Failure-to-Thrive Secondary to Caloric Deprivation.

Colorado's first lady, Mrs. Richard ("Dottie") Lamm holds reception for Friends of the Kempe Center and donors.

• Federal funding of The National Center to demonstrate a Regional Child Abuse and Neglect Resource Center to serve six states.

Federal funding for formal Feeding and Growth study of non-organic failure-to-thrive children under age three.

Over 5,000 letters and packets of materials disseminated in response to requests for information on child abuse and neglect nationally and internationally.

First National Association of Counsel for Children Conference: "Handling Paternity Cases Under the Uniform Parentage Act," in Colorado Springs (200 registrants).

1979

Publication of Standards for a *Model Protective Service System* by Claudia Carroll, MSW, Psy.D.

9th annual Battered Child Symposium, May 17-19, Keystone, Colorado (177 registrants from U.S., Australia, Canada, Costa Rica and Norway).

Publication of *Child Abuse and Neglect: The International Journal*, Vol. 3.

Hosted approximately 50 national and international visitors involved in various aspects of child abuse and neglect.

Provided internship for Swedish medical Scholar-in-Residence.

Dr. C. Henry Kempe awarded Rosen von Rosenstein Medal from Swedish Paediatric Association.

Cudahy/Bar-S Stampede—race held in September as a fund-raiser.

Initial organization of Parents United for sexually abusive parents in the Rocky Mountain Region.

• Publication of *Region 8 News*—a quarterly newsletter disseminated to 5,000 subscribers free of charge in Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.

3rd National Association of Counsel for Children Conference held at Keystone, Colorado.

Publication of *Legal Representation of the Maltreated Child*, Vol. 2 by N.A.C.C.

Boetcher Foundation, Piton Foundation and Tamerac Foundation supported Center work.

Production of slides and cassette: "Visual Diagnosis of Non-Accidental Trauma and Non-Organic Failure to Thrive" (3rd edition) by Barton D. Schmitt, M.D.

Formation of Region 8 Audio-Visual and Information library.

Dr. C. Henry Kempe receives University of Colorado Thomas Jefferson Award.

First petiatric fellow in child abuse and neglect at J.F. Kennedy Child Development Center, National Center and University of Colorado Hospital.

Membership in International Society for Prevention of Child Abuse and Neglect reaches 400.

Membership in the National Association of Counsel for Children reaches 500.

1980

10th annual Battered Child Symposium, May 15-18, Keystone, Colorado (187 registrants from U.S., Canada, Ireland, and Norway).

Region 8 News disseminated to over 5,000 persons in Region 8 for $24,000 states.

Friends of the National Center sent out first annual Christmas Catalog for fundraiser.

Publication of *Child Abuse and Neglect: The International Journal*, Vol. 4.

Provision of internship for Australian nurse, Scholar-in-Residence.

Sexual abuse research program to include couples.

Dr. C. Henry Kempe receives Howland Award from the American Pediatric Society.

Federal grant for specialized Sexual Abuse Training in Region 8.

4th National Association of Counsel for Children Conference in Colorado Springs (187 registrants).

Kaiser Family Foundation grant is awarded for continuation of sexual abuse research for $75,000 over three-year period.

Levi-Straus Foundation grant for three-years general support to Center.

Formation of second group therapy program for sexually mistreated latency-age children.

Second pediatric fellow in child abuse and neglect at The National Center and University of Colorado Hospital.

Law/social work intern accepted for eight months as Scholar-in-Residence.

1981

Expansion of sexual abuse research/treatment program to include adult male offenders, adolescents, couples and mothers of children in Therapeutic Preschool.

Friends of the National Center sent out second annual Christmas Catalog for fundraiser.

Provision of internship for Canadian social worker, Scholar-in-Residence.

Publication of The Battered Child (3rd edition) edited by C. Henry Kempe and Ray E. Helfer.

Federal grant received to sponsor 1st National Conference on Dental Aspects of Child Abuse and Neglect.

Publication of *Sexual Abused Children and Their Families*, edited by Patricia Beezley Mrazek and C. Henry Kempe.

National Association of Counsel for Children held joint Institute with American Bar Association, San Francisco, California, entitled "Protecting Children Through the Legal System" (237 registrants).

Friends of the National Center held Sweepstakes 10-K race as fundraiser in November.

Dr. C. Henry Kempe honored by Colorado associates through the C. Henry Kempe club at the University of Colorado School of Medicine.

The National Center incorporates the name of its founder—becoming "The C. Henry Kempe National Center."

First edition of *Update*, quarterly newsletter of The Friends of The C. Henry Kempe Center, published.

Jack Hogan Charitable Foundation provides ongoing support for three years for Therapeutic Preschool.

Achievement award received from Gannett Foundation.

International Society membership increases to 450.

National Association of Counsel for Children membership increases to over 700 in 46 states and six nations.

C. Henry Kempe receives Genesis award from the National Committee for Prevention of Child Abuse and Neglect in Chicago.

Publication of *Child Abuse and Neglect: The International Journal, Vol. 5.*

Friends of the C. Henry Kempe National Center received private contributions of up to $2000/month.

Over 7,000 letters and packets of materials disseminated in response to requests for information on child abuse and neglect nationally and internationally.

Publication pending on *Child Abuse and Neglect: Clinical Supervision by Claudia Carroll, MSW, Psy.D.*

Publication of *The Lay Person's Role in the Treatment of Child Abuse and Neglect* by Gail Ryan.

Child Abuse by Ruth S. and C. Henry Kempe now translated into 13 languages.

Child Abuse and Neglect: A Cross-Cultural Perspective by J.E. Korbin, published by University of California Press. Dr. Korbin was a Scholar-in-Residence in 1977.

Richard D. Krugman, M.D. succeeds C. Henry Kempe, M.D. as director of The C. Henry Kempe National Center, following a one-year health policy fellowship by Robert Wood Johnson Foundation, in Washington, D.C.

1982

11th annual Child Abuse and Neglect Symposium, Keystone, Colorado (182 registrants from 39 states).

Jane Phillips Sorority presents a national achievement award to The Kempe Center for equipment for the Therapeutic Preschool.

4th International Congress on Child Abuse and Neglect, Paris, France, September 12-15.

Grant Foundation continues ongoing Kempe Center support, especially for Dr. Kempe's work.

*Ongoing programs at The C. Henry Kempe National Center or programs held in conjunction with Center staff.

NOTE.—Publications listed in this outline appear to give the reader an idea of the historical trend of the literature. A complete staff bibliography is available upon request.●

IRS REGULATIONS BACKLOG

● Mr. ARMSTRONG. Mr. President, there is a growing backlog in Internal Revenue Service tax regulation writing projects which Congress has created by its efforts at tax reform in the past 10 years. As of June 30, 1985, the IRS had 453 regulations projects outstanding, some dating back to 1970. These regulations are necessary to explain complex Tax Code. They allow taxpayers to interpret tax laws in terms of their own returns, and to know what tax preparation procedures will and will not pass an IRS audit. Every time that Congress revises or adds to the Nation's tax laws, we pile more regulation writing projects on the IRS. In terms of tax simplification, we are digging ourselves deeper and deeper into a hole.

The effects of this backlog on the tax system, the taxpayers, and on the national economy are serious. Tax laws are always difficult to understand. Without these regulations, they may be close to impossible to decipher for the average citizen. Today there are already many attorneys who specialize not in tax law in general, but in a specific part of the tax system. Even these lawyers find it difficult to keep up on new developments in taxation. With a major tax bill enacted by Congress every 2 or 3 years, it is exceedingly difficult to maintain a clear picture of the tax system. Furthermore, the constant state of flux of the system renders long-term economic planning nearly impossible for the citizen and the professional alike. A good investment under present law may become a disaster a few years into the future. I find it difficult to imagine that either the economic or the social goals of tax legislation will be realized in such a situation. We must first tame our current system of taxation before any efforts at reform and simplification will succeed.

Mr. President, I ask to have printed in the RECORD a table summarizing the current status of IRS regulations. It would also be timely to reprint in the RECORD a 1983 statement by the Colorado Society of Certified Public Accountants which pointed out in forceful terms, serious unsettling effects on the business economy caused by continued tax law changes, which I submit for the RECORD.

The material follows:

IRS REGULATIONS PROJECTS DISTRIBUTION BY YEAR AND PART

Year	A (final status)	B (by Dec. 31, 1985)	C (by Sept. 30, 1986)	D (unscheduled)	Total (year)
1970	0	1	0	0	1
1971	5	2	0	0	7
1972	2	1	0	1	4
1973	2	0	0	0	2
1974	3	0	0	0	3
1975	5	2	0	0	7
1976	20	11	0	0	31
1977	7	1	0	0	8
1978	18	9	0	1	28
1979	3	10	0	2	15
1980	16	10	0	2	28
1981	38	23	0	2	63
1982	38	31	0	1	70
1983	12	23	1	1	37
1984	17	92	2	0	111
1985	11	20	7	0	38
Total (part)	197	236	10	10	453

[From the Congressional Record, May 2, 1983]

To: Colorado Members of Congress.

From: Colorado Society of CPA's Federal Taxation Committee.

Subject: Problems of continuous modification of the Internal Revenue Code.

BACKGROUND

During the thirty-year period from 1939 to 1969, tax legislation was essentially limited to the Internal Revenue Code of 1939, the Internal Revenue Code of 1954, and the Tax Reform Act of 1969, with no other major or significant pieces of legislation.

The past decade has seen a tremendous increase in tax legislation with passage of:

The Employment Retirement Income and Security Act of 1974.

The Tax Reduction Act of 1975.

The Tax Reform Act of 1976.

The Tax Reduction and Simplification Act of 1977.

The Revenue Act of 1978.

The Energy Act of 1978.

The Crude Oil Windfall Profits Tax Act of 1980.

The Economic Recovery Tax Act of 1981.

The Tax Equity and Fiscal Responsibility Act of 1982.

In addition, many technical corrections acts and other less significant tax legislation have been enacted during this same period.

This volume of legislation has created an enormous backlog in the regulation writing process, as there were approximately 450 projects waiting completion at the Department of Treasury as of December 31, 1982. The regulation writing process is further slowed by the lack of a group specifically assigned to and engaged only in regulation writing within the Treasury Department.

The legislation as well as its attendant problems of implementation has resulted from attempts to cope with the changing budgetary, political and social goals of the 1970's and 1980's. However, the continuing tax law changes have an unsettling effect on today's business environment and foster the perception that the existing tax system lacks stability and fairness. Many taxpayers find it increasingly difficult to engage in long-range planning because the associated tax consequences are unpredictable. Because of the increasing technical complexities created by constant revisions of the Internal Revenue Code, professional tax advisors find it more difficult to provide tax advice in a form which can be understood and used by their clients in connection with their financial and business planning. A few recent examples of this are:

The Accelerated Cost Recovery System (ACRS) enacted by ERTA was signed into law in August, 1981, yet was effective for assets placed in service after December 31, 1980. Many fiscal year taxpayers had closed their books, updated their property and equipment ledgers and filed their Federal income tax returns. The passage of ERTA created the need for these taxpayers to amend their income tax returns, thereby incurring additional expense as well as taking time away from their daily operations.

The recently enacted Tax Equity and Fiscal Responsibility Act of 1982 contains 23 different effective dates, 14 of which are effective for periods either beginning or ending before the date of enactment.

As a result of the complexity of present law and the interaction of various code sections, technical corrections acts are required almost immediately after new legislation is passed to correct for unintended results. For example, the use of fiscal years by some newly formed "S" Corporations had to be eliminated from the Subchapter S Revision Act of 1982 by the most recent Technical Corrections Act.

Many have voiced the opinion that the present system be abolished in favor of a "flat rate" tax. The "flat rate" tax proposal is to some extent a result of the increased complexity of present tax law and the belief that the assessment of income taxes should be simpler. A flat rate tax would basically put all taxpayers in the same tax bracket. In its purest form, no deductions or credits would be allowed and all income would be subject to the same tax rate. It would be equivalent to a national sales tax that probably could be filed on a "postcard" return. The original United States income tax law enacted in 1913 was basically a flat rate tax system.

Proposals for the flat rate tax have varied from its purest form to modified versions which include personal exemptions, deductions for such items as charitable contributions and mortgage interest, and surtax charges. There has been a wide range of tax rates and surtax charges proposed, including rates somewhere between 10 and 20 percent and proposals to structure the flat rate tax as an alternative method of tax computation.

RECOMMENDATIONS

On the problem of adverse effects to taxpayers resulting from continuous modification of the Internal Revenue Code, the Federal Taxation Committee of the Colorado Society of Certified Public Accountants reached the following conclusions:

The process of formulation of proposed legislation amending the Internal Revenue Code should be modified, as necessary, to incorporate the following:

(a) Procedures be established whereby proponents of amendments to the Internal Revenue Code (whose principal purpose is to promote a particular social objective, or respond to a political interest) be required to demonstrate that other alternatives to amending the Code have been considered and provide an explanation in the form of a report to Congress of why such other alternatives are not appropriate to accomplish the objectives of the proposed law changes;

(b) Proponents of amendments to the Internal Revenue Code be required to show the contribution of the proposed changes to simplification of the Code, simplification of related compliance (i.e., tax return reporting) and enforcement; and

(c) Establish requirements that Committee Reports which accompany new tax legislation reflect the deliberations which have occurred on the matters outlined in (a) and (b).

If a "flat rate tax" system is considered, it should first be the subject of extensive study on whether this system will accomplish its objective of tax simplification, and whether a satisfactory definition of "income" subject to a "flat rate tax" can be developed.

If additional Federal revenues are required, they be raised by adjusting present tax rates. Adjusting tax rates versus making technical changes to the Internal Revenue Code as means of raising additional revenue will contribute to increased confidence of taxpayers that their current financial decisions will have predictable future tax consequences.

In its discussions on regulation writing by the Treasury Department, the committee reached the following recommendation.

The Department of Treasury establish a permanent group responsible for promulgating regulations. This group should not be available for other activities. In addition to Treasury Department personnel, the group should comprise representatives of industries or taxpayers affected by the Regulations, at the earliest possible stage in the process of their formulation.●

REPORT OF NATIONAL AVIATION HALL OF FAME

● Mr. GOLDWATER. Mr. President, as a Member of the Senate representing the National Aviation Hall of Fame, once again it is my pleasure to submit the latest report to that body. I ask that the material be inserted in the RECORD at this point in my remarks.

The report follows:

NATIONAL AVIATION HALL OF FAME

REPORT ON EXAMINATION OF FINANCIAL STATEMENTS FOR THE YEARS ENDED DECEMBER 31, 1984 AND 1983

[Accountants' Report]

To the Board of Trustees,
National Aviation Hall of Fame, Inc.,
Dayton, Ohio.

We have examined the balance sheets of the National Aviation Hall of Fame, Inc. as of December 31, 1984 and 1983, and the related statements of revenue and expenses, changes in fund balances and changes in financial position for the years then ended. Our examinations were made in accordance with generally accepted auditing standards and, accordingly, included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances.

In our opinion, the financial statements referred to above present fairly the financial position of the National Aviation Hall of Fame, Inc. as of December 31, 1984 and 1983, and the results of its operations and the changes in its financial position for the years then ended in conformity with generally accepted accounting principles applied on a consistent basis.

COOPERS & LYBRAND.

DAYTON, OHIO, *June 18, 1985.*

NATIONAL AVIATION HALL OF FAME, INC., BALANCE SHEETS, DECEMBER 31, 1984 AND 1983

	1984	1983
ASSETS		
Cash and cash equivalents	$77,674	$93,972
Pledges receivable		750
Inventory, "Enshrinee Album" books	36,161	
Prepaid expenses	111	134
Other		80
Total current assets	113,946	94,936
Certificate of deposit (Note 3)	30,381	27,449
Furniture, fixtures and equipment, net of accumulated depreciation of $4,252 in 1984 and $3,141 in 1983	10,069	4,063
Copyrights	1	1
Collections (Note 2)		
Total assets	154,397	126,449
LIABILITIES AND FUND BALANCES		
Accounts payable	$41,132	$6,000
Accrued expenses	443	236
Deferred amounts:		
Enshrinement income	9,375	14,945
Restricted biographical research program	2,274	20,000
Restricted Enshrinee Album Program		21,169
Total current liabilities	53,224	62,350
Fund balances:		
Designated by Board of Trustees for capital expenditures (Note 3)	32,081	27,448
Undesignated	69,092	36,651
Total fund balances	101,173	64,099
Total liabilities and fund balances	154,397	126,449

Note. The accompanying notes are an integral part of the financial statements.

STATEMENTS OF REVENUE AND EXPENSES FOR THE YEARS ENDED DECEMBER 31, 1984 AND 1983

	1984	1983
Revenue:		
Individual memberships	$49,991	$43,372
Organizational memberships	32,714	20,953
Enshrinement Dinner tickets	16,520	18,280
Sales of medals and other items	878	735
Donations	10,914	20,123
Interest and dividends	9,552	8,425
Enshrinee Album Program	28,527	2,293
Federal grant		13,500
Biographical research	17,726	
Enshrinee Album sales	621	
Donation received, computer	7,117	
Total	174,560	127,681
Expenses:		
Management fee (Note 4)	16,500	29,625
Biographical research (Note 4)	17,726	
Salaries and office wages	13,536	12,495
Enshrinement ceremonies	53,639	48,930
Membership expenses	12,317	3,288
Exhibits		865
Cost of medals and other items	449	376
Office supplies	9,381	6,502
Postage	3,563	2,397
Telephone	1,088	889
Payroll taxes	1,237	1,020
Depreciation	1,111	944
Brochures	5,211	1,516
Enshrinee Album Program	680	2,293
Miscellaneous	1,048	1,000
Total	137,486	112,140
Excess of revenues over expenses	37,074	15,541

Note. The accompanying notes are an integral part of the financial statements.

STATEMENTS OF CHANGES IN FUND BALANCES FOR THE YEARS ENDED DECEMBER 31, 1984 AND 1983

	Deisgnated		Undesignated	Total
	Capital expenditure	Founders		
Balance, December 31, 1982	$23,156	$1,000	$24,402	$48,558
Excess of revenues over expenses			15,541	15,541
Designation (Note 3)	4,292	(1,000)	(3,292)	
Balance, December 31, 1983	27,448		36,651	64,099
Excess of revenues over expenses			37,074	37,074
Designations (Note 3)	4,633		(4,633)	
Balance, December 31, 1984	32,081		69,092	101,173

Note. The accompanying notes are an integral part of the financial statements.

STATEMENTS OF CHANGES IN FINANCIAL POSITION FOR THE YEARS ENDED DECEMBER 31, 1984 AND 1983

	1984	1983
Sources:		
Operations: Excess of revenues over expenses	$37,074	$15,541
Items which did not require current outlay of cash:		
Depreciation	1,111	944
Noncash donation	(7,117)	
Provided from operations	31,068	16,485
Decrease in prepaid expenses	23	304
Decrease in other assets	80	
Decrease in accounts receivable		3,840
Decrease in pledges receivable	750	
Increase in accounts payable	35,132	3,696
Increase in deferred amounts		15,466
Increase in accrued expenses	207	236
	67,260	40,027
Uses of funds:		
Purchase in fixed assets		2,494
Increase in pledges receivable		750
Increase in inventory	36,161	
Decrease in deferred amounts	44,465	
Increase in other assets		80
Increase in restricted funds	2,932	3,293
	83,558	6,617
Net increase (decrease) in cash and cash equivalents	(16,298)	33,410
Cash and cash equivalents, beginning of year	93,972	60,562
Cash and cash equivalents, end of year	77,674	93,972

Note. The accompanying notes are an integral part of the financial statements.

NOTES TO FINANCIAL STATEMENTS

1. Summary of Significant Accounting Policies

The Corporation was created by an Act of Congress, Public Law 88-372, July 14, 1964, to honor outstanding persons in the field of aviation. The Internal Revenue Service has confirmed the status of the Corporation as a tax-exempt public foundation.

The inventory of "Enshrinee Album" books is valued at the lower of cost or market with cost being determined by the first-in, first-out method.

Furniture, fixtures and equipment are recorded at cost when purchased or at estimated values when received as a donation. Depreciation is computed on the straight-line basis over the estimated useful lives of the assets.

Donated materials other than collections are recorded at their estimated value at the date of receipt. No amounts have been reflected in the statements for donated office space and services as no objective basis is available to measure the value of such services. Donated office space consists of an office and storage provided by the City of Dayton. Donated services consist of time donated by the Board of Trustees for the Corporation.

Biographical research and Enshrinee Album Programs resources are restricted by the donor, grantor, or other outside party for operating the biographical research program, and are deemed to be earned and reported as revenues of the operating fund when the Corporation has incurred expenditures in compliance with the specific restrictions. Such amounts received but not yet earned are reported as restricted deferred amounts.

2. Collections

The Corporation has acquired by purchase or through donations, various models, books and other memorabilia relating to the field of aviation since its founding. Because the value of these items are not readily determinable and they can be considered inexhaustible items, the Corporation has not capitalized them. The value of objects acquired by gift for which the Corporation can make a reasonable estimate is reported as gifts in the statement of revenue, expenses and changes in fund balance.

3. Fund Balances

The capital expenditure fund is intended to provide funds for the purchase of a facility for the Corporation. The Board has directed that all donations received from enshrinees or their families and income earned from investments applicable to capital expenditure fund be added to this fund. Additions to the fund amounted to $4,633 and $4,292 in 1984 and 1983, respectively. Cash is periodically transferred to a separate property account and, currently, it is invested in a certificate of deposit.

In 1981, the Board of Trustees established the Founders Fund for special projects undertaken by the executive director of the Corporation. The Board authorized the transfer of these funds to the undesignated fund furing 1982.

4. Employment Contracts

The Corporation contracts with James W. Jacobs & Associates, Inc. and John C. Dussault on an annual basis to provide consultation and professional services to maintain operations, expand membership, sponsor events and any other services required by the Corporation. James W. Jacobs & Associates services were charged to biographical research in 1984 and management fees in 1983. John C. Dussault services were charged to management fees in both years.

5. Reclassification

Certain amounts in the 1983 financial statements have been reclassified to conform to the 1984 presentation.●

THE ACCOMPLISHMENTS OF MRS. MILEY BUSIEK

● Mr. GRAMM. Mr. President, I wish to bring to the attention of my colleagues the accomplishments of one of my constituents, Mrs. Miley Busiek, of Dallas TX. Mrs. Busiek's design of a family of eagles will appear on the gold bullion coin which will be minted in accordance with one of the provisions of this legislation.

When discussion of a gold bullion coin began many years ago, Mrs. Busiek recognized that the tiny space on the surface of a solid gold coin could carry a powerful message about the values, traditions, and strengths of our country. Using her experience as an artist and sculptor, she set out to create a coin design which would honor "our families, senior citizens and young people" as well as sending a "timeless message of hope and strength, unity and optimism for the future that is our great heritage and an example for the entire world."

Mrs. Busiek has testified before both the House and Senate Banking Committees on her coin design. Her design has been enthusiastically endorsed by a bipartisan cross section of political organizations, civic and religious groups and distinguished citizens; including the chairman of the Dallas County Young Democrats and the Dallas County Young Republicans, the Boy Scouts of America, the Catholic Diocese of Dallas, the Jewish Federation of Greater Dallas, the dean of the Dallas Theological Seminary, and many others. Dallas Cowboys coach Tom Landry echoes the sentiments of these organizations when he writes that:

We, as a nation, have a wonderful opportunity to show our concern for, and pay tribute to, the American family, senior citizens and young people. The coin design portrays symbolically a people's concern for a vital segment of our society. The residents of my state can point with pride to the sculpting and design work of Mrs. Busiek, and the nation will benefit when the new gold bullion coins are minted with a design which is beautifully symbolic of America's spirit and values.●

DOMESTIC STEEL WAGES AND INTERNATIONAL COMPETITIVENESS

● Mr. HEINZ. Mr. President, for too long, the complex relationship between wages and international competitiveness has been ignored. In the

steel industry, for example, some have sought simplistically to explain declining U.S. competitiveness as a product primarily of excessively high U.S. labor costs. A recent study by Robert Lawrence and Cohn Lawrence entitled "Manufacturing Wage Dispersion: An End Game Interpretation," however, disputes this conventional argument.

The Lawrences argue that the steel industry's difficulties did not originate with labor costs, but with outside economic conditions. Increased international competition, lower domestic demand for steel, and more domestic competition from minimills enhanced labor's short-term bargaining position with management during the 1970's. This is because management lacked the credible threat of investment in labor-saving productivity improvements to withstand labor's demands at this time. Management was left with a simple choice: Reduce production and lose money or increase wages so that production could continue uninterrupted. Management rationally responded by choosing the latter.

By the 1980's, though, economic conditions had changed the power relationship considerably. Simply put, everything had gotten much worse. A decade of unfair foreign trade practices, combined with a lower demand for steel, made not only credible but inevitable the threat of plant closures and layoffs. Wages suddenly stopped increasing.

The conclusion, then, is that the steel industry's problems are not due to high wages. In fact, the opposite may be true; that is, the increase in domestic steel industry wages may be the result of declining U.S. international competitiveness. If the Lawrences are correct, we should stop blaming union greed for declining international competitiveness, and concentrate more on the unfair international environment in which American steel industries are now forced to conduct business.

Mr. President, the Lawrences though-provoking study is a welcome addition to the dialog on steel issues. I do not agree with all the study's conclusions, but its fresh approach offers us a new way at looking at the relationship between labor costs and international competitiveness. I ask, therefore, that the following article from the Pittsburgh Post-Gazette summarizing the study be printed in the RECORD.

The article follows:

WAGES DIDN'T CAUSE STEEL'S ILLS, STUDY SAYS

(By James O'Toole)

WASHINGTON.—While many analysts have cited high labor costs as a prime contributor to the decline of the nation's steel industry, a new study suggests that steel workers' wage increases through the 1970s were a result rather than a cause of the industry's ills.

This seemingly paradoxical effect is described in "Manufacturing Wage Dispersion: An End Game Interpretation," an article published this month by Cohn Lawrence of Columbia University and Robert Lawrence, a fellow of the Brookings Institution.

They theorize that decisions by management in response to economic conditions outside the control of labor resulted in a short-term strengthening of labor's bargaining position through the 1970s.

The authors start by examining why steel workers' wages increased by 37 percent relative to wages in general through the 1970s—a period when demand for steel remained relative flat. Under traditional economic theories, management would have been expected to be able to resist such a climb in its labor costs during slack demand.

The Lawrences argue, however, that the wage experience of the steel industry defined traditional assumptions because business conditions robbed management of one of its traditional bargaining tools—the alternative of making large-scale investments in new labor-saving plants and equipment.

"By the early 1970s," the Lawrences state, ". . . it became increasingly obvious that the construction of new integrated steel facilities in the United States was not a viable proposition. It was cheaper to build such plants in newly industrialized countries or to build mini-mills in the United States. These judgments were shared by expert analysts, participants in the stock market, and, as revealed by their behavior (if not their statements), steel management."

But while major new investment in steel plants was economically questionable during the decade, the paper argues it was still profitable to operate existing plants. Thus, the article states, "management [lacked] the credible threat of investing in new, more capital intensive plants or shutting down the old plants."

Labor, according to this theory, was thus in a position to reap part of the revenue that, under better industry conditions, would have gone toward investment in capital. The steel industry, in this analysis, became a cash cow for both labor and management through the 1970s. For management, the milking process was exhibited in part by diversification out of the steel business.

"By 1982, with its acquisition of Marathon Oil," the Lawrences observe, "U.S. Steel could be more accurately called U.S. Oil."

For labor, the milking came in the form of climbing wages.

Robert Lawrence, in an interview, said that neither labor nor management was necessarily conscious of the direction is was headed in throughout the 1970s.

"I don't think the individual union leaders necessarily understood why their power increased, but they did find that they could get higher wages without job losses."

Those conditions persisted until the early 1980s, when continued deterioration of the steel industry restored to management the power to resist union wage demands. They describe this shift as the second stage of steel's "end game."

After successive recessions in 1980 and 1982, conditions to the industry were so bleak that even existing plants could not be operated at a profit. Management once again had a credible counter to union demands, in the form of plant shutdowns and massive layoffs. The result was the 1983 industry-wide agreement that reduced steel worker wages by 9 percent and the numerous plant-by-plant concessions made by workers in the first half of the decade.

"Many observers have suggested that the high U.S. steel wages explain the decline in competitiveness of the U.S. steel industry," the Lawrences conclude. "In our view the reverse is more nearly true: the decline in competitiveness explains the rise in steel wages."●

COSPONSORSHIP OF S. 1393

● Mr. D'AMATO. Mr. President, I rise today to cosponsor S. 1393, legislation to provide for a study of the use of unleaded fuel in agricultural machinery. This bill addresses an issue of extreme concern to the farmers in my State, and I commend my colleagues, Senator ABDNOR and Senator NICKLES, for their leadership on this issue.

This bill simply asks that the EPA and USDA take a thorough look at the effect of a leaded gasoline ban on the agricultural community. In cosponsoring S. 1393, I certainly do not want to imply that I oppose the goals of EPA's proposed phasedown of lead in fuel. The health and economic benefits of this phasedown are clear.

However, S. 1393 does not alter EPA's proposed phasedown. It simply requires that EPA and USDA study how these regulations will affect farm machinery. If this bill becomes law, the results of this study would be submitted to Congress no later than January 1, 1988. Neither a reduction in lead content below the 0.1 gram per gallon phasedown level nor a total lead ban could be imposed until 3 months after the report is submitted.

It is essential that both EPA and USDA thoroughly examine the effects of a ban on leaded fuel before allowing any regulation to go into effect which could require farmers to replace expensive equipment. It has been estimated that equipment replacement costs could run as high as $90,000 per farm. We should be sure that we examine all ways in which we can meet EPA's phasedown objectives without forcing farmers to replace costly tractors, combines and other machinery earlier than would otherwise be necessary.

I urge my colleagues to join me in cosponsoring this legislation.●

FEDERAL DEDUCTION FOR STATE AND LOCAL TAXES

● Mr. MOYNIHAN. Mr. President, a statement by Mayor Thomas C. Aposporos of Poughkeepsie, NY, was read by Mr. Joseph Chiseri, budget director of that city, at a recent town meeting I hosted. Mayor Aposporos' thoughts on the subject of the Federal deduction for State and local taxes are especially compelling and intelligent ones, and I commend them to the Senate's attention.

Mr. President, I ask that Mayor Thomas Aposporos' statement be

printed in the RECORD as part of my remarks.

The statement follows:

STATEMENT BY MAYOR THOMAS C. APOSPOROS IN SUPPORT OF DEDUCTIBILITY OF STATE AND LOCAL TAXES

THE ISSUE

The deductibility of state and local taxes from Federal taxable income has been a part of the Federal Tax System since its inception in 1913. The legitimate concern for the growing federal deficit and the desire to reform and simplify the federal tax code are now making deductibility an issue. Those concerned about maintaining equity between taxpayers by taxing only disposable income should oppose the repeal of deductibility. Combined with the effect deductibility has on the revenue raising ability of local governments, this issue is of concern to the City of Poughkeepsie. We agree that the federal deficit must be reduced and that the tax code needs to be revised in the interests of fairness and simplicity. Neither tax equity nor good tax policy, however, would be served by repealing or reducing the value of deductibility.

THE CASE FOR RETENTION

The clearest and most common sense argument to support deductibility is that individuals should not be taxed on a tax. Nothing makes this argument less valid today than when the federal income tax was originally enacted. The key words are "ability to pay". Deductibility makes the tax system more equitable by ensuring that an individual's tax burden is based on the ability to pay. It is as simple as that.

Deductibility also enhances the revenue raising ability of states and localities, and justifiably so. Taxpayers receive, in effect, a federal rebate relative to their marginal income tax rate for every dollar paid in state and local taxes. In economic terms, this reduces the price of state and local government services. This obviously makes revenue raising a bit easier. Under a repeal of deductibility, it is uncertain whether many state and local governments would be able to raise revenues required to maintain services. The National League of Cities reports that it is estimated that the repeal of deductibility would result in a decrease in state and local revenues of $12.4 billion, based on 1982 data. This at a time when massive cuts in federal domestic programs are being considered which will cause localities to assume additional burdens.

Deductibility plays a role in narrowing interstate and intercity tax differences. This is a benefit in that it tends to reduce the incentive for businesses and individuals to migrate from one jurisdiction to another in search of the optimal tax situation.

Additionally, state and local governments receive the benefits of deductibility without the interference in state and local decision making and priority setting, as opposed to grant-in-aid programs which attach strings to the aid.

Contrary to the claims by opponents of deductibility that only wealthier taxpayers in higher tax brackets will benefit, analysis of past data indicates that middle income groups are the recipients of a majority of the benefits. The NLC reports that based on 1982 data, over 61% of the benefits of deductibility went to taxpayers who itemized and had income under $50,000. Almost 90% of the benefits went to those who itemize with income under $100,000. Those who argue that deductibility benefits only itemizers ignore the fact that the standard deduction represents deductions which a typical taxpayer in a particular tax bracket would take if he/she itemized. Thus, consideration is given to the value of deductibility in establishing the standard deduction.

Opponents of deductibility state that it is unfair that the largest states and cities with the highest per capita income and tax burdens benefit the most. We would argue, however, that this illustrates the equity and fairness of the concept of deductibility. Those paying the most taxes and the heaviest burden receive the most benefits. The benefits are targeted more rather than less equitably among states and cities.

CONCLUSION

We in the City of Poughkeepsie feel that deductibility works. Repeal would result in double taxation and studies indicate that the ability of state and local governments to raise revenue would be adversely affected. Revenue systems would be impacted at a time when we are being asked to assume heavier burdens. The concept of deductibility is no less valid now than it was in the early 1900's. The City of Poughkeepsie opposes any efforts to eliminate or reduce the deductibility of state and local taxes. Deductibility should be retained.●

REMARKS OF LT. GEN. WILLARD PEARSON, USA (RETIRED), VALLEY FORGE MILITARY ACADEMY

● Mr. GOLDWATER. Mr. President, we are all aware that educating our young people is one of the highest priorities this Nation must maintain if we are to remain strong and retain our position of leadership throughout the world.

A very important element of our overall educational system is that of the military academies around this country that train our future leaders in all the services. One such institution is the Valley Forge Military Academy and Junior College, a school which, since 1928, has turned out over 13,000 graduates who have become leaders of industry, the professions, public service, and the military. A roll-call of the alumni of this exceptional academy would certainly read like a "Who's Who."

I would like to share with you, Mr. President, a speech dealing with the history of the Valley Forge Military Academy which was delivered by Lt. Gen. Willard Pearson, USA (retired), on April 30, 1985, which attests to the exceptional history enjoyed by the Valley Forge Military Academy, and I ask that his speech be printed in full in the RECORD at the conclusion of my remarks.

The speech follows:

Fellow members of Newcomen and guests: There have been many glowing accolades paid to Valley Forge Military Academy and Junior College over the years. This evening's affair, however, given by such a prestigious organization as The Newcomen Society honors our Board of Trustees, staff, faculty and our proud corps of cadets. We are deeply honored by your presence on our campus here this evening.

In making an after dinner speech I have been advised that one should be brief, be accurate, and then be seated.

Ladies and gentlemen, I promise you that I shall be as brief as possible this evening—no matter how long it takes me.

Although most of my life has been spent as a professional soldier, I recognize that the first line of defense of our democracy—as well as the destiny of our great nation—lies not in our armed forces but in the character and education of our youth. According to Aristotle, "All who have meditated on the art of governing mankind are convinced that the fate of empires depends upon the education of their youth."

It is fitting that this institution, which first opened its doors in 1928, borrowed its name—Valley Forge—from a nearby Army encampment, commanded by General George Washington. Valley Forge was not the site of any famous battle. Washington's Continental Army spent a very bitter winter there. When that Army departed, it left behind for all of us a spiritual legacy of perseverance, courage and sacrifice. Valley Forge was not a military victory of arms; it was a "Triumph of the Spirit".

Speaking of George Washington reminds me of the remarks heard by a chaplain several years ago when he saw a very reluctant new cadet being brought onto the campus by his father. Upon departing the father said to his son: "If Valley Forge was good enough for General Washington, it's good enough for you."

It is also fitting that the motto on the school's shield, "Courage, Honor, Conquer," became a symbol for its very existence. Within four months of its founding in a converted hotel building in Devon—a nearby community—the school burned to the ground in a midnight blaze. The military efficiency of the staff and cadets averted any loss of life or injury, but most of the uniforms, books and personal possessions of those involved were lost.

Within a year of that setback, the Great Depression struck and private schools became an unnecessary luxury for many families.

Despite that rocky beginning Valley Forge survived—a feat credited to its founder and first superintendent, Lieutenant General Milton G. Baker. General Baker is cited as a leader of imagination, drive and energy, whose high standards demanded the best of everyone. He had a dream of founding a military school. He borrowed the money for the first building and recruited the initial corps of cadets and faculty.

When he saw his dream go up in smoke, General Baker found temporary housing for his 125 cadets, and within four days moved the school into its present site, a former boys' school with three dilapidated buildings.

General Baker, who incidentally was a member of The Newcomen Society, continued as the superintendent of Valley Forge for the next forty years, a period which saw the school enhance its national and international reputation for excellence. It was also a time of unprecedented expansion as the school and college grew from three to 84 buildings on a 125-acre campus.

This growth, in part, created another crisis for Valley Forge. During the late '60s and early '70s an anti-military sentiment mushroomed in this country due to the unpopularity of the Vietnam War. Cadet enrollments dropped drastically creating fiscal problems and deferring maintenance on the school's plant and facilities. A number of

military schools throughout the country were forced to close their doors, merge with other schools, or suffer the extreme pangs of economic distress.

This was the situation in 1973 when I was appointed superintendent. Drastic action had to be taken. We initiated a program called "Operation Bootstrap" to reduce expenditures:

First: We froze wages for staff, faculty and employees at their current levels but did provide some merit increases.

Second: We restored to competitive bidding for all purchases and limited those to essential items only.

Third: We reduced the number of employees by reorganizing and reassigning responsibilities.

It was a real belt-tightening program but it produced results. The school's debt of $1.3 million was paid off in six years, thereby eliminating $81,000 in annual interest payments. We have not borrowed money from the bank for the past five years. As a result, interest income increased nearly ten-fold from $15,000 in 1973 to over $135,000 last year. Endowments, which were zero twelve years ago, are now nearing the million dollar mark and earning over $70,000 annually in interest.

We owe much of this fiscal success to our alumni and friends. Twelve years ago cash contributions for 1972-73 were less than $170,000. In the last four years cash contributions from our supporters have exceeded a half-million dollars in each of those four years. This progress would have been impossible without the generosity of the alumni, parents and friends of Valley Forge.

We are now debt free and operating on a cash basis. This has been achieved within our free enterprise competitive economy.

We have resumed across-the-board wage increases for officers and staff. We increased benefits such as insurance and hospitalization and offered grants to members of the faculty studying for advanced degrees or special education. We have also provided funds for memberships in professional organizations and maintained a generous subsidized housing program for most of our staff and faculty.

The bottom line for evaluating our accomplishments, however, is our 13,000 alumni and the successes they have achieved. Valley Forge graduates have left these halls of learning to become leaders of industry, the professions, public service and the military. A roll call of alumni reads like a "Who's Who."

What's the principal reason for the achievements of the men of Valley Forge? I believe this can be attributed to the cadet resolution and our stated mission. The mission is:

"To educate young men fully prepared to meet their responsibilities—alert in mind, sound in body, considerate of others and with a high sense of duty, honor and courage; and to foster love of God and country, gentlemanly qualities and high moral standards."

Valley Forge accomplished this mission through the values founded on military discipline—that is, recognition of authority and acceptance of responsibility. It is a method that has made Valley Forge preeminent among military schools and colleges and admired for the quality of its educational attainment. Our goal is to strengthen the spiritual and moral underpinnings of our cadets so that they, as mature adults, will improve the quality of our institutions, our professions and our society.

One of the most important aspects of the education of our youth, and yet often the most neglected, is that of developing wholesome beliefs, attitudes and goals in life. The Valley Forge faculty has assumed a greater obligation than simply teaching facts, figures and imparting technical knowledge. Their goal is to educate the whole man—mentally, physically, socially and spiritually—and to teach him to organize his time; to study; to think; and to communicate. Of greater importance, however, is teaching him to adapt to today's *changing* world without sacrificing those *changeless* values which develop strength of character, foster love of flag and country, and lead to honorable success.

We believe the highest purpose of education is the development of character. Over a hundred years ago Herbert Spencer, that great English philosopher, wrote: "Education has for its object the formation of character." Later President Theodore Roosevelt remarked, "To educate a man in mind and not in morals is to educate a menace to society." Dr. Steven Muller, currently the president of Johns Hopkins University, said: "Universities are turning out highly skilled barbarians because we don't provide a framework of values of young people who more and more are searching for it." In other words the need is to integrate the moral with the intellectual education of our youth.

The Valley Forge code of ethics establishes moral values as a basis for decision making and exemplary conduct. Also, each cadet must memorize and observe the Cadet Resolution to live by high ethical standards of conduct and behavior. The Cadet Resolution reads as follows:

"My goal in life is to achieve honorable success in my profession and to become a citizen of the highest integrity in my community. To this end, I resolve that:

Honesty and Integrity in thought, word and deed shall characterize my relationships with others.

Excellence shall be the hallmark of my endeavors.

Respect and consideration for all persons and their property shall be my resolve.

Strength of character shall be my objective as I strive to achieve greater self-discipline and the highest physical, mental, spiritual and moral development at Valley Forge.

Responsibility shall be my watchword, both in my obligations to others and in my commitment to my own objectives and ideals.

Remembering that noble thoughts inspire noble deeds, *I shall aspire to a life of honorable service."*

As one can see, the Cadet Resolution challenges each cadet to develop his full potential. His great satisfaction will come from his own exacting performance which will enhance his self-confidence and self-esteem.

Valley Forge has had a number of credos over the years. In the beginning it was, and still is for that matter:

"From the embattled fields of Valley Forge went men who built America. From the training fields of Valley Forge go men who will preserve America."

We have shortened that to a four-word saying: "Developing Tomorrow's Leaders Today."

We also have an unofficial credo which states: "Send us your boy and we will return to you a man."

Our four major educational goals are to *motivate* young men to acquire those habits and traits of *character* leading to *academic excellence* and *leadership* of the highest integrity.

Valley Forge is a fully accredited, nonprofit institution, with an annual budget of more than $7 million. We have a middle school—grades 7 and 8; a four-year preparatory school—grades 9 through 12; and a two-year junior college. The preparatory school prides itself on the high percentage of college acceptances of its graduates, which was 95 percent last year. The junior college boasts of an equally high rate of transfers to the junior year in leading four-year colleges and universities.

Teachers and cadets here have the advantage of a 65,000-volume library, a computer center, the latest equipment for science courses, language laboratories, a reading/testing and skills center, guidance department, and extensive athletic facilities.

Enrollment, which is sought on a quality but not on a quantity basis, holds steady in the 650 to 700 student range.

Cadets this year, incidentally, come from 26 states and 25 foreign countries. This diversity of backgrounds and cultures contributes to an international education and gives added breadth and character to our school and college.

We are proud of our achievements in academics. Both the academy and junior college were recently reaccredited by the Middle States Association of Colleges and Schools. This year Valley Forge has been selected as a semi-finalist in a survey to determine the nation's top fifty private schools. The survey, known as the "Exemplary Private School Identification Project," is conducted by The Council for American Private Education with a grant from the U.S. Department of Education.

A talented and dedicated faculty gives our program strength and vitality. Valley Forge has sixty-three full-time professors and instructors and another fifteen who are part-time. This provides for a 10-1 student-teacher ratio. We also have an added educational bonus for the cadet by providing extra instruction at the end of the school day. Mandatory supervised study periods are held from 7:30 p.m. to 9:40 p.m. five earnings each week.

There are many extras in a Valley Forge education, the most significant of which is leadership training. Cadet officers in the self-governing corps of cadets acquire practical experience in leadership and managership at an early age. The ROTC program augments this leadership training as do the many extra-curricular activities and athletic programs at Valley Forge.

The Academy's ROTC program has received annually the Department of the Army's "Honor School With Distinction" designation. This permits Valley Forge to nominate three graduates each year to the U.S. Military Academy and the U.S. Naval Academy, and five to the U.S. Air Force Academy.

An active center for the Study of Character Education has been established on campus to foster the teaching of morals and ethics as part of the regular curriculum. The center has developed a textbook for teachers on character education and will soon publish a book, entitled *Values and Virtues*, containing the thoughts of leading experts on the subject. These internationally-known advocates of character education have addressed the faculty and staff and held seminars with the cadets. The purpose of this program is to stimulate, motivate and inspire the cadets to emulate those indi-

viduals who have made important contributions to improving the quality of our society. In 1981 our character education program was awarded the George Washington Medal by the Freedoms Foundation at Valley Forge.

Augmenting the regular character development program is mandatory attendance at Sunday chapel services which reinforces the spiritual development of each cadet as taught by his parents at home.

The campus chapel is known as the Alumini Memorial Chapel of St. Cornelius the Centurion. St. Cornelius was a Captain in the Roman Army who was converted to Christianity and died a martyr.

The chapel was dedicated in 1950 by General George C. Marshall. It has a seating capacity for 1,500 persons for the regular nondenominational services. Noted persons from all walks of life have been guest speakers at chapel services.

Athletics also contribute to our character development. We provide our cadets with sixteen varsity sports, junior varsity competition and an intramural program. This allows everyone the opportunity to meet the challenges of athletic competition at his desired level. Sportsmanship, teamwork, fair play and individual pride are the prime objectives of our athletic program.

Athletic facilities include football, baseball, soccer and rugby fields; indoor and outdoor swimming pools; three gymnasiums with eight basketball courts and weight rooms; nine tennis courts; a quarter mile track; a five-lane bowling alley; an indoor 12 point rifle and pistol range; an archery range and an indoor riding arena for equitation and polo games. We have a stable of thirty horses to support our equitation and polo programs.

Valley Forge owns an airline, a Cessna 152, which is used to train young pilots. Twenty-five cadets were enrolled in the flight training course this year. Eight have soloed and one has received his private pilot's license. Initial instruction starts in a special class room on campus equipped with flight simulators, and continues at a nearby airport.

Other facilities here at the Forge include our laundry, tailor shop, a health center manned by an on-call physician, two certified physicians' assistants, and several nurses; and a magnificent student union building, Mellon Hall, named for its donor, the late Richard King Mellon, a Pittsburgh financier and philanthropist.

In addition to our equitation and polo programs, Valley Forge annually holds a Grandprix which brings the country's leading horses and riders to the campus to compete in a jumping competition of Olympic quality. This event, sanctioned by the American Grandprix Association, will be staged next Sunday, and riders will compete for $30,000 in prize money. Proceeds benefit the school's development and scholarship funds.

This brings us to another special event. You are all invited to return to Valley Forge tomorrow as my guests to observe our annual Loyalty-Law Day ceremony. Loyalty-Law Day—designated annually by the President of the United States—is the day we reaffirm and express our loyalty to this great nation in which we live and to the laws which govern it. In Russia—on the other hand—May 1 is the day the Soviets parade and demonstrate their military might.

At Valley Forge we observe Loyalty-Law Day by honoring a great person who has rendered distinguished service to our country. The award is named for Bob Hope, a great American who has given a lifetime of service to our country by entertaining our armed forces around the world in peace and in war. Bob Hope will be here personally to present the award we named for him—The Bob Hope 5-Star Civilian Award—to honor citizens for outstanding service to America.

The award this year will go to Mr. J. Willard Marriott, Sr., founder and chairman of the board of the Marriott Corporation. He served as chairman of two Presidential Inaugural Committees and was executive chairman of the Honor America Committee which organized a huge patriotic celebration in Washington, D.C. on Independence Day in 1970.

The ceremonies start at 5:00 p.m. In addition to seeing Bob Hope and Mr. Marriott, you will have the pleasure of witnessing the precision marching of our corps of cadets to the stirring music of our band in a regimental review.

The presence of these two great Americans on our campus, Bob Hope and Mr. Marriott, makes Loyalty-Law Day a most meaningful day at Valley Forge. Their presence will serve to motivate and inspire our cadets to follow in their footsteps and render honorable service to our country in whatever profession they elect to follow.

Bob Hope received the first award in 1975 in recognition of his dedication to bringing humor and laughter to millions of Americans and particularly to our service personnel, in war and peace, at home and abroad. Past recipients of the honor were: President Reagan; U.S. Senators Barry Goldwater and Strom Thurmond; Generals Lyman L. Lemnitzer, Alexander M. Haig, Jr. and William C. Westmoreland; and Ambassadors Clare Boothe Luce and Walter H. Annenberg.

We have been proud to honor these distinguished Americans, and to have been host to a number of other notables over the years, including Dwight D. Eisenhower. The late president visited the campus three times, including a weekend stay when we dedicated Eisenhower Hall in his honor. Eisenhower Hall is our elegant officers' dining facility.

And now, a personal message, if I may.

In a way you might call this evening "My Swan Song." I will be seventy years of age shortly after the end of this school year, and our Board of Trustees has decided they should seek new and younger leadership. It may be time for a change for the long-range benefit of the school and college.

Our Board of Trustees has evolved from a local constituency into a highly professional group of talented executives from various professions and businesses nationwide as well as internationally. I am grateful to the Board for their tremendous encouragement, support and guidance which has made my task here easier and more pleasant. I am certain that whoever replaces me will also be as fortunate in his relationship with the Board.

The announcement of my pending retirement has brought nearly a hundred messages from far and wide congratulating me on my leadership role here. I deeply appreciate those words of praise and shall cherish and sentiments.

As the superintendent, assisted by an outstanding staff and faculty, I consider our major achievements to have been:

Restoration of the school's fiscal soundness.

Improvement of student quality and the overall academic and military programs.

Establishment of the Center for the Study of Character Education.

The publication of a textbook, *Values and Virtues*, which outlines Valley Forge's Character Education Program.

The observance of Loyalty-Law Day and awarding of the Bob Hope 5-Star Award to distinguished Americans.

Organization of the Valley Forge Grandprix now in its eighth year.

The passage of congressional legislation awarding ten 2-year Department of the Army ROTC scholarships yearly to each of the six military junior in the United States.

Finally, the passage of congressional legislation authorizing second lieutenants commissioned in the military junior colleges to be eligible for active duty training with the reserve compenents.

Ladies and gentleman, may I conclude by saying, you have honored Valley Forge Military Academy and Junior College with your presence tonight. We are pleased to have so many distinguished guests on our campus. Please come back to see us—you will always be welcome.●

NEW TECHNOLOGY AND THE FUTURE OF STEEL

● Mr. HEINZ. Mr. President, encouraging information on new technology and the future of the steel industry was presented by David Cantor on July 22, 1985, in testimony before the House Subcommittee on Investigations and Oversight.

After first exploring the background to the current crisis in the steel industry, Mr. Cantor addresses the crucial question of how well the U.S. steel industry is adjusting to changes in the steel market. He finds that U.S. steel producers are rapidly modernizing due to increased competition at home and abroad. He adds that modernization is being energetically pursued with the most sophisticated technologies being employed.

More sobering, though, is the news that, despite the sustained effort by U.S. steel producers to adjust to increased competition, low world demand for steel and unfair foreign trading practices persist, making adjustment a tough process. Nevertheless, the steel industry should be commended for the extent to which it has modernized.

Those of us in the Congress have an obligation to do what we can to help them through the difficult process which remains.

Mr. President, Mr. Cantor's testimony in the House deserves our attention too, and I ask that it be printed in the RECORD.

The testimony follows:

PREPARED TESTIMONY—HEARINGS ON NEW TECHNOLOGY AND THE FUTURE OF STEEL

Mr. Chairman and Members of the Committee: My name is David Cantor. I am a Specialist in Industry Economics in the Economics Division of the Congressional Research Service. I appreciate very much your invitation to participate in these hearings, and the opportunity to share with you the result of my analysis of the steel industry.

Many claims are made, Mr. chairman, that the current difficulties facing the steel

industry are grounded in management decisions of the past. We hear that the industry overbuilt capacity. We are told that the industry took advantage of its market power and was slow to innovate and modernize. The industry itself tells us that it erred in allowing costs to rise in an almost unbridled way. No longer is the industry dominated by a small group of integrated producers that enables it to dictate price and quantity in the steel market. It now includes a new breed of steel-makers, and "minimills", that have become a significant force for competition in the declining or at best stagnant steel market. They and foreign steel producers that sought overseas markets for themselves, have created a highly competitive market environment. Thus, the integrated segment of our industry, which was virtually the only supplier in the U.S. steel market in the past, is unable to utilize its capacity efficiently and profitably. More important, perhaps, the industry finds itself hard pressed financially to undertake those efforts that could conceivably shore up its ability to meet its competition head-on and with reasonable prospects for success.

My research and analysis of developments in the steel industry suggest to me that the fundamental problem of the industry is the adjustment to changes that have occurred in the U.S. steel market. While, in the past, we economists would characterize the structure of the steel market as an oligopoly—a market where only a few sellers supply the product, today, the steel market is highly competitive. Thus, while management decisions relating to price and investment could be made largely independent of the combined market forces of supply and demand in the past, today they are driven by those market forces.

I would suggest, also, that, even in the past, when the industry faced relatively little competition from abroad, from competing materials, and from new entrants into the industry, America's steel industry was to a degree an innovator in developing and implementing new and more efficient processes to make steel. It could innovate, funding its investment from revenues generated in the oligopolistic market that it dominated. In the present market environment of competition, it continues to be an innovator in adopting new technologies for steel-making. Thus, while the evidence may support the thesis that the steel industry has not simply sat back and allowed itself to fall behind with respect to technical innovation, the questions today are the adequacy of its efforts in the past, and its ability to make the additional investments necessary to survive—the minimal goal of any seller even in the theoretically ideal, purely competitive market.

THE POST-WORLD WAR II PERIOD TO 1980

Mr. Chairman, strong claims are made that management decisions of the past may be responsible for the steel industry's dilemmas of today. In particular, let me address the question of overcapacity. If the steel industry overbuilt its capacity in the years and decades following World War II, those decisions resulted in part from federal government policy. Analysts—both those regarded as critics of the industry (Donald Barnett and Louis Schorsch, for example) and those viewed as sympathetic to it (Father William Hogan, for example)—agree on this point. President Truman proposed in his State of the Union Message in 1949:

"(Legislation) to authorize an immediate study of the adequacy of production facilities of materials in critically short supply, such as steel; and if found necessary, to authorize government loans for the expansion of production facilities to relieve such shortages, and furthermore to authorize the construction of such facilities directly if action by private industry fails to meet our needs."

The industry disagreed, contending that the outlook for steel demand did not justify expansion. History is on the side of the industry. In 1951, America's steel industry had about 105 million tons of capacity. Yielding to government pressure, it expanded capacity to about 136 million tons by 1960, at an annual rate of growth of about 2.9 percent. Virtually all of this added capacity was in the form of open-hearth furnaces, which replaced the obsolete Bessemer furnaces. In this same period, U.S. steel demand, while fluctuating in response to changes in the business cycle, actually declined at an annual rate of about −0.8 percent. Although excess capacity was created in the industry, the major steel producers did not hold down prices, which rose at an annual rate of nearly 6 percent.

Let me cite one more example of the effect of government policy on the expansion of steel-making capacity in the United States. In 1954, Bethlehem Steel Corporation attempted to acquire the facilities of Youngstown Sheet and Tube Company. Bethlehem wanted productive capacity in the midwest to serve the growing automotive and appliance markets. The Department of Justice opposed the acquisition on antitrust grounds, a decision that was upheld in the courts in 1958. As a result, and in order to penetrate the midwest steel markets, Bethlehem built in the early 1960s the first large "greenfield" plant constructed in the United States since 1952, its plant at Burns Harbor, Indiana. Let me note that, while government policy may have influenced the expansion of capacity in this case, the decision to build Burns Harbor brought with it one of the first large-scale installations of what has become the predominant steel-making process in the world today, the Basic Oxygen Process. Thus, government policy may have coincidentally contributed to technological innovation and modernization of America's steel industry.

Major expansion of steel-making capacity came to an end by 1960, because of lack of growth in demand and the absence of government pressure to expand steel-making capacity. In the 1960s, steel capacity grew by about 8 million tons, at an annual rate of about 0.6 percent. In this same period, demand grew at a rate of about 3.1 percent per annum. Prices continued to rise in this decade.

Then, we come to the 1970s. In the first half of this decade, there was a substantial net increase in total industry capacity to about 180 million tons. But there are several reasons for this. First, domestic steel demand was rising from about 100 million tons in 1969-70 to over 120 million tons in 1973. Second, we begin to detect the strong presence of the "minimills" into the market; these are the relatively small companies that produce steel from scrap metal in electric furnaces. More than two-thirds of the 12.5-million ton expansion of electric furnace capacity took place in the "minimill" segment of the industry from 1972 to 1975. Furthermore, from 1975 on, virtually all of the growth of electric furnace capability took place in the "minimills".

A third reason for the expansion of steel capacity in the first half of the 1970s is that the large integrated steel companies were engaged in the process of modernization. In particular, the integrated companies were ridding themselves, of outmoded and obsolete capacity. Between 1972 and 1975, the industry closed down nearly 20 million tons of relatively inefficient open-hearth capacity, replacing it with 15 million tons of the more efficient Basic Oxygen capability.

While expansion of capacity reached its peak in the mid-1970s, it declined thereafter. For all intents and purposes, the capacity reduction of about 15 million tons in the last half of the 1970s was the result of the continuing process of modernization, namely the elimination of excess open-hearth capability, and the emergence of a declining trend in steel demand. Electric furnace capacity grew by about 5 millions tons, mainly in the "minimill" segment of the industry. Basic Oxygen capability was cosntant at about 96 to 97 millions tons. The most important development in the last half of the 1970s was the closing down of more than 20 millions tons of inefficient open-hearth furnace capability.

The post-World War II era provides examples of modernization other than replacing the obsolete steel-making processes of the past—Bessemer and open-hearth. The integrated steel companies were active in this modernization process. In 1967, U.S. Steel Corporation commissioned the first continuous caster in the United States for its Gary, Indiana works. National Steel and McClouth Steel installed continuous casters in 1968 and 1969.

In the 1960s, America's steel industry was active in developing the process for the direct reduction of iron ore (DRI). Among these efforts were those of Armco, which built and operated a pilot plant in Kansas City, Missouri in 1966 and later, in 1972, a full-scale commercial plant in Houston, Texas. Two other DRI plants were built in the early 1970s: the Midland-Ross plant in Portland, Oregon and the Georgetown Steel plant in Georgetown, South Carolina. None of these DRI ventures proved to be economically viable, however, owing to the sharp increases in natural gas prices in the late 1970s; the DRI process used natural gas as a basic energy input. Be that as it may, these examples indicate that the U.S. steel industry was clearly experimenting with, developing, and implementing new productive processes in the decades gone by—although the extent to which it made technical progress may have been influenced by its market structure.

Before leaving the past, Mr. Chairman, it is important to point out that the oligopolistic structure of the steel market permitted the dominant firms in the industry to adopt pricing strategies other than those of the competitive market place. In particular, the claim is made that steel companies engaged in what economists label, "administered pricing". That is, price is determined by costs to which a percentage mark-up is added. This is the conclusion of Dr. Zoltan Acs in his recently published study of the steel industry. It is almost taken for granted by one of the industry's most prominent critics, Dr. Robert Crandall. Indeed, though this strategy is becoming increasingly difficult to implement in today's market, it has become the norm on which analysts base their analyses of the industry: for example, the Congressional Budget Office (CBO) estimated the price effects of a steel import quota using an equation in which input costs were explanatory variables. In a market where sellers can exert a significant influence on supply, an administered pricing

strategy might be considered a prudent business decision. But when the structure of the market changes, this pricing strategy gives rise to the problem of not being able to compete on the basis of price.

This is why we hear one steel industry executive after another confess that they allowed costs to run rampant as recently as the early 1970s. Perhaps, they permitted costs to rise so sharply, because they did not recognize that the market structure was changing, and the industry did not recognize the need to adjust to these changes. In testimony before the Senate Judiciary Committee on July 1, 1983, David Roderick, the CEO of United States Steel Corporation, stated:

"Clearly, during the 1970's, it (labor costs) ran amok. Incidently, I am not, you know, banging the steelworkers for this. Keep in mind that we steel companies signed those contracts, so this is joint bargaining. We did this together. We did not do it very well, in my opinion. We got each other into trouble."

Dr. Acs indicates that demand was a minor factor in influencing price, and that costs of production—mainly, those of labor (which were negotiated with the United Steelworkers on an industry-wide basis)—were dominant in explaining steel price behavior. The point is that, in the past at least, the steel industry could accept higher costs of production, passing them through to buyers, because the structure of the market it served was an oligopoly, where competition from other sellers at home and abroad and from other materials was not a significant concern, and where price could rise above the point at which the market would clear.

THE STEEL MARKET TODAY

Mr. Chairman, if I were to use one phrase to describe the steel market today, it would be "adjustment to competition": competition for market share in a stagnant or declining market; competition with the "minimills"; competition with competing materials; and, competition with imports. This competition has been very tough on the integrated segment of the industry at least, although even the "mimimills" are experiencing difficulty in the marketplace. Indeed, the Barnett-Schorsch study of the steel industry is aptly titled—Steel: Upheaval in a Basic Industry.

First, the market for steel is stagnant. For about the past decade, demand for steel has fluctuated around the 100 million ton level. U.S. steel demand reached a high point of nearly 117 million tons in 1978; its low point was about 76 million tons in 1982. In 1984, U.S. steel demand wa about 98 million tons, and forecasts of future demand by Data Resources, Incorporated suggest that steel demand will be at levels of about 100 million tons through the rest of this decade.

Steel demand has not responded to economic growth. One reason for this is the emergence of substitute materials—especially, plastics and aluminum. Indeed, during the 1970s and into the 1980s, a significant drop occurred in the so-called steel intensity of the economy; that is, the ratio of steel input to real Gross National Product. My analysis of trends in steel intensity indicates that it fell by 22 percent in the 1970s, and by another 14-15 percent in the first half of this decade. The downsizing of cars and the increased use of lighter weight materials in cars and construction help to explain this structural shift away from steel. The only bright spot in this analysis is that the date imply that further declines in steel intensity are likely to be very modest. The point is that steel demand is not likely to rise significantly.

At the same time, we have significantly more sellers in this stagnant market. The large integrated companies clearly dominate in terms of capacity: according to data compiled by Acs, the seven largest companies have over 110 million tons of capacity, but there are also at least 60 "minimill" companies with expanding capacity. These "minimills" have been extremely succussful in penetrating the market for structural products. In 1975, electric furnace output, a reasonable surrogate for "minimill" activity accounted for 20 percent of total U.S. steel production; by 1984, they accounted for about 35 percent of the nation's steel output. Their emergency as a force in the industry makes the steel market more competitive, effectively requiring the integrated companies to adjust to the changes in market structure.

Why are they so successful? One, they are small. They do not have to make the investments in blast furnaces and large steelmaking furnaces that the integrated companies must make. Two, they specialize at least for the present in a small range or products. They do not have to have different rolling mill complexes. Three, they are located close to their markets. Thus, their customers incur lower transportation costs than they would if they bought from larger but more distant mills. Four, many employ non-union labor. Thus, they avoid some of the high labor costs and work rules that the unionized integrated companies must operate under. Five, there is some evidence that they benefit from local government assistance: at least one of the most prominent "minimill" companies, Nucor, obtained a substantial amount of its financing through industrial revenue bonds.

But even the future of the "minimills" is debatable. A recent article in Iron Age, a respected trade journal, reported that the traditional market for "minimill" products may be saturated. The article quotes Kenneth Iverson, the CEO of Nucor, as saying:

"In the past, the primary competition for mini-mills was foreign suppliers and integrated producers. Over the last three or four years, this has changed so that the primary competitors today are other minimills—and I expect that to continue into the future."

While praising their accomplishments, the American Iron and Steel Institute observed in its 1985 annual report:

"But now, minimills face the problems of growing maturity. Their financial success is based on high volume sales at low per ton profit margins. But economic growth in some traditional minimill markets seems to be slowing, and as they try to move into higher value products, they find themselves competing for a larger share of still depressed markets."

Furthermore, the "minimills", being scrap-based, are likely to encounter significant problems of quality control, should they expand their product line into flat-rolled products. The uniformity of the quality of the raw material inputs is more important in the latter than in the structural and bar products that "minimills" now produce.

The integrated companies compete not only with other industries and the "minimills" for a share of the stagnant steel market, but also with foreign imports. In 1984, the United States imported steel from over 50 countries. Our steel imports represented over one-fourth of the domestic market. There is some indication that foreign steel companies—in Taiwan, for example—built new capacity to capture overseas markets. Even today, new steel mills are being built in third-world countries: Nigeria and Pakistan recently opened or are close to completion of their new steel mills; Venezuela is constructing a 4.8 million ton mill, which, according to a Forbes magazine article, will produce steel to earn foreign exchange. Despite our industry's efforts to modernize, the steel industries of most other countries are newer than our industry, embodying state-of-art technology. Labor costs overseas are a fraction of ours. Even with the import restraint expected as a result of the President's steel program, foreign producers could expect to hold 20 percent of our market.

The integrated steel industry has attempted to respond to the sluggish marketplace for steel and to the competition it faces at home and abroad. Father Hogan discusses the efforts of the major companies to adjust to the market in his book, Steel in the United States: Restructuring to Compete. I addressed the industry's efforts in my report, America's Steel Industry: Modernizing To Compete; with your permission, I submit this report for the record. Essentially, I found three elements to the steel industry's modernization efforts:

1. Rationalization of existing capacity;
2. Adoption of currently available state-of-art technology; and
3. Research and development of new technologies for steel-making.

Clearly, in a smaller market, a critical element of modernization is the elimination of old and obsolete plant. We saw that the industry was engaged in this effort in the 1970s. Perhaps of greatest long-term promise, we observed that the integrated industry replaced some of its older outmoded capacity with more modern plant. Indeed, let me cite some of the data developed by Barnett and Schorsch on the age of steel plants in the United States and Japan; I think this data will put to rest the idea that our plant is "ancient" and, thus, unable to compete. On average, our steel-making furnaces are about 2 years older than those in Japan; our continous casters are about the same age. Where we lag behind is in the product rolling mills: our mills are from 4 to 10 years older than those in Japan.

Our industry has moved forward vigorously to install state-of-art technologies, although not as aggressively as in other countries. From 1981 to 1983, we has a positive rate of growth of continuously cast output, while most other countries had negative growth rates. In this period, a period marked by severe recession, our steel industry constructed or commissioned more than 16 continuous casters. In 1984, nearly 40 percent of our steel output was continuously cast, nearly double the share in 1980; as a result, the industry is making headway in catching up with foreign producers in the use of this technology.

Companies are planning to install new direct reduction processes using coal, thereby bypassing the coking and blast furnace operations. Wily Korf recently announced plans to install this process in his Wallingford, Connecticut plant. Weirton Steel, formerly part of National Steel, has similar plans, and is seeking funding from the Department of Energy to proceed with them.

Smaller, incremental changes in technology are being installed in steel-making operations. New ladle refining systems are in

place in Armco's Ashland, Kentucky plant; U.S. Steel Corporation is installing such a system at its Fairfield, Alabama plant.

LTV Corporation is engaged in a joint venture with Sumitomo Corporation to install a state-of-art electrogalvanizing mill at its Cleveland works. Again, in spite of the stagnant market, we find continued evidence that the industry is installing or willing to install current state-of-art technology to enhance its ability to produce steel of high quality and in competition with imports.

The modernization effort does not stop here, however. The steel industry in collaboration with federal agencies is engaged in research and development efforts to find even more efficient ways to produce quality steel products. You know of the sensor research being undertaken at the National Bureau of Standards. This effort, if successful, would permit the industry to monitor more precisely the quality of the steel as it moves through the various stages of production: from molten metal to ingots to semi-finished shapes to final products. Similarly, U.S. Steel Corporation and Bethlehem Steel Corporation have joined together with the Department of Energy to develop processes for near net shape casting. This process, if successful, would permit the industry to produce slabs one-fourth the thickness of conventional slabs; these thinner slabs would require less processing than the conventional product, with the result of lower costs.

Thus, we see the industry responding to the forces of competition by utilizing its total plant more efficiently, implementing new processes, and looking forward to still newer developments in steelmaking technology. America's Steel Industry is indeed modernizing to compete.

PROSPECTS AND PROBLEMS IN THE FUTURE

Mr. Chairman, as I look back upon the recent and not-so-recent history of the steel industry, I am impressed by the fact that it has continually engaged in a modernization process. Up to the 1970s, it could undertake this effort in a more comfortable business environment: the "minimills", substitute materials, and competition for relatively more modern foreign industries were not major forces affecting it. But, as we know from the experience of just the past few years, all of these factors have created a major change in the steel industry's business environment; they have thrust it into a highly competitive market.

To survive in this market, integrated steel companies must cut costs. They can do this by developing and installing new processes for making steel. They can do this by eliminating inefficient capacity, replacing it in whole or in part by more modern furnaces and rolling mills. They can attempt to reduce labor costs, and are likely to do so by negotiating work rule changes, lower hourly compensation costs, or both.

The issue is not that the industry will not adopt this strategy for survival in a competitive marketplace; I think it is fair to say that the industry has adopted this strategy. The issue is the adequacy of the effort—particularly in its modernization program. This issue is of interest to Congress, because, when Congress passed the Steel Import Stabilization Act as Title VIII of the Trade and Tariff Act of 1984 (P.L. 98-573), it conditioned any import relief on the industry's reinvestment of its cash flow from steel operations into those operations. Congress and the President were willing to restrict competition in the U.S. steel market for five years, but only if the industry was willing to undertake a modernization program that would enable it to become competitive on its own, one that its former market structure did not require of it.

Mr. Chairman, my analysis of the industry's investment pattern in relation to its cash flow a year ago indicated that the industry was already meeting the requirements of the current law. From 1979 to 1983, the industry invested about 3.5 billion dollars more in steel operations that it generated in cash flow from those operations; over these five years, it invested about 11.5 billion dollars in steel operations, while it generated from operating income and depreciation allowances, about 7.9 billion dollars. While I cannot predict the future investment behavior of the industry, I think it is fair to say that the industry is likely to meet the requirements of the law by investing its cash flow from steel in steel.

But even the industry would agree that the amount of investment necessary to become internationally competitive is far greater than its average annual investment of about 2.4 billion dollars in steel operations in the recent past. President Reagan's Steel Advisory Committee, which functioned from November 1983 to November 1984 with participants from industry, labor, and government, reported that the necessary amount of investment in steel would be in the range of 5 to 5.5 billion dollars per year. (I would note that the Committee's report represented a consensus of the views of its members.) The American Iron and Steel Institute claims that "the domestic steel industry, to maintain 95 million tons of shipments capability in the 1980's, needs to spend about $5.2 billion annually to insure adequate modernization of its facilities." Donald Trautlein, CEO of Bethlehem Steel Corporation, in his testimony before the Senate Finance Committee on June 13, 1985 on the President's tax reform proposal, stated that the industry would fall short of its desired investment goals by about 1.5 billion dollars. Thus, while there is every reason to believe that the steel industry will be in compliance with the law, there is also reason to believe that industry investment would be inadequate for it to become competitive in all markets.

Now, frankly, the industry's estimate of its investment requirements may be inflated. They assume a shipment level of 95 million tons, which implies either a massive surge in demand or virtually no imports. As I have already noted, the demand for steel in the forseeable future is projected by Data Resources, Incorporated to be about 100 million tons per year. The only other possibility is for imports to drop to levels of 5 to 7 million tons, if domestic steel shipments are to rise to 95 million tons; this, too, is improbable. Even if the industry's estimate of capital requirements is too high, it is probably fair to say that they will need substantially more per year than they have invested in steel operations in the recent past.

The industry is likely to encounter great difficulty in raising this capital. Conventional borrowing means interest rates in the range of 13.5 to 16.5 percent today, a premium of from 2 to 5 percentage points above the rate paid by high quality long term borrowers. According to the recent Iron Age report on "minimills", even firms in this segment of the steel industry are experiencing difficulty in borrowing.

Indeed, if the steel industry could borrow at substantially reduced rates of interest, not only would it be able to reduce capital charges, but also it would be better able to implement the results of the research and development efforts going on, and benefit from the lower costs derived from new technology. Consider the following optimistic scenario. I recently estimated that a 3.5 percentage point reduction in the interest rate paid by steel companies could lower costs by about 14 dollars per ton just owing to the change in the rate. In addition, if the companies borrowed to install a continuous caster, total costs of production could be reduced by still another 35 dollars per ton.

Among options for generating the capital the industry says it needs to modernize other than conventional borrowing in the capital markets, there is the possibility of more joint ventures with foreign investors. Note, if you will, the purchase of a 50-percent interest in National Steel by Japan's Nippon Kokan Steel Company. There are other examples as well. Nisshin Steel (Japan) has a 10-percent equity interest in Wheeling-Pittsburgh Steel Company. LTV Steel has a joint venture with Sumitomo Steel (Japan) at its electrogalvanizing plant in Cleveland, Kawasaki Steel (Japan) is providing some of the capital to refurbish the Fontana plant of California Steel Company. Canadian steel companies have invested heavily in some of our "minimill" companies: Chapparall and Raritan River Steel. Joint ventures with foreign steel companies emerge as a real possibility for generating capital.

Another option is to finance modernization by executing what amounts to lease-purchase agreements. Bethlehem Steel Corporation is doing just this in order to acquire its two continuous casters at Burns Harbor and Sparrows Point. The Austrian manufacturer of the casters, Voest-Alpine, will receive a payment per ton of steel produced by the casters at the two plants.

Obviously, government could provide some funding directly or indirectly to finance steel industry modernization. To some extent, it is already doing so. There are already various provisions built into our tax code that benefit the industry. The Department of Energy is involved in a collaborative effort with United States Steel Corporation and Bethlehem Steel Corporation to develop a near net shape casting process. The American Iron and Steel Institute and the National Bureau of Standards are jointly engaged in a research and development project to develop sensors to enhance quality control of steel-making. Your Committee authorized expenditures of, I believe, six million dollars by the Department of Energy for steel research, and additional funds for the National Bureau of Standards.

I emphasize these questions of financing modernization, Mr. Chairman, because, whatever the results of the efforts of the scientists and engineers in developing new technologies for steel-making, they translate into a more modern, efficient, and competitive steel industry only if they can be implemented. There is a major difference between technologcal innovation and economic innovation. In the former, new processes may be developed. In the latter, they must pass the tests of economic viability. Thus, in view of the stagnant outlook for steel demand, the existence of excess capacity in the industry today, and the considerable apprehension on the part of the industry regarding the effectiveness of the President's import restraint program, it would not be surprising if the industry implemented new processes with considerable caution.

Finally, Mr. Chairman, I address the question of the outlook for employment in the steel industry. Most analysts agree that modernization of the steel industry will not result in a resurgence of employment in the industry. For example, installation of a continuous caster to replace ingot-casting and the milling of ingots into semi-finished shapes would, according to the recent report of the National Academy of Engineering, reduce labor input per ton of steel by about 50 percent. Except that demand for domestic steel would rise, it is unlikley that persons on layoff or displaced owing to plant closings would be able to reclaim their jobs.

Let me share with you a report by my colleague at CRS, Linda LeGrande, that was commissioned by the Subcommittee on Science, Research, and Technology of the House Science and Technology Committee, and that they have authorized me to release to you. LeGrande finds that the level of steel industry employment over the next decade may not fall substantially from present levels. But, she also finds that the composition of the labor force in the steel industry will change significantly in the next ten years. The lower skilled personnel will give way to more highly skilled and educated workers. Thus, another implication of modernization is that the characteristics of the labor force are likely to be very different from today's steel workforce. Even if employment were to stay at present levels, many of those currently employed would not be able to retain their jobs. Mr. Chairman, I submit for the record and consideration of this committee, the report by Linda LeGrande, Employment in the Steel Industry: The Shape of Change.

Mr. Chairman, in closing, I find the steel industry to be one that has demonstrated a willingness to modernize and to commit resources to that effort, and I would expect that to continue. This is, I think, most encouraging, because such an attitude is critical to its meeting the challenges of adjusting to a competitive marketplace. America's steel industry, in spite of foreign competition and overall sluggish or declining demand, appears to be anything but a dying industry. But, Mr. Chairman, I am not deluded into thinking that the steel industry will emerge as it is today from its current struggle to become fully competitive at its present size. There is still much obsolete capacity in place. Grave doubts exist regarding the ability of the industry to finance its modernization. I suppose that the outlook for the industry can best be expressed by an industry spokesman, Donald Trautlein, who closed his address to the American Iron and Steel Institute at its 1985 annual meeting with these words:

"We are taking significant steps forward—and we're determined to take more. A lot of good things are happening—and we are making progre[illegible]. While our industry may be slimmer by 1[illegible], it will also be a lot smarter, a lot stronger, and a lot more competitive."●

AMENDMENT OF THE MERCHANT MARINE ACT OF 1936

The PRESIDING OFFICER. The clerk will report S. 1522.

The legislative clerk read as follows:

A bill (S. 1522) to amend section 607 of the Merchant Marine Act, 1936, to ensure consistent use of funds made available for capital construction of vessels, and for other purposes.

Mr. DOLE. Mr. President, I object to further consideration.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

REMOVAL OF INJUNCTION OF SECRECY

Mr. DOLE. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the Vienna Convention for the Protection of the Ozone Layer (Treaty Document No. 99-9), transmitted to the Senate by the President of the United States on September 4, 1985.

I also ask that the treaty be considered as having been read 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.

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

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to ratification, the Vienna Convention for the Protection of the Ozone Layer. The report of the Department of State, the final act of the conference that adopted the Convention, and an environmental assessment and finding of no significant impact are enclosed for the information of the Senate.

The Convention provides a foundation for global multilateral undertakings to protect the environment and public health from the potential adverse effects of depletion of stratospheric ozone. The Convention addresses this important environmental issue primarily by providing for international cooperation in research and exchange of information. It could also serve as a framework for the negotiation of possible protocols containing harmonized regulatory measures that might in the future be considered necessary to protect this critical global resource.

The Convention, which was negotiated and adopted under the auspices of the United Nations Environment Programs [UNEP], will be an important step toward protecting and enhancing public health and the quality of the global environment. The United States played a leading role in the negotiation of the Convention. Expeditious ratification by the United States will demonstrate our continued commitment to progress on this significant environmental issue.

I recommend that the Senate give early and favorable consideration to the Convention and give its advice and consent to ratification.

RONALD REAGAN.

THE WHITE HOUSE, *September 4, 1985.*

SOUTH AFRICA

Mr. DOLE. Mr. President, I want to thank my colleagues for their vote today. I hope that we will not invoke cloture on Wednesday. It will be a close vote because I think now, as I have indicated, it is not the punishment of South Africa. Someone is trying to punish Ronald Reagan. I think that test ought to be met in the same spirit that we have tried to work out an accommodation on South Africa. The President has made a dramatic gesture, not just symbolic, but a real effort to meet Members of Congress more than half way, in fact nearly all the way, in fact probably too far to suit some Members of the Congress, some in both parties. I hope that by Wednesday we can agree that the best course to follow would be to postpone further consideration of the conference report on the antiapartheid bill until some future time so that we can all determine what happens in the interim, not only in South Africa internally, but whether or not the administration, the present administration, the Reagan administration, carries out its commitment under the Executive order, as I have no doubt that it will.

ORDERS FOR TUESDAY

ORDER FOR RECESS UNTIL 2 P.M.

Mr. DOLE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 2 p.m. on Tuesday, September 10, 1985.

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

ORDER FOR RECOGNITION OF CERTAIN SENATOR

Mr. DOLE. Mr. President, I further ask unanimous consent that following the recognition of the two leaders under the standing order, there be special orders in favor of the following Senators for not to exceed 15 minutes each: Senator COHEN, Senator MATTINGLY, Senator SYMMS, and Senator PROXMIRE.

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

ORDER FOR ROUTINE MORNING BUSINESS

Mr. DOLE. Mr. President, I further ask unanimous consent that following the special orders just identified there be a period for the transaction of routine morning business not to extend beyond the hour of 3:30 p.m. with statements limited therein to 5 minutes each.

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

RECESS UNTIL 2 P.M. TOMORROW

Mr. DOLE. Mr. President, there being no further business to come before the Senate, I move, in accordance with the order just entered, that the Senate stand in recess until 2 p.m. on Tuesday, September 10, 1985.

The motion was agreed to; and, at 5:34 p.m., the Senate recessed until tomorrow, Tuesday, September 10, 1985, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate September 9, 1985:

DEPARTMENT OF STATE

Patricia Mary Byrne, of Ohio, a career member of the Senior Foreign Service, class of Minister-Counselor, to be Deputy Representative of the United States of America in the Security Council of the United Nations, with the rank of Ambassador.

Alan Lee Keyes, of Maryland, to be an Assistant Secretary of State, vice Gregory J. Newell.

Natale H. Bellocchi, of New York, a career member of the Senior Foreign Service, class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Botswana.

Michael Sotirhos, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Jamaica.

Jean Broward Shevlin Gerard, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Luxembourg.

Clyde D. Taylor, of Maryland, a career member of the Senior Foreign Service, class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Paraguay.

Roger Kirk, of the District of Columbia, a career member of the Senior Foreign Service, class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Socialist Republic of Romania.

Robert G. Houdek, of Illinois, a career member of the Senior Foreign Service, class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Uganda.

Malcolm Richard Wilkey, of Texas, to be Ambassador Extraordinary and Plentipotentiary of the United States of America to the Oriental Republic of Uruguay.

INTER-AMERICAN FOUNDATION

Elliott Abrams, of the District of Columbia, to be a member of the Board of Directors of the Inter-American Foundation for a term expiring September 20, 1990, vice Langhorne A. Motley.

THE JUDICIARY

David A. Nelson, of Ohio, to be U.S. circuit judge for the sixth circuit vice a new position created by Public Law 98-353, approved July 10, 1984.

James L. Ryan, of Michigan, to be U.S. circuit judge for the sixth circuit vice George Clifton Edwards, Jr., retired.

Stephen V. Wilson, of California, to be U.S. district judge for the central district of California vice a new position created by Public Law 98-353, approved July 10, 1984.

Alan H. Nevas, of Connecticut, to be U.S. district judge for the district of Connecticut vice a new position created by Public Law 98-353, approved July 10, 1984.

David Sam, of Utah, to be U.S. district judge for the district of Utah vice Aldon J. Anderson, retired.

DEPARTMENT OF JUSTICE

Stephen M. McNamee, of Arizona, to be U.S. attorney for the district of Arizona for the term of 4 years vice A. Melvin McDonald, resigned.

William A. Maddox, of Nevada, to be U.S. attorney for the district of Nevada for the term of 4 years, vice Lamond Robert Mills, resigned.

Patrick M. McLaughlin, of Ohio, to be U.S. attorney for the northern district of Ohio for the term of 4 years vice J. William Petro.

Roger Hilfiger, of Oklahoma, to be U.S. attorney for the eastern district of Oklahoma for the term of 4 years, vice Gary Loy Richardson, resigned.

DEPARTMENT OF LABOR

Dennis Miles Kass, of New York, to be an Assistant Secretary of Labor, vice Donald L. Dotson.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Ronald E. Robertson, of Virgnia, to be General Counsel of the Department of Health and Human Services, vice Juan A. del Real, resigned.

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

Marshall Jordan Breger, of the District of Columbia, to be Chairman of the Administrative Conference of the United States for the term of 5 years, vice Loren A. Smith.

CONSUMER PRODUCT SAFETY COMMISSION

Carol Gene Dawson, of Virginia, to be a Commissioner of the Consumer Product Safety Commission for a term of 7 years from October 27, 1985. (Reappointment)

ENVIRONMENTAL PROTECTION AGENCY

Lawrence J. Jensen, of Virginia, to be an Assistant Administrator of the Environmental Protection Agency, vice Jack E. Ravan.

Jennifer Joy Manson, of Virginia, to be an Assistant Administrator of the Environmental Protection Agency, vice Josephine S. Cooper, resigned.

EXECUTIVE OFFICE OF THE PRESIDENT

M. Alan Woods, of the District of Columbia, to be a Deputy United States Trade Representative, with the rank of Ambassador, vice Robert Emmet Lighthizer, resigned.

FEDERAL EMERGENCY MANAGEMENT AGENCY

James P. McNeill, of Maryland, to be an Associate Director of the Federal Emergency Management Agency, vice Fred Joseph Villella.

FEDERAL MARITIME COMMISSION

Edward V. Hickey, Jr., of Virginia, to be a Federal Maritime Commissioner for the remainder of the term expiring June 30, 1986, vice Alan Green, Jr., resigned.

Francis J. Ivancie, of Oregon, to be a Federal Maritime Commissioner for the remainder of the term expiring June 30, 1987, vice Robert Setrakian, resigned.

GENERAL SERVICES ADMINISTRATION

William R. Barton, of Virginia, to be Inspector General, General Services Administration, vice Joseph A. Sickon, resigned.

NATIONAL SCIENCE FOUNDATION

Craig C. Black, of California, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 1990, vice David V. Ragone, term expired.

Charles L. Hosler, of Pennsylvania, to be a Member of the National Science Board, National Science Foundation, for the remainder of the term expiring May 10, 1988, vice John H. Moore.

SECURITIES INVESTOR PROTECTION CORPORATION

Roger A. Yurchuck, of Ohio, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 1987. (reappointment)

U.S. ADVISORY COMMISSION ON PUBLIC DIPLOMACY

Herbert Schmertz, of New York, to be a member of the U.S. Advisory Commission on Public Diplomacy for a term expiring April 6, 1988. (reappointment)

Edwin J. Feulner, Jr., of Virginia, to be a member of the U.S. Advisory Commission on Public Diplomacy for a term expiring July 1, 1988. (reappointment)

E. Robert Wallach, of California, to be a member of the U.S. Advisory Commission on Public Diplomacy for a term expiring July 1, 1988. (reappointment)

U.S. INTERNATIONAL TRADE COMMISSION

Anne E. Brunsdale, of the District of Columbia, to be a member of the U.S. International Trade Commission for the term expiring June 16, 1993, vice Veronica A. Haggart, resigned.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Richard H. Francis, of Virginia, to be President of the Solar Energy and Energy Conservation Bank, vice Joseph S. Bracewell.

DEPARTMENT OF AGRICULTURE

Raymond D. Lett, of Virginia, to be an Assistant Secretary of Agriculture, vice C.W. McMillan, resigned.

Raymond D. Lett, of Virginia, to be a member of the Board of Directors of the Commodity Credit Corporation, vice C.W. McMillan.

DEPARTMENT OF STATE

Winston Lord, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the People's Republic of China.

U.S. INSTITUTE OF PEACE

Sidney Lovett, of Connecticut, to be a member of the Board of Directors of the U.S. Institute of Peace for a term of 2 years expiring January 19, 1987 (new position).

John Norton Moore, of Virginia, to be a member of the Board of Directors of the U.S. Institute of Peace for a term of 4 years expiring January 19, 1987 (new position).

Richard John Neuhaus, of New York, to be a member of the Board of Directors of the U.S. Institute of Peace for a term of 2 years expiring January 19, 1987 (new position).

DEPARTMENT OF STATE

James W. Spain, of California, a career member of the Senior Foreign Service, class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Maldives.

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NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Helen Marie Taylor, of Virginia, to be a member of the National Council on the Humanities for a term expiring January 26, 1990, vice Mary Beth Norton, term expired, to which position she was appointed during the recess of the Senate from June 29, 1984, until July 23, 1984.

DEPARTMENT OF ENERGY

Charles A. Trabandt, of Virginia, to be a member of the Federal Energy Regulatory Commission for a term expiring October 20, 1988, vice Georgiana H. Sheldon, term expired.

U.S. INSTITUTE OF PEACE

W. Bruce Weinrod, of the District of Columbia, to be a member of the Board of Directors of the U.S. Institute of Peace for a term of 2 years expiring January 19, 1987. (new position)

IN THE AIR FORCE

The following officers for appointment in the U.S. Air Force to the grades indicated, under the provisions of section 624, title 10 of the United States Code:

To be major general

Brig. Gen. Stuart E. Barstad, [redacted] FR, U.S. Air Force, Chaplain.

To be brigadier general

Col. John P. McDonough, [redacted] FR, U.S. Air Force, Chaplain.

IN THE ARMY

The following-named Army Medical Service Corps officer for appointment in the U.S. Army to the grade indicated under the provisions of title 10, United States Code, sections 611(a) and 624:

To be permanent brigadier general

Col. Walter F. Johnson III, [redacted] Medical Service Corps, U.S. Army.

IN THE NAVY

The following-named officer for appointment as Vice Chief of Naval Operations pursuant to title 10, United States Code, section 5085:

To be vice chief of naval operations

Vice Adm. James B. Busey IV, [redacted] /1310, U.S. Navy.

The following-named officer having been designated for command and other duties of importance and responsibility within the contemplation of title 10, United States Code, section 601, for appointment to the grade of admiral while so serving:

To be admiral

Vice Adm. James B. Busey, IV, [redacted] /1310, U.S. Navy.

The following-named officer, under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be admiral

Adm. Lee Baggett, Jr., [redacted] /1110, U.S. Navy.

The following-named officer, under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be admiral

Adm. Ronald J. Hays, [redacted] /1310, U.S. Navy

The following-named officer, under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be admiral

Vice Adm. James A. Lyons, Jr., [redacted] /1110, U.S. Navy.

The following-named officer, under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be admiral

Vice Adm. Arthur S. Moreau, Jr., [redacted] U.S. Navy.

The following-named officer, under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be admiral

Vice Adm. Carlisle A. H. Trost, [redacted] /1120, U.S. Navy.

The following-named officer to be placed on the retired list in the grade indicated under title 10, United States Code, section 1370.

To be vice admiral

Vice Adm. Richard A. Miller, [redacted] /1310, U.S. Navy.

The following-named officer, under the provisions of title 10, United States Code, section 711, to be reassigned in his current grade to be senior Navy member of the Military Staff Committee of the United Nations and to a position of importance and responsibility designated by the President under title 10, United States Code, section 601.

To be senior Navy member of the Military Staff Committee of the United Nations

Vice Adm. Donald S. Jones, [redacted] /1310, U.S. Navy.

The following-named officer, under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be vice admiral

Rear Adm. Joseph B. Wilkinson, Jr., [redacted] /1310, U.S. Navy.

The following-named captains of the Reserve of the U.S. Navy for permanent promotion to the grade of commodore in the line and staff corps, as indicated, pursuant to the provisions of title 10, United States Code, section 5912:

UNRESTRICTED LINE OFFICERS

John William Gates, Jr.
Stephen Gordon Yusem
Richard Squier Fitzgerald
Samuel Edward McWilliams

ENGINEERING DUTY OFFICER

Paul Keith Arthur

MEDICAL CORPS OFFICERS

Robert Layman Summitt
Robert Conrad Nuss

SUPPLY CORPS OFFICER

James Hock Mayer

IN THE AIR FORCE

The following-named officers for permanent promotion in the U.S. Air Force, under the provisions of section 628, title 10, United States Code, as amended, with dates of rank to be determined by the Secretary of the Air Force:

LINE OF THE AIR FORCE

To be colonel

Sahd, Theodore M., [redacted]

To be lieutenant colonel

Fedak, William A., [redacted]

To be major

Saletta, Gaetana M., [redacted]

JUDGE ADVOCATE

To be major

Kinsella, James M., [redacted]

IN THE AIR FORCE

The following officers for promotion as a reserve of the Air Force under the provisions of sections 593, 8366, and 8372, title 10 United States Code. Promotions made under section 8372 and confirmed by the Senate under section 593 shall bear an effective date of September 30, 1985. All other officers shall be promoted upon completion of 7 years of promoting service and 21 years of total service:

LINE OF THE AIR FORCE

Major to lieutenant colonel

Ables, Charles D., [redacted]
Affronti, Anthony C., [redacted]
Ahlgren, David L., [redacted]
Allen, James R. [redacted]
Anderson, Arlan J., [redacted]
Anderson, John W., [redacted]
Andrew, Gary L. [redacted]
Antonich, Lawrence J., [redacted]
Armistead, John H., Jr., [redacted]
Arnette, William T., [redacted]
Asai, Melvin H. [redacted]
Ashley, Roger M., [redacted]
Atherton, Alan B. [redacted]
Atkins, Larry L. [redacted]
Atwood, Charles L., [redacted]
August, Rudolph L., [redacted]
Augustine, William L., [redacted]
Ayres, Paul J. [redacted]
Baber, James J., Jr., [redacted]
Baldauf, John A., [redacted]
Ball, John F. [redacted]
Ball, Michael S., [redacted]
Bame, Karl T. [redacted]
Bandsuch, Ronald M., [redacted]
Banks, Thomas W., [redacted]
Barenz, Roger K., [redacted]
Barker, Robert J., [redacted]
Barksdale, Ronald D., [redacted]
Barley, Raymond H., [redacted]
Barnard, Robert R.S., [redacted]
Barnett, Wayne C., [redacted]
Barrow, Raymond S.S., [redacted]
Barry, Robert A. [redacted]
Barton, Elvertt J., [redacted]
Batz, Raymond E., [redacted]
Baughn, Brent F., [redacted]
Beattie, Charles W., [redacted]
Bergh, Philip J. [redacted]
Bernhard, Alan T., [redacted]
Bever, Michael R. [redacted]
Beyer, Paul K [redacted]
Bielinski, Barry T., [redacted]
Bienvenu, Leo A., Jr., [redacted]
Bledsoe, Harry R., [redacted]
Blomgren, Alan A., [redacted]
Boesz, Daniel L., [redacted]
Bohr, William M., [redacted]
Bok, Frederick C., [redacted]
Bond, Robert L., [redacted]
Bonneau, Leroy R., Jr., [redacted]
Bargel, Gregory E., [redacted]
Borkholder, Dale. [redacted]
Bosworth, Melvin L., [redacted]
Boutz, Gary M. [redacted]
Bowden, John D., [redacted]
Bowen, Brent L. [redacted]
Bowman, Norman H., Jr., [redacted]

Bradley, Michael J. H., [redacted]
Brady, Albert L., [redacted]
Brady, Malcolm W., [redacted]
Branch, George H., III, [redacted]
Brentnall, Robert N., [redacted]
Brice, Richard L., [redacted]
Brost, Robert N., [redacted]
Brown, Harry C., Jr. [redacted]
Brown, Wayne G., [redacted]
Brubaker, David E., [redacted]
Brueckner, Richard C., [redacted]
Bruehler, Gary L., [redacted]
Brummet, Don C., [redacted]
Bruns, Tonu., [redacted]
Buchholz, John H. K., [redacted]
Buckley, Philip V., Jr., [redacted]
Bucklin, Leonard E., [redacted]
Buckman, Roger G., [redacted]
Bunch, Dennis V., [redacted]
Burnette, William H., [redacted]
Bush, Gerald V., [redacted]
Cahill, Richard W., [redacted]
Caldwell, George W., [redacted]
Caldwell, James A. [redacted]
Calfee, James R., [redacted]
Callison, Thomas C., [redacted]
Canicatti, Carl L., [redacted]
Canorro, Michael A., [redacted]
Carlson, David A., [redacted]
Carroll, Robert G. H., III, [redacted]
Carson, James M., [redacted]
Cassidy, Jerry L., [redacted]
Cassidy, Thomas J., [redacted]
Cathie, Walter C., [redacted]
Chapel, William E., [redacted]
Chik, Phillip L., [redacted]
Chun, Andrew K.T., [redacted]
Chung, Warren W.K., [redacted]
Cisneros, Charles E., [redacted]
Clark, Thomas F., [redacted]
Clark, Virgil D., [redacted]
Clarke, Walter H., Jr., [redacted]
Clifford, Kenneth T., [redacted]
Cogswell, Jerry C., [redacted]
Cohen, Barry L., [redacted]
Cohen, William A., [redacted]
Coker, Richard W., [redacted]
Cole, Bruce D., [redacted]
Colwell, Edward M., [redacted]
Compton, Ronald J., [redacted]
Conway, John L., III, [redacted]
Conwell, George D., [redacted]
Cooper, Paul R., [redacted]
Cop, Ronald E., [redacted]
Cornette, Jimmy C., [redacted]
Correa, Agustin [redacted]
Corte, Joseph E. [redacted]
Counts, Jake S., [redacted]
Courchesne, Andre W., [redacted]
Cravens, Douglas C., Jr., [redacted]
Creech, David L., [redacted]
Crist, Neil B., [redacted]
Croker, Richard J., [redacted]
Cromer, Daniel H., Jr., [redacted]
Cubbage, Donnie D., [redacted]
Cucullu, Carl R., [redacted]
Cullison, James D., [redacted]
Cunningham, Gary M., [redacted]
Cunningham, Monty [redacted]
Czekanski, James P., [redacted]
Daly, Daniel F., [redacted]
Dangelo, George A., [redacted]
Davie, Anderson Jr., [redacted]
Davis, Larry K., [redacted]
Davis, Richard C., [redacted]
Daw, Owen B., [redacted]
Dean, Robert C., [redacted]
Delaura, Lewis [redacted]
Dent, Robert M., [redacted]
Deschanes, Bernard O., [redacted]
Despain, Thomas H., [redacted]
Deterich, David F., [redacted]
Dickie, William R., [redacted]
Dillon, Joseph J., [redacted]

Dipietro, Gilbert J., [redacted]
Disrud, Roger G., [redacted]
Dobashi, Myron N., [redacted]
Dobias, Charles D., [redacted]
Doherty, John A.F., [redacted]
Domke, Warren E., [redacted]
Donahue, Joseph P., III, [redacted]
Dothard, Raymond D., Jr., [redacted]
Dow, Charles L., [redacted]
Dowdle, Herbert E., [redacted]
Dozier, John E., IV, [redacted]
Dubis, William, [redacted]
Duda, Robert M., [redacted]
Dunks, Paul I., [redacted]
Dunlap, Richard S., [redacted]
Dunn, Eugene K., [redacted]
Dura, Julius G., [redacted]
Dushek, Robert E., [redacted]
Dyck, John W., Jr., [redacted]
Edkins, David, [redacted]
Edkins, Herbert B., Jr., [redacted]
Edwards, William B., III, [redacted]
Ellard, Norman E., [redacted]
Ells, David B., [redacted]
Epstein, Paul D., [redacted]
Esterby, Brain E., [redacted]
Eustace, Richard, J., [redacted]
Evans, John W., [redacted]
Evans, Richard S., [redacted]
Exline, Kenneth M., [redacted]
Farrell, Richard L., [redacted]
Faulkner, James P., [redacted]
Fee, Jerry W. [redacted]
Feighny, James P., III, [redacted]
Feltes, Lorentz A., [redacted]
Felton, Reginald L., [redacted]
Fischer, James H., [redacted]
Fischer, Richard L., [redacted]
Fisher, David R., [redacted]
Fitzgerald, Clifford P., [redacted]
Fo Godfrey Y.K., [redacted]
Foegler, Frank W., [redacted]
Forhan, Richard M., [redacted]
Foss, Frederick J., [redacted]
Foster, John C., Jr. [redacted]
Frohman, David R., [redacted]
Frye, Reginald F., [redacted]
Fujimoto, Douglas J., [redacted]
Furlong, James P., [redacted]
Gadd, Clayton T., [redacted]
Gagnon, Joseph A.J., [redacted]
Galaway, Robbie L., [redacted]
Galbach, Charles R., [redacted]
Galbreath, Thomas E., [redacted]
Gallagher, David J., [redacted]
Gallagher, John V., [redacted]
Gamel, Larry L., [redacted]
Garcia, Juventino R., [redacted]
Gauthier, Wayne M., [redacted]
Gazda, Richard S., [redacted]
Geddings, William R., [redacted]
Gelven, Don R., [redacted]
Gendreau, Raymond J., [redacted]
Generale, John T., Jr., [redacted]
Giles, James T., Jr., [redacted]
Gilliom, David C., [redacted]
Gilstad, Claire J., [redacted]
Gingerich, Jon S., [redacted]
Gjede, Michael F., [redacted]
Glaze, Robert M., [redacted]
Goetz, Wayne A., [redacted]
Gopon, Leon M., [redacted]
Gorka, James A., [redacted]
Goutas, John N., [redacted]
Graham, Frederick R., [redacted]
Grant, Clayton, [redacted]
Grant, Robert E., [redacted]
Grawi, Franklin L., [redacted]
Gray, Jack E., II, [redacted]
Gregory, Amzi, [redacted]
Gregory, Leo T., [redacted]
Grimes, Robert R., [redacted]
Gritsavage, John R., [redacted]
Groves, Brian M., [redacted]

Gruendemann, Paul A., [redacted]
Guevara, Wenceslao R., [redacted]
Gulck, John K., [redacted]
Gunn, Wesley R., [redacted]
Gunter, George W., [redacted]
Hagar, Christopher D., [redacted]
Halapin, Richard A., [redacted]
Halatin, Theodore J., [redacted]
Haley, Paul E., [redacted]
Hall, Eugene M., [redacted]
Hall, Larry B [redacted]
Hall, Richard F., [redacted]
Hammond, Lawrence E., [redacted]
Hanson, Henry N.G., [redacted]
Harbottle, John C., [redacted]
Harbstreet, Karl E., [redacted]
Hargis, Thomas G., [redacted]
Harkleroad, Wendell J., [redacted]
Harlan, Alfred R., [redacted]
Harper, Robert C., [redacted]
Harris, David C., [redacted]
Harris, Max H., [redacted]
Harris, Reuben E., Jr., [redacted]
Harrison, Wayne L., [redacted]
Haughwout, John D., [redacted]
Hayden, Robert J., [redacted]
Hayne, Robert W., [redacted]
Hazelton, Courtlan C., [redacted]
Hebert, Eugene A., [redacted]
Hembree, Clayton E., [redacted]
Herman, Robert E., [redacted]
Hicks, Victor M., [redacted]
Hittinger, Walter A., [redacted]
Hobbs, Douglas D., [redacted]
Hobson, Richard J., [redacted]
Hockenberger, John E., [redacted]
Hodges, John H., Jr., [redacted]
Hoffmeyer, Ronald A., [redacted]
Holden, Donald B., [redacted]
Hollar, Herbert L., [redacted]
Hollstein, John A., [redacted]
Holly, Wayne, K., [redacted]
Holman, Richard D., [redacted]
Hoskins, Melvin D., [redacted]
House, Richard A., II, [redacted]
Houston, Dean., [redacted]
Houston, Larry J., [redacted]
Houston, William G., [redacted]
Howe, Marcella M., [redacted]
Huber, Donald L., [redacted]
Hudson, Gaynor M., [redacted]
Huffman, George R., Jr., [redacted]
Huffman, Lawrence C., [redacted]
Hughes, David A., [redacted]
Hull, James H., Jr., [redacted]
Hunter, Gary K., [redacted]
Hutcheson, Charles M., [redacted]
Hutchins, Lee R., [redacted]
Hutter, Raymond R., [redacted]
Hyland, James B., [redacted]
Isaacson, Richard S., [redacted]
Israel, Marvin J., [redacted]
Ivy, Robert S., [redacted]
James, Isiah, Jr., [redacted]
James, Michael G., [redacted]
Jensen, Mark [redacted]
Jobanek, Jan M., [redacted]
Johnson, Gary N., [redacted]
Johnson, Harold R., [redacted]
Johnson, James M., [redacted]
Johnson, John M., [redacted]
Johnson, Kenneth L., [redacted]
Johnson, Kirby S., [redacted]
Johnson, Steven C., [redacted]
Jolley, Joseph P., Jr., [redacted]
Jones, Dennis B., [redacted]
Jones, Robert O., [redacted]
Jones, Stanley R., [redacted]
Jones, Walter B., Jr., [redacted]
Jopling, Bill R., [redacted]
Kalin, Robert E., [redacted]
Kalish, Robert J., [redacted]
Kaplan, Stephen J., [redacted]
Kappel, Steven T., [redacted]

Karsner, William S., [redacted]
Katz, Judd A., [redacted]
Keast, Dennis D., [redacted]
Keener, David R., [redacted]
Keller, Ronald S., [redacted]
Kelly, John E., [redacted]
Kelly, Kraig K., [redacted]
Key, Gerald A., [redacted]
Kimball, Abraham F., Jr., [redacted]
Kinder, Jerome C., [redacted]
King, Charles H., [redacted]
King, Gerald W., Jr., [redacted]
King, Richard C., [redacted]
King, Thomas J., [redacted]
Kirby, Andrew D., [redacted]
Kirkham, Edward E., Jr., [redacted]
Kiya, Michael K., [redacted]
Knepper, John D., [redacted]
Knoll, Marvin E., [redacted]
Kolp, Terry J., [redacted]
Kosmo, Thomas M., [redacted]
Kressley, Dale F., [redacted]
Kroener, Robert A., [redacted]
Krueger, Peter D., [redacted]
Krull, Larry G., [redacted]
Krzykoski, Stephen H., [redacted]
Kubiak, Gerald, [redacted]
Kuhns, William R., [redacted]
Kunzweiler, Donald J., [redacted]
Labarro, Angelo J., [redacted]
Lacher, Robert L., Sr., [redacted]
Lake, Robert S., [redacted]
Lang, Kenneth J., [redacted]
Langley, Robert W., [redacted]
Largent, Ronald D., [redacted]
Lassiter, Albert E., [redacted]
Leary, Gerald M., [redacted]
Leboeuf, Robert L., [redacted]
Lebron, Archie C., [redacted]
Lee, David T., [redacted]
Lee, Robert P., [redacted]
Lee, William J., Jr., [redacted]
Lefkowitz, Victor M., [redacted]
Leming, Jack D., [redacted]
Levar, John M., [redacted]
Levin, Edward P., [redacted]
Levy, Martin A., [redacted]
Lilly, Daniel E., [redacted]
Little, Lowell P., Jr., [redacted]
Little, Robert J., Jr., [redacted]
Logan, Richard J., [redacted]
Long, James F., Jr., [redacted]
Lopshire, Larry T., [redacted]
Lucchetti, Lynn L., [redacted]
Lyon, David H., [redacted]
MacMillan G. Brian, [redacted]
MacPherson, Mercer R., [redacted]
Mahsman, Gerrit E., [redacted]
Malis, Albert D., [redacted]
Malley, John C., [redacted]
Maluke, Edward M., [redacted]
Mark, Jonathan G., [redacted]
Marlow, Olen D., Jr., [redacted]
Marshall, Kenneth R., [redacted]
Martin, Clark W., [redacted]
Martin, Joe L., [redacted]
Masek, Richard T., [redacted]
Matlock, Richard A., Jr., [redacted]
Matney, John R., [redacted]
Matzko, Richard W., [redacted]
Mazar, Tibor P., [redacted]
McCaffrey, John T., Jr., [redacted]
McCampbell, Stephen S., [redacted]
McClenon, David W., [redacted]
McDaniel, Patrick J., [redacted]
McElroy, Louis H., [redacted]
McGuiness, Regina M., [redacted]
McKechnie, Robert R., Jr., [redacted]
McKinley, William G., [redacted]
McRae, Dudley A., Jr., [redacted]
Meilstrup, Ronald V., [redacted]
Melrose, Mark W., [redacted]
Merkl, Frank J., [redacted]
Messecar, Thomas M., [redacted]
Mestemaker, Robert J., II, [redacted]
Meyer, Robert L., [redacted]
Michel, Joseph B., [redacted]
Mickley, Jon E., [redacted]
Mielke, Ronald W., [redacted]
Mildenberger, George B., [redacted]
Miller, Jackie R., [redacted]
Miller, John O., [redacted]
Miller, Michael E., [redacted]
Miller, Stephen H., [redacted]
Millet, Robert J., [redacted]
Milligan, William A., [redacted]
Morihara, Gerald T., [redacted]
Morris, John E., [redacted]
Morrison, Kenneth L., [redacted]
Morrison, William J., [redacted]
Morrissey, John W., [redacted]
Mullen, Russell E., [redacted]
Munozrovira, Francisco V., [redacted]
Munson, Kenneth E., [redacted]
Murakami, James H., [redacted]
Muth, John S., [redacted]
Myers, David R., [redacted]
Neelon, Joseph G., [redacted]
Neely, Richard B., [redacted]
Neisius, Leon J., [redacted]
Nelson, George F., [redacted]
Nelson, Terence M., [redacted]
Newcomb, Wallace G., [redacted]
Nickerson, Ronald A., [redacted]
Niemann, William L., [redacted]
Nishimura, Kenneth S., [redacted]
Noble, Stephen C., [redacted]
Nordeck, Charles D., [redacted]
Nowicki, Thomas J., [redacted]
Odell, Thomas M., [redacted]
Ogilvie, Victor N., [redacted]
Okeefe, Jacqueline M., [redacted]
Olson, Arthur E., Jr., [redacted]
Olson, Ralph C., [redacted]
Olson, Russell T., [redacted]
Omelia, Thomas L., Jr., [redacted]
Owen, Charles W., [redacted]
Palmer, Anthony M., [redacted]
Parrott, Emmons F., [redacted]
Pascal, James B., [redacted]
Patterson, Ryan R., [redacted]
Pedigo, Harold W., [redacted]
Penney, Richard L., [redacted]
Pero, Kyle F., [redacted]
Petschke, Charles A., [redacted]
Petz, Michael J., [redacted]
Pignitor, Raymond P., [redacted]
Pitts, Laurens M., [redacted]
Pluska, James W., [redacted]
Pond, Betty L., [redacted]
Poorman, John M., [redacted]
Priest, Robert H., [redacted]
Proctor, Ronald L., [redacted]
Purtee, David M., [redacted]
Radcliffe, Allen B., Jr., [redacted]
Ramming, Frank F., [redacted]
Randolph, Ronnie E., [redacted]
Ranta, Charles L., [redacted]
Rapagnani, Nazareno L., [redacted]
Rapalski, Jan P., [redacted]
Ratino, David A., [redacted]
Rawlings, George L., Jr., [redacted]
Ray, Paul A., [redacted]
Reardon, John T., [redacted]
Reddick, William C., [redacted]
Reed, Roland O., [redacted]
Reifsnyder, David W., [redacted]
Renairi, Richard C., [redacted]
Render, Charles R., [redacted]
Renick, Joseph D., [redacted]
Reuther, David W., [redacted]
Reyes, Leonard L., [redacted]
Reynolds, Michael J., [redacted]
Ricciuto, Michael, Jr., [redacted]
Richardson, Burke D., [redacted]
Richardson, Clifford E., III, [redacted]
Richardson, Mark M., [redacted]
Ridley, William E., Jr., [redacted]
Riess, Michael T., [redacted]
Ritchie, Edward A., [redacted]
Ritsche, David A., [redacted]
Roberto, Mario M., [redacted]
Robinson, Ronald W., [redacted]
Roels, Timothy J., [redacted]
Rogers, John J., [redacted]
Rogers, Roger A., [redacted]
Rojeck, Gerald, [redacted]
Rolle, Lawrence M., [redacted]
Ross, Donald J., [redacted]
Rouse, George E., [redacted]
Rudwick, Thomas W., Jr., [redacted]
Rue, Michael J., [redacted]
Ruff, Donald E., [redacted]
Russell, Rodney O., [redacted]
Santana, Angel M., [redacted]
Saunders, Edward G., [redacted]
Sautter, Paul J., [redacted]
Savage, Charles A., Jr., [redacted]
Savoie, David L., [redacted]
Schenk, John F., [redacted]
Schexnaildre, John F., [redacted]
Schexnayder, Joel W., [redacted]
Schlitt, Sanford, [redacted]
Schmeil, Paul F., [redacted]
Schneider, Marlowe A., [redacted]
Schnoor, Kirke G., II, [redacted]
Scott, Clyde A., Jr., [redacted]
Sedlacko, Martin P., [redacted]
Seifert, Marlin R., [redacted]
Sellars, John M., [redacted]
Seranian, Jack P., [redacted]
Sevier, James M., [redacted]
Shaver, Robert M., [redacted]
Shealy, Joel W., [redacted]
Sheffield, Major J., [redacted]
Sher, Harry L., [redacted]
Sherman, Paul E., Jr., [redacted]
Sherman, Richard H., [redacted]
Sherman, Thomas W., [redacted]
Sherwood, Terrence L., [redacted]
Shipp, William L., [redacted]
Sickafoose, Gerald D., [redacted]
Sies, Charles M., [redacted]
Simmons, Joseph R., Jr., [redacted]
Simon, Attila T., [redacted]
Siwik, Jon M., [redacted]
Skoll, Gerald R., [redacted]
Slater, Bruce P., [redacted]
Slaughter, Jimmy L., [redacted]
Smith, David H., [redacted]
Smith, Gary L., [redacted]
Smith, Hartley R., II, [redacted]
Smith, John F., [redacted]
Smith, Morron C., Jr., [redacted]
Smith, Paul K., [redacted]
Smith, Stephen A., [redacted]
Solloway, Richard P., [redacted]
Songer, Surain S., Jr., [redacted]
Southall, David C., [redacted]
Sparks, James W., [redacted]
Spayd, Thomas F., [redacted]
Speegle, Bobby L., [redacted]
Spells, Roy R., [redacted]
Spieler, Richard E., [redacted]
Spindle, David H., [redacted]
Squire, Gordon, C., [redacted]
Squyres, Ted L., [redacted]
Stafford, Gerald L., [redacted]
Stamburgh, Thomas E., [redacted]
Steele, Fred M., III, [redacted]
Stephan, Jerry N., [redacted]
Stickler, Edward A., [redacted]
Stifter, Carl F., [redacted]
Stoltz, Steve J., [redacted]
Stone, George E., Jr., [redacted]
Stone, Robert A., [redacted]
Stoy, Henry L., [redacted]
Stramandinoli, Pasquale A., [redacted]
Stratton, Donald J., [redacted]
Stucka, Daniel A., [redacted]
Suffern, Edward S., [redacted]
Sullivan, John A., [redacted]

Swallow, James F., III, [redacted]
Swanick, David R., Jr., [redacted]
Swanson, Byron C., II, [redacted]
Tanner, Richard R., [redacted]
Tapp, Ronnie L., [redacted]
Taylor, Anthony C., [redacted]
Taylor, Byron D., [redacted]
Taylor, Royce D., [redacted]
Terhall, Jude H., [redacted]
Thomas, Johnie D., [redacted]
Thompson, Steven A., [redacted]
Thrower, Stephen W., [redacted]
Tobias, Robert L., [redacted]
Toles, Marvin D., [redacted]
Tracy, William B., [redacted]
Traenkner, David P., [redacted]
Trance, Francis R., [redacted]
Trimble, Vernon L., [redacted]
Trinkle, Nelson C., [redacted]
Troy, Stephen R., [redacted]
Tucker, William T., [redacted]
Tullos, George B., [redacted]
Tuttle, Richard W., [redacted]
Upton, Peter M., [redacted]
Valentine, Craig A., [redacted]
Valentine, Raymond L., [redacted]
Vandenbossche, James V., [redacted]
Vandyke, Norman D., [redacted]
Vanfossen, Jerry S., [redacted]
Vannamee, James F., Jr., [redacted]
Vargo, Dennis M., [redacted]
Vasel, Roy T., [redacted]
Verholek, Michael G., [redacted]
Vest, Michael S., [redacted]
Vondrak, Richard E., [redacted]
Wall, William F., [redacted]
Walters, Maynard Z., [redacted]
Waterhouse, Kim S., [redacted]
Waters, Durand C., [redacted]
Weatherman, Jerald G., [redacted]
Webster, James S., [redacted]
Weedin, George R., [redacted]
Weismiller, Richard A., [redacted]
Wells, Lee L., [redacted]
Wheatley, Tenney H., Jr., [redacted]
White, Allan G., [redacted]
Whitehouse, Robert E., [redacted]
Whitsett, James W., [redacted]
Whitten, Rodney D., [redacted]
Whitty, Richard F., [redacted]
Wilke, Marshal R., [redacted]
Wilkins, Jeffrey A., [redacted]
Wilkinson, David L., [redacted]
Williams, Anthony D., [redacted]
Williams, John R., [redacted]
Williams, Richard M., [redacted]
Williams, Thomas M., [redacted]
Willis, Paul K., Jr., [redacted]
Wilson, Earl K., Jr., [redacted]
Wilson, James E., [redacted]
Winter, Lester W., [redacted]
Wisby, Thomas M., [redacted]
Wolfe, Alex V., [redacted]
Wolfe, Peter J., [redacted]
Woodfork, Jerry L., [redacted]
Woolley, Wallace K., [redacted]
Wortmann, John R., [redacted]
Wright, David E., [redacted]
Wright, William N., [redacted]
Yamasaki, Wayne J., [redacted]
Yano, George, [redacted]
Yasumoto, Stanley Y., [redacted]
Yavno, Michael G., [redacted]
Zuleeg, Ralph C., [redacted]
Zumbrunnen, Thomas P., III, [redacted]

CHAPLAIN CORPS

Baum, Denis B., [redacted]
Green, Paul P., [redacted]
Heyward, John W., Jr., [redacted]
Kahlich, Daniel P., [redacted]

DENTAL CORPS

Benning, Allen N., [redacted]
Curcio, Ralph E., [redacted]
Green, Barry L., [redacted]
Henslee, Edwin, E., III, [redacted]
Herbert, Richard A., [redacted]
Hinson, Lanny C., [redacted]
Martineau, Joseph A., [redacted]
Oshiro, Milton M., [redacted]
Rose, William G., III, [redacted]
Rudge, John F., [redacted]

JUDGE ADVOCATE

Bayne, Harry G., [redacted]
Brantley, George G., [redacted]
Brock, Richard W., [redacted]
Choate, William W., [redacted]
Dahlman, Terrell W., [redacted]
Dambrosio, Robert O., [redacted]
Deluce, John H., [redacted]
Demarco, Robert V., [redacted]
Dorr, Richard, E., [redacted]
Dunn, Richard L., [redacted]
Duvall, Thomas O., Jr., [redacted]
Ennis, Edgar, W., Jr., [redacted]
Falkow, Richard S., [redacted]
Jaynes, Barry S., [redacted]
Jones, Lawrence L., [redacted]
Karr, Alexander J., [redacted]
Kean, Barret E., [redacted]
Kovacsy, Arpad De, [redacted]
Lanto, Reino C., Jr., [redacted]
Lee, Robert G., [redacted]
Lepome, Robert C., [redacted]
Lynch, Joseph G., [redacted]
McAvoy, Roger J., [redacted]
McBride, Curtis W., [redacted]
McNamara, Roger T., [redacted]
Moorehead, Robert S., Jr., [redacted]
Morse, John S., [redacted]
Paoletti, Charles J., [redacted]
Payne, James H., [redacted]
Pent, Michael R., [redacted]
Pump, Ronald E., [redacted]
Rodriguez, Edward F., Jr., [redacted]
Sears, Robert E., [redacted]
Shimabukuro, Richard K., [redacted]
Sofocleous, Michael, [redacted]
Squires, George L., [redacted]
Tatum, Edwin B., [redacted]
Vannorte, Robert O. S., [redacted]
Vinson, William T., [redacted]
Watts, Michael R., [redacted]
Williams, Charles S., Jr., [redacted]
Zanaty, Edward S., [redacted]

MEDICAL CORPS

Bachand, Romeo T., [redacted]
Battad, Gerino L., Jr., [redacted]
Bisquerra, Jose, [redacted]
Cabrera, Lorenzo, [redacted]
Carruth, Edward L., [redacted]
Corpus, Manuel V., [redacted]
Crawford, Carl L., [redacted]
Davalos, Hugo A., [redacted]
Delacruz, Dolores, [redacted]
Elliott, Johnny C., [redacted]
Goldsmith, William, [redacted]
Gopal, Venu, [redacted]
Holmberg, John M., [redacted]
Jenny, Arthur B., II, [redacted]
Kobayashi, T. Kenji, [redacted]
Lee, Seung H., [redacted]
Legett, John A., [redacted]
Mesina, Rolando R., [redacted]
Norris, John G., Jr., [redacted]
Palen, James E., [redacted]
Perez, Celestino M., [redacted]
Preston, Adrienne J., [redacted]
Sadoughian, Ali A., [redacted]
Sbardella, Edward F., Jr., [redacted]
Schlosser, Harry D., [redacted]
Spier, Roger D., [redacted]
Thein, Richard M. H., [redacted]
Villasenor, Robert M., [redacted]
Walbroehl, Gordon S., [redacted]
Wilkinson, Frederick S., [redacted]
Wolney, Robert M., [redacted]
Yaldua, Cristina C., [redacted]

NURSE CORPS

Anderson, Darlene A., [redacted]
Ashworth, Janice S., [redacted]
Badger, Ellen L., [redacted]
Bailey, Raynelle, [redacted]
Barnett, Katheryn S., [redacted]
Bates, Elizabeth R., [redacted]
Bendickson, Geraldine M., [redacted]
Bendix, Dorothy N., [redacted]
Carpenter, Charlene A., [redacted]
Carrick, Paula S., [redacted]
Carroll, Judy C., [redacted]
Cason, Nica V., [redacted]
Corbett, Shirley A., [redacted]
Craft, Phyllis M., [redacted]
Crosby, Mary J., [redacted]
Davis, Penny S.L., [redacted]
Doolittle, Carolyn R., [redacted]
Douville, Deirdrie K., [redacted]
Dreibelbis, Jay L., [redacted]
Foster, James K., [redacted]
Gallagher, Mary E., [redacted]
Gilman, Cyrena M., [redacted]
Gonzalez, Arlou E., [redacted]
Haasis, Helen J., [redacted]
Hale, Georgia A., [redacted]
Harris, Nancy L., [redacted]
Hiatt, Helen L., [redacted]
Holmes, Nettie F., [redacted]
Jaron, Roberta A., [redacted]
Koerbacher, Kathleen C., [redacted]
Kowal, Patricia E., [redacted]
Krampitz, Sydney D., [redacted]
Lee, Margaret K., [redacted]
Maack, Barbara L., [redacted]
Mabry, Judith E., [redacted]
Maher, Theresa A., [redacted]
Manning, Elizabeth A., [redacted]
Massion, Carolyn, [redacted]
Masson, Maureen M., [redacted]
Matthews, Felecia C., [redacted]
McCoy, Mary M., [redacted]
McEwen, Erna R., [redacted]
Mills, Brenda C., [redacted]
Mink, Barbara M., [redacted]
Moular, Thomas H., [redacted]
Murphy, Patricia A., [redacted]
Mushett, Allen P., [redacted]
Nicholas, Sandra M., [redacted]
Noel, Marlene B., [redacted]
Nolter, Donna R., [redacted]
Novelli, Theresa M., [redacted]
Parker, Connie L., [redacted]
Parks, Evelyn J., [redacted]
Pfister, Shirley M., [redacted]
Plunkey, Joseph A., [redacted]
Raposa, Carol A., [redacted]
Rice, Susan J., [redacted]
Romano, Edith J., [redacted]
Schmidt, Judy V., [redacted]
Struck, Susan R., [redacted]
Thomas, Katherine A., [redacted]
Trostle, Aralene P., [redacted]
Tyson, Carolyn F., [redacted]
Witt, Sandra, [redacted]

MEDICAL SERVICE CORPS

Abbott, Patrick J., [redacted]
Baxter, Virgil F., Jr., [redacted]
Benioff, Donald A., [redacted]
Clayborne, William W., [redacted]
Ecton, Kenneth L., [redacted]
England, William F., [redacted]
Ernest, Thomas H., [redacted]
Hahn, Richard W., [redacted]
Jansen, Michael J., [redacted]
McGee, James W., [redacted]
Mears, Robert S., [redacted]
Moss, Frank E., [redacted]
Pate, James T., Jr., [redacted]
Riedl, Frederick L., [redacted]
Simpson, Dixon Edgar, [redacted]
Thomas, James C., [redacted]

Walk, Dieter E., [redacted]
Webb, David M., [redacted]

BIOMEDICAL SCIENCES CORPS

Carter, George M., [redacted]
Davidson, Donald A., [redacted]
Delancey, Gary W., [redacted]
Edkstrom, Merlin E., [redacted]
Fisch, Robert E., [redacted]
Halls, Edward D., [redacted]
King, Harry C., [redacted]
Landskroner, Ronald D., [redacted]
Morris, Allan B., [redacted]
Parmer, Marvin E., [redacted]
Robinson, Delanyard L., [redacted]
Schneider, Norman R., [redacted]
Siebert, George W., III, [redacted]
Smick, Kirk L., [redacted]
Souri, Elias N., [redacted]
Valois, Donald G., [redacted]
Watkins, Richard H., [redacted]
Welsh, Kenneth W., [redacted]

IN THE AIR FORCE

The following Air National Guard of the U.S. Officers for Promotion in the Reserve of the Air Force Under the Provisions of section 593(a) title 10 of the United States Code, as amended:

IN OF THE AIR FORCE

To be lieutenant colonel

Maj. Dennis M. Anderson, [redacted]
Maj. Gary D. Bailey, [redacted]
Maj. Dohrman G. Crawford, Jr., [redacted]
Maj. James Ford, Jr., [redacted]
Maj. Jay O. Hudkins, [redacted]
Maj. Charles E. Johnson, [redacted]
Maj. Carl E. Magagna, [redacted]
Maj. Jose M. Morales, [redacted]
Maj. Lyle D. Nevius, [redacted]
Maj. Ralph J. Prete, [redacted]
Maj. Gary M. Shannon, [redacted]
Maj. William G. Stratemeier, Jr., [redacted]
Maj. Edmund J. Thimme, Jr., [redacted]
Maj. William H. White, [redacted]
Maj. Edward B. Williston, [redacted]

CHAPLAIN

Maj. John H., Elledge, Jr., [redacted]

IN THE AIR FORCE

The following officer for appointment in the Regular Air Force under the provisions of section 531, title 10, United States Code, with a view on designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, provided that in no case shall he be appointed in a grade higher than major:

JUDGE ADVOCATE

Kinsella, James M., [redacted]

IN THE AIR FORCE

The following officers for appointment in the Regular Air Force under the provisions of section 531, title 10, United States Code, with grades and dates of rank to be determined by the Secretary of the Air Force provided that in no case shall the officer be in a grade higher than captain:

LINE OF THE AIR FORCE

Abole, Raymond A., [redacted]
Abrams, Danny E., [redacted]
Adams, Dawn Adaire, [redacted]
Adams, Jerry L., [redacted]
Adamson, Donald J., [redacted]
Agar, Carl W., [redacted]
Albert, Kenneth, [redacted]
Aldrich, Daniel W., [redacted]
Aleshire, Richard W., Jr., [redacted]
Alexander, Daniel J., [redacted]
Alexander, Larry D., [redacted]
Alford, Leroy, [redacted]
Allen, Donald L., [redacted]
Allen, Lawrence D., [redacted]
Allford, Keith R., [redacted]
Ament, Ricky A., [redacted]
Anderson, Craig E., [redacted]
Anderson, Deborah A., [redacted]
Anderson, Deborah Ann, [redacted]
Anderson, Scott A., [redacted]
Andreano, John M., [redacted]
Andrews, Steven R., [redacted]
Angwin, Robert K., [redacted]
Annunziato, Steven, [redacted]
Antalek, Frank E., [redacted]
Anthony, Keith D., [redacted]
Arant, Richard L., [redacted]
Armstrong, Walter S., [redacted]
Arnold, George E., [redacted]
Atz, Richard S., [redacted]
Auer, Timothy J., [redacted]
Autrey, Linda D., [redacted]
Backman, Mark N., [redacted]
Bailey, Matthew K., [redacted]
Bailey, Richard M., [redacted]
Baker, David M., [redacted]
Baker, Jeffrey A., [redacted]
Ballmer, Paul J., [redacted]
Barchfeld, Conrad C., [redacted]
Barker, Crystal L., [redacted]
Barlow, Barry V., [redacted]
Barnes, Frank D. [redacted]
Barnette, Edmund L., Jr., [redacted]
Battles, Hosea, Jr., [redacted]
Baumgartner, Anthony J., [redacted]
Bedard, Michael G., [redacted]
Beecher, Stephen P., [redacted]
Bell, Eddie Lee, Jr., [redacted]
Benefield, Allen J., [redacted]
Bennett, Gary M., [redacted]
Benz, Stephen D., [redacted]
Bergin, Joseph E., [redacted]
Berro, Edward T., [redacted]
Berry, Laura A., [redacted]
Bethune, Margaret E., [redacted]
Beusch, Roger H., [redacted]
Bigelow, Adam R., [redacted]
Biggs, David A., [redacted]
Bishop, Remmington G., Jr., [redacted]
Black, Douglas S., [redacted]
Blakeslee, Howard R., [redacted]
Blakley, Mark J., [redacted]
Blue, James R., [redacted]
Bohn, Paula Marie., [redacted]
Bolasky, Glyn F., [redacted]
Bolibrzuch, Patrick J., [redacted]
Bolton, Benjamin R., [redacted]
Bonavita, Jeffrey J., [redacted]
Bonomi, Gregory L., [redacted]
Bontly, Susan W., [redacted]
Book, Gerrit A., [redacted]
Boston, Damon B., [redacted]
Bottoms, Ronald P., [redacted]
Boyd, Leighton K., [redacted]
Boyd, Steven H., [redacted]
Bradford, Debra S., [redacted]
Bradley, Philip G., [redacted]
Bradshaw, William S., [redacted]
Bradwick, Mark H., [redacted]
Braman, Brian K., [redacted]
Brayman, Crismon A., [redacted]
Break, Steven K., [redacted]
Bredbenner, Edward A., [redacted]
Breier, Rolf T., [redacted]
Breland, Anne E., [redacted]
Brett, Daniel J., [redacted]
Brick, Thomas S., [redacted]
Bridgewater, Aaron C., [redacted]
Brock, Carlisle Y., [redacted]
Broderick, Robert Esley, [redacted]
Bronson, Daniel F., [redacted]
Brosseau, Richard H., [redacted]
Brown, Alexander P., [redacted]
Browne, Susan L., [redacted]
Bryan, James L., [redacted]
Buchanan, Charles E., [redacted]
Buckner, Norman, Jr., [redacted]
Bunting, Stephen K., [redacted]
Burch, Douglas J., [redacted]
Burgess, Forrest D., [redacted]
Burgstahler, Bruce K., [redacted]
Burks, Jeffrey W., [redacted]
Burns, Robert James, [redacted]
Burton, John M., [redacted]
Bush, David Robert, [redacted]
Bushore, Michael A., [redacted]
Butterfield, Gregory A., [redacted]
Byrne, Robert M., [redacted]
Cabot, Nelson, Jr., [redacted]
Cakerice, Kirk L., [redacted]
Caldwell, James D., [redacted]
Call, Steven C., [redacted]
Callihan, Dorothy G., [redacted]
Capotosto, John A., [redacted]
Caretti, Timothy J., [redacted]
Carey, Mark R., [redacted]
Carlisle, David A., [redacted]
Carlson, Thomas E., [redacted]
Carothers, David L., [redacted]
Carr, John F., [redacted]
Carringer, Robert A., [redacted]
Carter, Michael R., [redacted]
Carter, Richard K., [redacted]
Casey, Curtis L., [redacted]
Cassell, Brian J., [redacted]
Cassidy, Sean P., [redacted]
Caszatt, Jack S., [redacted]
Catanach, Russell A., [redacted]
Caudle, Troy N., [redacted]
Caylor, Michael J., [redacted]
Charles, Richard D., [redacted]
Chew, Nolen R., Jr., [redacted]
Child, John S., [redacted]
Christensen, David L., [redacted]
Christie, Billy L., [redacted]
Christoff, Jeffrey R., [redacted]
Chung, Kirby J., [redacted]
Cichocki, Stephen B., [redacted]
Clark, Hal M. [redacted]
Clark Russell C., [redacted]
Cliff, Robert E., III, [redacted]
Clifton, Fred R., Jr., [redacted]
Cobb, Allan F., [redacted]
Cobin, Mark R., [redacted]
Cobleigh, Kenneth E., [redacted]
Cody, William R., Jr., [redacted]
Coe, Thomas E., [redacted]
Coker, John E., Jr., [redacted]
Coker, Lloyd D., [redacted]
Cole, Ronald H., [redacted]
Colter, David C., [redacted]
Combs, Nancy L., [redacted]
Conant, Richard G., [redacted]
Conejo, Fernando X., [redacted]
Conklin, Donald D., [redacted]
Connell, Thomas, III, [redacted]
Connolly, Anne E., [redacted]
Contos, Thomas N., [redacted]
Cooley, Timothy R., [redacted]
Coomber, Patricia K., [redacted]
Cooper, John R., [redacted]
Cooper, William C., II, [redacted]
Cor, Joseph J., [redacted]
Cornall, Patricia C., [redacted]
Cornell, Daniel, [redacted]
Cortopassi, Michael J., [redacted]
Corum, Michael R., [redacted]
Cotanche, Thomas E., [redacted]
Cote, Patricia L., [redacted]
Cotton, David A., [redacted]
Coulter, Mark A., [redacted]
Covington, Marshall P., [redacted]
Cowles, Frederick L., [redacted]
Cox, Barry C., [redacted]
Coyle, Alfred B., II, [redacted]
Craig, Robert E., Jr., [redacted]
Crettol, Robert M., [redacted]
Crissey, Mary G., [redacted]
Cronin, John T., [redacted]
Crossland, Julie A., [redacted]

Culp, Timothy C. [redacted]
Culpepper, Matthew D. [redacted]
Culpepper, Samuel T. [redacted]
Cunningham, Earl B., III, [redacted]
Curtis, James M. [redacted]
Czapski, Edward M. [redacted]
Dahncke, Allan D. [redacted]
Dalzell, Mark A. [redacted]
Damico, Richard A. [redacted]
Dangelo, Vincent F. [redacted]
Dantzler, John C. [redacted]
Dasher, Keith J. [redacted]
Dates, Merid D. [redacted]
Dauenhauer, David E. [redacted]
Davenport, Clark E. [redacted]
Davies, David R. [redacted]
Davis, Charlton B. [redacted]
Davis, John E. [redacted]
Davis, Thomas R. [redacted]
Davis, Timothy C. [redacted]
Dawson, Thomas E., Jr. [redacted]
Day, Randall T.C. [redacted]
Dean, Philip D. [redacted]
Dean, William C. [redacted]
Deblock, John D. [redacted]
Delong, Gary W. [redacted]
Denning, Donald L. [redacted]
Deprez, Marvin J., Jr. [redacted]
Derington, Benny M. [redacted]
Deserisy, Lloyd D. [redacted]
Detemple, James E. [redacted]
Detrick, Billy R. [redacted]
Deyo, James E., Jr. [redacted]
Dickenson, Charles F., Jr. [redacted]
Diggs, Margaret M. [redacted]
Dilworth, Daniel J. [redacted]
Dito, David M. [redacted]
Dixon, Arthur D. [redacted]
Dodson, James D. [redacted]
Doeg, Donald W. [redacted]
Dollar, Susan C. [redacted]
Donelson, Tery L. [redacted]
Donnelly, Michael W. [redacted]
Donofrio, Maundy P. [redacted]
Donovan, Matthew P. [redacted]
Dorner, Kenneth R. [redacted]
Doty, Daniel C. [redacted]
Doucet, Phillip P. [redacted]
Douthit, Daniel D. [redacted]
Downey, Robert K. [redacted]
Doyle, Andrew W. [redacted]
Drake, Douglas G. [redacted]
Dubois, Phillip B. [redacted]
Dudzic, Max S., Jr. [redacted]
Dugan, M. Colleen [redacted]
Dunn, Doyle L. [redacted]
Dunn, Thomas D. [redacted]
Durham, Susan E. [redacted]
Dutch, Charles P. [redacted]
Eanniello, Domenick M. [redacted]
Echavarria, Joe M. [redacted]
Edwards, Gregory B. [redacted]
Edwards, Larry R. [redacted]
Edwards, Robert G. [redacted]
Edwards, Vivian C., III. [redacted]
Eiland, Dawn L. [redacted]
Eisenhart, James E. [redacted]
Ela, Bernard L. [redacted]
Ellis, Mathieu J. [redacted]
Englert, Charles J., Jr. [redacted]
Everhart, Robert D. [redacted]
Face, Steven M. [redacted]
Fahrner, Bruce W. [redacted]
Farrell, Robert J., Jr. [redacted]
Faughner, Gregory G. [redacted]
Featherling, Kenneth M. [redacted]
Featherston, William B. [redacted]
Feldmann, Roger S. [redacted]
Feltman, Wayne A. [redacted]
Fenton, Richard O. [redacted]
Ferguson, William M. [redacted]
Ferland, John P. [redacted]
Ferrari, Thomas A. [redacted]
Finn, Henry V. [redacted]
Finney, John D. [redacted]
Fitzgerald, John T. [redacted]
Fitzgerald, William K. [redacted]
Flanders, Fred A. [redacted]
Flood, Michael K. [redacted]
Flowers, Randall K. [redacted]
Fodrea, Ormond R. [redacted]
Forcinel, Anthony S. [redacted]
Ford, Robert G. [redacted]
Foresman, Dennis A. [redacted]
Foster, Edward H., Jr. [redacted]
Foti, Anthony A. [redacted]
Fouche, David L. [redacted]
Fowle, Samuel R., IV. [redacted]
Fowler, Angela D. [redacted]
Fox, Edward M. [redacted]
Franklin, Katherine B. [redacted]
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West, Scott D., xxx-xx-xxxx
Whaley, Wayne, Jr., xxx-xx-xxxx
White, William R., Jr., xxx-xx-xxxx
Wilcox, David J., xxx-xx-xxxx
Wiley, Raymond A., xxx-xx-xxxx
Wilhelm, William P., xxx-xx-xxxx
Willetts, Larry L., xxx-xx-xxxx
Williams, Antony G., xxx-xx-xxxx
Williams, Ingrid M., xxx-xx-xxxx
Williams, Larry, xxx-xx-xxxx
Williams, Marianne T., xxx-xx-xxxx
Williams, Michael D., xxx-xx-xxxx
Williams, Michael H., xxx-xx-xxxx
Williams, Stephen A., xxx-xx-xxxx
Williams, Tommy J., xxx-xx-xxxx
Wills, Vincent M., xxx-xx-xxxx
Wilmott, Brian S., xxx-xx-xxxx
Wilson, Benjamin R., xxx-xx-xxxx
Wilson, Michael C., xxx-xx-xxxx
Wingard, Terry D., xxx-xx-xxxx
Wintersole, Mark S., xxx-xx-xxxx
Wiswell, Thomas L., xxx-xx-xxxx
Witten, James O., xxx-xx-xxxx
Woehrle, Carl C., III, xxx-xx-xxxx
Wolf, Vivian K., xxx-xx-xxxx
Wolff, Frederic P., xxx-xx-xxxx
Wolfrom, Theresa L., xxx-xx-xxxx
Wood, Russell S., xxx-xx-xxxx
Woods, William J., xxx-xx-xxxx

Workman, Robert H., [redacted]
Wright, Jonathan C., [redacted]
Yaffe, Marc David, [redacted]
Yeip, Neal S., [redacted]
Yielding, Gary E., [redacted]
Young, David G., [redacted]
Zangari, Daniel J., [redacted]
Zehner, William J., [redacted]
Zettl, Gary B., [redacted]
Zink, Daniel R., [redacted]

IN THE ARMY

The following-named officers for permanent promotion in the U.S. Army in accordance with the appropriate provisions of title 10, United States Code, sections 624 and 628:

ARMY

To be lieutenant colonel

William F. Norris, [redacted]
Leonard J. Roberts, [redacted]
Joseph D. Sebes Jr., [redacted]

MEDICAL SERVICE CORPS

To be lieutenant colonel

David G. Butcher, [redacted]

ARMY

To be major

Jon B. Christopher, [redacted]
David J. Enriquez, [redacted]
Derryl L. Finney, [redacted]
Rodrick L. Jones, [redacted]
John R. Martin, [redacted]
Gerald L. Savage, [redacted]
Roger W. Todd, [redacted]

MEDICAL CORPS

To be major

Christopher L. Case, [redacted]
Thomas B. Dougherty, [redacted]
Loraine G. Goodman, [redacted]

IN THE ARMY

The following-named officers for permanent promotion in the U.S. Army in accordance with the appropriate provisions of title 10, United States Code, section 624:

ARMY

To be major

Abbott, Johnny R., [redacted]
Acree, Malcolm T., Jr., [redacted]
Acurio, Diane M., [redacted]
Adair, Ronnie M., [redacted]
Adams, Anthony J., [redacted]
Adams, John A., Jr., [redacted]
Adams, William L., [redacted]
Adams, William T., [redacted]
Adelman, Steven J., [redacted]
Agness, Wayne C., [redacted]
Aikens, Bernard, [redacted]
Akroyd, Claudia M., [redacted]
Aleshin, Nicholas, [redacted]
Alexander, Daniel R., [redacted]
Allen, Jonathan, [redacted]
Allen, Larry R., [redacted]
Allgeier, Linda A., [redacted]
Allison, Avery V., Jr., [redacted]
Allwein, Kelcy M., [redacted]
Almas, William F., [redacted]
Alspach, Rita M., [redacted]
Alt, Leonard A., [redacted]
Amacker, Steven D., [redacted]
Amende, Roger A., [redacted]
Anderson, Clinton T., [redacted]
Anderson, Edward B., [redacted]
Anderson, Edwin W., Jr., [redacted]
Anderson, Martin F., III, [redacted]
Anderson, Michael E., [redacted]
Anderson, Peter C., [redacted]
Anderson, Richard B., [redacted]
Anderson, Ronald, [redacted]
Anderson, Samuel W., [redacted]
Andreasen, John P., [redacted]
Angelacci, Andrew A., [redacted]
Angle, Charles D., [redacted]
Annen, David M., [redacted]
Antis, Robert M., [redacted]
Applin, David L., [redacted]
Arbucci, Anthony A., [redacted]
Armstrong, James E., Jr., [redacted]
Arnold, Scott T., [redacted]
Arnwine, Martemas, [redacted]
Arosteguy, Robert, [redacted]
Askey, Robert W., [redacted]
Astin, Roger W., [redacted]
Athan, Byron D., Jr., [redacted]
Atkinson, Richard B., Jr., [redacted]
Atkins, Frank G., [redacted]
Aultman, William R., [redacted]
Austin, Lloyd J., III, [redacted]
Austin, Thomas A., V., [redacted]
Austria, Duane A., [redacted]
Avants, Stewart E., [redacted]
Ayers, Thomas G., [redacted]
Babb, James D., [redacted]
Bacharach, Sam A., [redacted]
Bachus, Bruce D., [redacted]
Badger, Scott B., [redacted]
Baehr, Edward J., [redacted]
Baggett, Lewis E., [redacted]
Baker, Allen S., [redacted]
Baker, Byron G., [redacted]
Baker, Claude P., [redacted]
Baker, Daniel F., [redacted]
Baker, Francis L., [redacted]
Baker, Larry G., [redacted]
Baker, Philip J., Jr., [redacted]
Bakken, Harold L., [redacted]
Ballagresti, Joseph A., [redacted]
Ballenger, Barbara A., [redacted]
Balod, McPaul P., [redacted]
Baltimore, Roland T., [redacted]
Banaszak, Michael A., [redacted]
Bandy, Dan D., [redacted]
Banks, James O., [redacted]
Baratta, Robert T., [redacted]
Barbero, Eugene G., [redacted]
Barciak, Francis J., Jr., [redacted]
Barget, Joseph H., Jr., [redacted]
Barker, William C., [redacted]
Barnes, Bernard A., [redacted]
Barnes, Jack D., [redacted]
Barnes, Todd C., [redacted]
Barnette, Philip L., [redacted]
Barno, David W., [redacted]
Barr, Robert A., [redacted]
Barrett, Llewellyn, III, [redacted]
Bartling, Jay R., [redacted]
Barton, David W., [redacted]
Barton, Howard E., Jr., [redacted]
Barton, John W., [redacted]
Barton, Roy B., [redacted]
Bashay, Charles A., [redacted]
Basista, Michael R., [redacted]
Bass, John C., [redacted]
Bauerle, Robert C., Jr., [redacted]
Bauleke, Gary D., [redacted]
Bautista, Robert M., Jr., [redacted]
Baxter, Michael P., [redacted]
Bayse, Richard S., [redacted]
Beacon, Steven P., [redacted]
Beall, John T., [redacted]
Bearce, Michael B., [redacted]
Bearden, Michael R., [redacted]
Beatty, Kenneth D., [redacted]
Beck, Lenora H., [redacted]
Becker, Partick J., [redacted]
Bednarek, John M., [redacted]
Belanger, Vangeorge R., [redacted]
Bell, Austin D., III, [redacted]
Bell, Honor M., [redacted]
Bell, Richard R., [redacted]
Bell, Robert E. III, [redacted]
Bell, Thomas S., [redacted]
Bell, William R., [redacted]
Bellene, Stephen, [redacted]
Belton, Robert T., Jr., [redacted]
Bendas, Christine, [redacted]
Benefield, James T., [redacted]
Benkufski, Steven J., [redacted]
Benn, James F. Jr., [redacted]
Bennington, Barbara A., [redacted]
Benoit, Andre L., [redacted]
Bentley, David A., [redacted]
Berens, Thomas A., [redacted]
Berg, Bryan S., [redacted]
Berge, Karl L., [redacted]
Berger, Patrick J., [redacted]
Bergman, Jeffrey C., [redacted]
Bergner, Kirk M., [redacted]
Bergum, David G., [redacted]
Bero, Victor, J., [redacted]
Berry, Bruce R., [redacted]
Berry, John H., [redacted]
Berry, Reginald R., [redacted]
Berwick, Bruce A., [redacted]
Best, Louis R., [redacted]
Betancourt, Daniel A., [redacted]
Bethea, David K., [redacted]
Bethea, David W., [redacted]
Betteker, James M., [redacted]
Bice, Vernon C., [redacted]
Bierie, Richard T., [redacted]
Bir, Anthony, [redacted]
Birchfield, Gary D., [redacted]
Bischoff, Jeffrey C., [redacted]
Bishop, Gary M., [redacted]
Bishop, James R., [redacted]
Bishop, Roy V., [redacted]
Bithos, John P., [redacted]
Blakeney, John O., [redacted]
Blankmeyer, William J., [redacted]
Bly, James H., [redacted]
Bock, Bradford R., [redacted]
Boetig, Christopher D., [redacted]
Bolick, Joseph A., [redacted]
Bolzak, Jerry R., Jr., [redacted]
Bond, Stephen J., [redacted]
Bondy, Raymond J., [redacted]
Boney, Glen M., [redacted]
Bonney, Daniel J., [redacted]
Bonney, Paul M., [redacted]
Bonometti, Robert J., [redacted]
Booth, David E., [redacted]
Boothe, David A., [redacted]
Borcheller, James R., [redacted]
Borman, Edwin S., [redacted]
Borneman, Harland M., Jr., [redacted]
Bosko, Victor J., [redacted]
Bostelman, Kenneth P., [redacted]
Boudreau, David E., [redacted]
Boulware, Princess A., [redacted]
Bourne, Stephen J., [redacted]
Bourque, Stephen A., [redacted]
Bowen, Thomas W., Jr., [redacted]
Bowers, George E., [redacted]
Bowers, Kerry A., [redacted]
Bowers, Walter R., [redacted]
Bowman, Carl C., [redacted]
Bowman, Keith W., [redacted]
Bowman, Vicki Y., [redacted]
Boyce, James T., [redacted]
Boyd, Donald R., [redacted]
Boyd, George G., [redacted]
Boyd, Kenneth D., [redacted]
Boyd, Ricky E., [redacted]
Boyers, Charles A., [redacted]
Boyko, Robert G., [redacted]
Boylan, Joseph T., Jr., [redacted]
Boyle, James W., Jr., [redacted]
Bracey, Earnest N., [redacted]
Bracket, Michael L., [redacted]
Braden, Timothy J., [redacted]
Bradford, Edward M., Jr., [redacted]
Bradley, Charles, Jr., [redacted]
Bradley, Leon, [redacted]
Bradley, Rawskia, [redacted]
Brady, Michael J., [redacted]
Brantley, Maxey D., [redacted]
Branz, Thomas L., [redacted]
Bratz, Kay E., [redacted]
Breen, David L., [redacted]
Brewer, John F., III, [redacted]

Brewster, Philip S., III, [redacted]
Brice, James T., Jr., [redacted]
Briggs, Aubry L., [redacted]
Brindel, Sherrill L., [redacted]
Brindle, Gary L., [redacted]
Brinn, Harriett L., [redacted]
Brooks, David K., [redacted]
Brooks, Fred W., [redacted]
Brooks, Otis M., [redacted]
Brooks, Randolph E., [redacted]
Brostrom, David P., [redacted]
Browers, Billy D., [redacted]
Brown, Bruce T., [redacted]
Brown, Calvin E., [redacted]
Brown, David C., [redacted]
Brown, Donald A., Jr., [redacted]
Brown, John R., [redacted]
Brown, Julia L., [redacted]
Brown, Kent H., [redacted]
Brown, Michael H., [redacted]
Brown, Thomas E., [redacted]
Brown, William A., [redacted]
Browne, Donald W., Jr., [redacted]
Brugh, Kone, II, [redacted]
Brumley, Robert P., [redacted]
Bryan, Henry L., [redacted]
Buck, Joel A., [redacted]
Buck, Lon L., [redacted]
Buckley, David J., Jr., [redacted]
Bullard, Anthony A., [redacted]
Bulla, John E., [redacted]
Burch, James R., II, [redacted]
Burkhard, Alfred, E., Jr., [redacted]
Burks, Martin V., III, [redacted]
Burroughs, Gary R., [redacted]
Burt, Nancy J., [redacted]
Burton, James H., [redacted]
Burton, Ronald R., [redacted]
Bush, Frank P., Jr., [redacted]
Bush, Michael J., [redacted]
Bush, Ralph E., [redacted]
Bush, Ronald W., [redacted]
Bute, Neil D., [redacted]
Butler, David K., [redacted]
Butler, John L., [redacted]
Butler, Nada J., [redacted]
Butterfield, Tommy W., [redacted]
Byce, Terry H., [redacted]
Byes, Robert A., [redacted]
Byron, Richard J., [redacted]
Cailteux, Kerry L., [redacted]
Caldwell, Edwin G., [redacted]
Caldwell, Richard M., [redacted]
Caldwell, William B., V, [redacted]
Callaway, William L., [redacted]
Cambon, Edward E., [redacted]
Cameron, Joel W., [redacted]
Camp, James D., [redacted]
Campassi, Pete, III, [redacted]
Campbell, Douglas A., [redacted]
Campbell, Michael J., [redacted]
Campbell, Terrence C., [redacted]
Camper, Mark B., [redacted]
Camper, William C., III, [redacted]
Campsey, William M., [redacted]
Cannon, Michael W., [redacted]
Canny, Kenton R., [redacted]
Cantwell, Richard D., [redacted]
Capuano, Frank W., Jr., [redacted]
Caravella, Frank J., [redacted]
Carden, Dana E., [redacted]
Cardinal, Charles N., [redacted]
Cariker, Bari L., [redacted]
Callsen, David D., [redacted]
Carlson, John A., [redacted]
Caronia, David F., [redacted]
Carpenter, John H., [redacted]
Carpenter, Walter R., Jr., [redacted]
Carrano, Carl J., [redacted]
Carroll, Allan B., Jr., [redacted]
Carroll, Charles D., [redacted]
Carroll, Samuel J., [redacted]
Carroll, Walton C., Jr., [redacted]
Carter, Edward C., [redacted]
Carter, Roger L., [redacted]
Cartwright, Charles A., [redacted]
Cashion, Avery T., III, [redacted]
Caslen, Robert L., Jr., [redacted]
Cason, Randall W., [redacted]
Cassem, Richard K., [redacted]
Castrocolon, Hector M., [redacted]
Cearley, Curtis R., [redacted]
Cerri, Anthony J., [redacted]
Chalupa, Wayne F., [redacted]
Chaney, Mark R., [redacted]
Chappell, John S., [redacted]
Chappell, William S., [redacted]
Charlson, Thomas L., [redacted]
Chase, Bruce R., [redacted]
Chase, Jonathan P., [redacted]
Chavez, John R., [redacted]
Cheek, Christopher G., [redacted]
Cheek, James A., [redacted]
Chennault, James S., [redacted]
Chenoweth, Mark K., [redacted]
Cherolis, George T., [redacted]
Chick, Gary R., [redacted]
Chidester, Gary E., [redacted]
Childers, Charles D., [redacted]
Chilton, James P., [redacted]
Chin, Elias C., [redacted]
Chiu, James P., [redacted]
Christensen, Scott L., [redacted]
Christopher, Jon B., [redacted]
Cini, Joseph C., [redacted]
Clagg, Robert A., [redacted]
Clark, David T., [redacted]
Clawson, Ben F., [redacted]
Cleckner, William, H.V., [redacted]
Clements, Michael R., [redacted]
Clemons, William M., [redacted]
Cleveland, Russell R., [redacted]
Clifford, James T., [redacted]
Clifford, Steven M., [redacted]
Cline, Richard A., [redacted]
Clyburn, William E., [redacted]
Coberly, Frank S., [redacted]
Coburn, Thomas, M., [redacted]
Cochran, Jesse L., [redacted]
Cockrum, Carl A., [redacted]
Coester, William H., [redacted]
Coffenberry, Victor R., II, [redacted]
Cogley, John A., [redacted]
Cokley, Johnny L., [redacted]
Colaw, Lee M., [redacted]
Colbeck, Ronald L., [redacted]
Colcord, Kevin, T., [redacted]
Cole, David M., [redacted]
Cole, Michael A., [redacted]
Colehour, Charles H., [redacted]
Collazo, Reinaldo, Jr., [redacted]
Collier, Joe E., [redacted]
Collier, Mark A., [redacted]
Collins, Ben F., [redacted]
Collins, Charles, J., [redacted]
Collins, Glynn C., Jr., [redacted]
Collins, Lafayette, A., [redacted]
Collins, Vincent L., [redacted]
Collister, Scott W., [redacted]
Colombana, Roger L., [redacted]
Compainroldan, Dario A., [redacted]
Conner, Timothy H., [redacted]
Connor, Robert E., Jr., [redacted]
Connors, Rodney E., [redacted]
Connors, Thomas P., [redacted]
Conrad, Martin R., Jr., [redacted]
Conrad, Michael L., [redacted]
Conti, Michael S., [redacted]
Converse, Merle W., [redacted]
Cook, Bart D., [redacted]
Cook, Dennis B., [redacted]
Cook, Donald R., [redacted]
Cook, Emmet E., Jr., [redacted]
Cook, Phillip M., [redacted]
Cook, Virgil W., Jr., [redacted]
Cooke, Kenneth C., [redacted]
Cooke, Stephen E., [redacted]
Cooley, John T., Jr., [redacted]
Cooley, Rodney D., [redacted]
Cooper, David L., [redacted]
Corbett, Robert J., [redacted]
Corkran, Jeffrey L., [redacted]
Corley, Richard B., [redacted]
Cosgrove, John F., [redacted]
Coslow, David D., [redacted]
Costanza, Shirley J., [redacted]
Costigan, John A., Jr., [redacted]
Coughran, David P., [redacted]
Council, Terry R., [redacted]
Cox, Michael C., [redacted]
Cox, Peder C., [redacted]
Cox, Theodore A., [redacted]
Crain, William F., [redacted]
Crank, Charles E., III, [redacted]
Crawford, Arthur G., [redacted]
Crear, Robert, [redacted]
Crevar, David N., [redacted]
Crimens, Michael E., [redacted]
Critcher, Larry L., [redacted]
Cross, Charles E., [redacted]
Cross, James B., [redacted]
Crumblin, Leon, [redacted]
Crumplar, John A., [redacted]
Crutchfield, William E., [redacted]
Cruz, Michael A., [redacted]
Csrnko, Thomas R., [redacted]
Cull, Daniel R., [redacted]
Culligan, Marvin E., [redacted]
Culp, Charles B., Jr., [redacted]
Cummings, Jerris L., [redacted]
Cummings, Walter C., Jr., [redacted]
Cunningham, Eric R., [redacted]
Cupp, James A., [redacted]
Curci, Margaret M., [redacted]
Curran, John M., [redacted]
Curtis, Robert A., [redacted]
Czvornyek, Gary, [redacted]
Dacey, Gary G., [redacted]
Daniel, Timothy M., [redacted]
Daniels, Albert L., Jr., [redacted]
Danis, Allan F., [redacted]
Dardis, Dennis P., [redacted]
Dashiell, John C., Jr., [redacted]
David, William C., [redacted]
Davidson, Ronald H., [redacted]
Davis, Danny M., [redacted]
Davis, Glenn W., [redacted]
Davis, Gregory S., [redacted]
Davis, James O., [redacted]
Davis, Paul N., [redacted]
Davis, Thomas J., [redacted]
Davis, Thomas R., [redacted]
Dawes, Douglas C., [redacted]
Dawson, Lawrence E., [redacted]
Deacon, John J., II, [redacted]
Dean, Arlis D., [redacted]
Decarlo, James J., [redacted]
Decesare, Peter J., [redacted]
Dechau, Gregory, [redacted]
Defreitas, John, III, [redacted]
Defries, Danny L., [redacted]
Delisle, Michael A., [redacted]
Dell, Richard G., [redacted]
Dellajacono, John L., [redacted]
Dellamoretta, Leonard B., [redacted]
Delong, John L., [redacted]
Delousa, Ralph F., [redacted]
Demarest, Geoffrey B., [redacted]
Demme, Thomas A., [redacted]
Dempsey, Thomas A., [redacted]
Denney, Roy S., [redacted]
Denning, Philip W., [redacted]
Dertzbaugh, John H., [redacted]
Deruyscher, Carl L., [redacted]
Devens, Patrick E., [redacted]
Devilbiss, Melvin L., [redacted]
Deville, Debra L., [redacted]
Devore, Harlan V., [redacted]
Dewitt, James A., [redacted]
Dewitt, Thomas M., [redacted]
Diaz, Edgardo, [redacted]
Dibrell, Jack C., [redacted]

Dickey, Dean E., II, [redacted]
Dierksmeier, Fred E., [redacted]
Diffenbaugh, Guy L., [redacted]
Diggs, Robert A., [redacted]
Dillard, John T., [redacted]
Dinka, Stephen P., [redacted]
Disilvio, Richard P., [redacted]
Disterlic, Peter, [redacted]
Dobbins, Floyd L., [redacted]
Doctor, David R., [redacted]
Dodd, Joseph G., Jr., [redacted]
Dodson, Gilbert E., [redacted]
Donahue, Joseph C., [redacted]
Donlin, Bruce J., [redacted]
Donovan, Susan G., [redacted]
Dornstadter, John R., [redacted]
Dougherty, William T., [redacted]
Douthit, David A., [redacted]
Downs, William T., [redacted]
Doyle, John T., [redacted]
Driver, Richard B., [redacted]
Dronka, Paul J., [redacted]
Duffy, Brian J., [redacted]
Duffy, Lee F., [redacted]
Duke, Frederick S., [redacted]
Duke, William P., [redacted]
Dulaney, Michael R., [redacted]
Dumas, Robert A., [redacted]
Duncan, Buford R., Jr., [redacted]
Dunham, Jeffrey M., [redacted]
Dunkle, Patrick C., [redacted]
Dunkley, Michael L., [redacted]
Dunlap, Douglas E., [redacted]
Dunn, Bernard J., [redacted]
Dunn, Charles R., [redacted]
Dunn, Robert A., [redacted]
Dunwoody, Ann E., [redacted]
Duran, Henry A., Jr., [redacted]
Durbin, Robert E., [redacted]
Durfee, Milo R., [redacted]
Durkin, John A., [redacted]
Duskin, Edgar W., Jr., [redacted]
Dwyer, James C., Jr., [redacted]
Dykstra, Robert L., [redacted]
Ebel, Kenneth C., [redacted]
Eberz, Matthew G., [redacted]
Eccleston, Thomas E., [redacted]
Eck, William S., [redacted]
Edgerton, Daniel R., [redacted]
Edwards, Carl, Jr., [redacted]
Edwards, Lawyn C., [redacted]
Edwards, Steven C., [redacted]
Egan, Eric O., [redacted]
Eggie, Paul A., [redacted]
Egler, Darryl J., [redacted]
Egrid, Lucian S., [redacted]
Ehlinger, Ernest L., [redacted]
Elam, Parthenia R., [redacted]
Eldredge, James A., [redacted]
Eley, Jack, [redacted]
Elia, Leonard K., [redacted]
Elizondo, Frank D., [redacted]
Eller, Harry E. II, [redacted]
Elliott, Melvin, [redacted]
Ellis, Bernard E., [redacted]
Ellis, Charles V., [redacted]
Ellison, Gregory W., [redacted]
Elsen, Steven E., [redacted]
Elton, Olaf L., [redacted]
Emerson, Joe D., [redacted]
Emery, Michael W., [redacted]
England, George W., [redacted]
Enriquez, David J., [redacted]
Epperson, Larry D., [redacted]
Erickson, Edward J., [redacted]
Ernzen, James J., [redacted]
Estelmann, Stephen M., [redacted]
Esteve, Jean R., [redacted]
Evans, Gregory O., [redacted]
Evans, Martin L., [redacted]
Evans, Printes W., [redacted]
Evans, Thomas R., [redacted]
Everett, Henry L., Jr., [redacted]
Eyre, Pamela C., [redacted]
Fair, Timothy E., [redacted]
Farrell, Peter T., [redacted]
Fast, Barbara G., [redacted]
Fast, William R., [redacted]
Faver, Dennis O., [redacted]
Febo, Wilfredo, [redacted]
Fehlings, Allan D., [redacted]
Feick, Thomas W., Jr., [redacted]
Fellows, William F., [redacted]
Ferrer, Michael J., [redacted]
Ferrier, Donald V., [redacted]
Fey, Daniel A., [redacted]
Fil, Joseph F., Jr., [redacted]
Fillman, William G., [redacted]
Finan, John F., Jr., [redacted]
Findlay, Patrick G., [redacted]
Finley, John E., Jr., [redacted]
Finley, Leonard M., III, [redacted]
Finley, Thomas J., [redacted]
Fiorey, Peter K., [redacted]
Firer, John B., [redacted]
Fischer, John D., [redacted]
Fiser, Thomas C., [redacted]
Fish, Lloyd H., [redacted]
Fisher, Charles M., [redacted]
Fitzpatrick, Timothy F., [redacted]
Fitzsimmons, Dennis T., [redacted]
Fix, Thomas M., [redacted]
Flachsbarth, Deborah K., [redacted]
Flaharty, Weldon W., [redacted]
Fletcher, Benjamin F., [redacted]
Fletcher, Dale A., [redacted]
Flom, Ronald C., [redacted]
Flood, Richard J., [redacted]
Flor, Leonardo V., [redacted]
Flynn, Patrick J., [redacted]
Flynn, Robert F., [redacted]
Fontenot, Ronald M., [redacted]
Ford, David G., [redacted]
Ford, Linda K., [redacted]
Ford, Stanley L., [redacted]
Ford, William M., [redacted]
Forlenzo, James A., [redacted]
Forshag, Russell S., [redacted]
Foster, Robert J., [redacted]
Fowler, Charles J., [redacted]
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Nash, Jean L. [redacted]
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Banner, Sammy R., [redacted]
Barkovich, Anthony J., [redacted]
Barrilleaux, Christopher N., [redacted]
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Beaton, Sarah H., [redacted]
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Betancourt, Arturo E., [redacted]
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Bilohrud, Laura, [redacted]
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Ellenberg, Russell C., [redacted]
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Emery, Stephen F., [redacted]
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Gaines, Eddie G., Jr., [redacted]
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Garcia, Peter M., Jr., [redacted]
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Kaigler, Timothy J., [redacted]
Karn, Orla W., [redacted]
Kinsch, Nicholas L., [redacted]
Knutson, Joel C., [redacted]
Konopka, Kenneth E., [redacted]
Lopezortiz, Jose M., [redacted]
Lugo, Alberto, [redacted]
Macaluso, Josep, [redacted]
Mann, Victor W., [redacted]
Marek, Virginia L., [redacted]
Marks, James L., [redacted]
Massingill, Douglas L., [redacted]
McCarthy, James P., [redacted]
Meyer, Robert B., [redacted]
Meyer, Robert D., [redacted]
Meyer, Stephen L., [redacted]
Moore, Patrick H., [redacted]
Morris, Stanley C., [redacted]
Nethery, Maurice J., III, [redacted]
Olsson, John D., [redacted]
Owings, Andrew C., [redacted]
Parr, Olan D., Jr., [redacted]
Perkins, Steven J., [redacted]
Phillips, John D., [redacted]
Powell, Robert A., [redacted]
Prasanna, Mysore K., [redacted]
Reddy, Stephen L., [redacted]
Ricks, Craig H., [redacted]
Robinson, Sylester C., [redacted]
Rockwern, Alan M., [redacted]
Rodgers, Ricky J., [redacted]
Rodriguez, Steven J., [redacted]
Rogow, Mark, [redacted]
Sabatino, Ann P., [redacted]
Saller, Stephen F., [redacted]
Schmidt, Jimmie C., [redacted]
Schonfield, Robert D., [redacted]
Sevedge, Steven R., [redacted]
Smith, Mark G., [redacted]
Sobel, Frederick, [redacted]
Spiller, Robert E., Jr., [redacted]
Stephens, Douglas K., [redacted]
Theberge, Daniel M., [redacted]
Tooley, Josiah S., [redacted]
Vernon, Clair R., [redacted]
Wade, Douglas N., [redacted]
Weber, Charles R., [redacted]
Wheeler, Mark A., [redacted]
Whitney, David J., [redacted]
Worlton, Scott, [redacted]
Wyatt, David L., [redacted]
Wygonski, Robert J., [redacted]

MEDICAL SERVICE CORPS

To be major

Adams, Roderick J., [redacted]
Agosta, Richard H., [redacted]
Aiken, David A., [redacted]
Allen, William P., III, [redacted]
Anderson, George W., Jr., [redacted]
Armitage, Edwin K., [redacted]
Baker, Glenn D., [redacted]
Bennett, Steven R., [redacted]
Berner, Terry H., [redacted]
Billingsley, William M., [redacted]
Birdsall, Gregory L., [redacted]
Bliss, John L., [redacted]
Boedecker, David L., [redacted]
Bongiovanni, Rodolfo, [redacted]
Bottaro, Samuel D., II, [redacted]
Bridenstine, Thomas S., [redacted]
Briggs, Lee W., [redacted]
Brinkley, Larry D., [redacted]
Brown, John H., Jr., [redacted]
Bruggeman, Gary E., [redacted]
Burney, Bruce W., [redacted]
Burns, David C., [redacted]
Butler, Joseph W., Jr., [redacted]
Byrod, Fred J., [redacted]
Carlson, Lyle W., [redacted]
Castle, Ralph, Jr., [redacted]
Caudill, Vaughn E., [redacted]
Chang, John, [redacted]
Chula, Robert, Jr., [redacted]
Ciba, Edward J., [redacted]
Clark, Larry J., [redacted]
Comte, Ronald N., [redacted]
Conner, Sheryl A., [redacted]
Conrad, James D., Jr., [redacted]
Cook, Harold R., [redacted]
Cornell, Andrew B., Sr., [redacted]
Coussens, Wayne R., [redacted]
Cusack, John P., [redacted]
Dean, Gary W., [redacted]
Dehnert, Loren M., [redacted]
Demarais, Richard A., [redacted]
Ebeling, Stanley J., [redacted]
Edwards, Michael S., [redacted]
Eng, Robert R., [redacted]
Fairchild, Leigh S., [redacted]
Farris, Jack C., Jr., [redacted]
Feeley, Michael J., [redacted]
Fitzpatrick, Glen M., [redacted]
Flood, Randell G., [redacted]
Fosler, Steven R., [redacted]
Francoise, James J., [redacted]
Gardner, Henry S., Jr., [redacted]
Garot, Kenneth, [redacted]
Gelston, Hugh M., Jr., [redacted]
Glasgo, Stephen C., [redacted]
Gombeski, Robert W., [redacted]
Gonzalez, Roberto A., [redacted]
Good, Harry R., Jr., [redacted]
Goodes, Dennis P., [redacted]
Greenwood, James R., [redacted]
Grubbs, Frank K., [redacted]
Hagey, David K., [redacted]
Hamilton, Bruce E., [redacted]
Harbach, Ralph E., [redacted]
Harbell, John W., [redacted]
Harmer, Stanley D., [redacted]
Harmon, Joseph M., III, [redacted]
Harrison, Ronald C., [redacted]
Hart, Loren S., [redacted]
Hicks, Michael C., [redacted]
Hohl, Wesley S., [redacted]
Hsieh, David A., [redacted]
Jackson, Ed, Jr., [redacted]
Jackson, James N., [redacted]
Jerome, James J., [redacted]
Johnson, David L., [redacted]
Johnson, Howard E., [redacted]
Johnson, Lawrence M., [redacted]
Johnson, Leif G., [redacted]
Johnson, Montie S. Jr., [redacted]
Josie, Larry L., [redacted]
Kaufman, Lynn W., [redacted]
Kelley, Michael B., [redacted]
Kidd, Lynn T., [redacted]
Kitsopoulos, Gloria J., [redacted]
Klein, Terry A., [redacted]
Knudson, Kathryn H., [redacted]
Kociscak, William M., [redacted]
Kotzin, David A., [redacted]
Kovalanchik, Henry P., [redacted]
Kulbiski, Joseph V., [redacted]
Kuoni, Philip J., [redacted]
Latch, John R., [redacted]
Latona, Dean P., [redacted]
Levesque, John C., [redacted]
Lewis, Bobby D., [redacted]
MacKoy, Rebecca J., [redacted]
Madsen, Ellis M., [redacted]
Magee, George D., [redacted]
Mansfield, Kim D., [redacted]
Marrot, Dwyane D., [redacted]
Maschek, Randall P., [redacted]
Mays, Mary Z., [redacted]
McAdam, Richard G., [redacted]
McCrady, David B., [redacted]
McKnight, Steven A., [redacted]
McLean, Geogre, II, [redacted]
Meadows, Claude V., Jr., [redacted]
Messner, Robert C., [redacted]
Mestas, Robert I., Jr., [redacted]
Miles, Henry L., [redacted]
Miller, Eugene A., [redacted]
Minton, Terry R., [redacted]
Mizell, James T., II, [redacted]
Moffatt, Joseph F., [redacted]
Morgan, Michael W., [redacted]
Mowry, Richmond B., [redacted]
Murphy, Thomas, Jr., [redacted]
Myers, Robert J., [redacted]
Nacev, Vladimir, [redacted]
Navo, Thomas J., III, [redacted]
Oates, Jerry D., III, [redacted]
O'Donnell, Vincent M., [redacted]
Ogden, Gerald A., [redacted]
Ogle, Forrest L., [redacted]
Ohare, Donald A., [redacted]
Ordynsky, George, [redacted]
Park, Richard S., [redacted]
Parkison, Steven C., [redacted]
Parsons, James C., [redacted]
Patterson, Thomas E., Jr., [redacted]
Patton, Daniel A., [redacted]
Payne, Cary J., [redacted]
Perry, Randy, [redacted]
Phull, Kotu K., [redacted]
Poole, Donald R., [redacted]
Porter, Billy R., [redacted]
Prouty, Richard W., Jr., [redacted]
Rahm, Ronnie L., [redacted]
Raiha, Nancy K., [redacted]
Read, Robert C., Jr., [redacted]
Richardson, Danny G., [redacted]
Roberts, Welford C., [redacted]
Robichaux, Rene J., [redacted]
Rockwell, David O., [redacted]
Rollins, Kenneth D., [redacted]
Ross, James W., [redacted]
Rowden, Scott E., [redacted]
Sajac, Richard A., [redacted]
Sanders, Richard D., [redacted]
Sanftleben, Kurt A., [redacted]
Santos, Joe A, [redacted]
Saxen, Thomas P., [redacted]
Schmitt, Thomas J., [redacted]
Serenbetz, Raymond W., [redacted]
Sharp, Harold E., [redacted]
Shipley, Patrick L., [redacted]
Shultz, George E., [redacted]
Skelly, Eileen M., [redacted]
Smart, David A., [redacted]
Smith, James E., [redacted]
Smith, William B., [redacted]
Solimando, Dominic A., [redacted]
Solomon, James G., [redacted]
Spade, Elton L., [redacted]
Speetzen, Wayne L., [redacted]
Spradlin, Michael C., [redacted]
Stewart, Robert S., Jr., [redacted]
Stretch, Robert H., [redacted]
Swinney, Phillip W., [redacted]
Sylvia, Bruce F, [redacted]
Thornburgh, Jan H., [redacted]
Tierney, John W., Jr., [redacted]
Tolley, Stephen G., [redacted]
Tomlinson, Jeffrey S., [redacted]
Tucker, Jonathan E., [redacted]
Turner, James T., [redacted]
Ussery, Michael A., [redacted]
Vesely, Clarence D., [redacted]
Waldrop, Lucius S., [redacted]
Wall, Joseph C., [redacted]
Weiser, John C., [redacted]
Wells, Alexander S., [redacted]
Wheeler, Michael D., [redacted]
White, Joseph C., [redacted]
White, Sandra L., [redacted]
Whiteaker, Roger S., [redacted]
Willard, Lloyd F., Jr., [redacted]
Williams, David W., [redacted]
Williams, Duke R., [redacted]
Williams, Jackie L., [redacted]
Williams, John J., Jr., [redacted]
Williams, Michael R., [redacted]

Wilson, James R., [redacted]
Wilson, John E., [redacted]

ARMY MEDICAL SPECIALIST CORPS

To be major

Applewhite, Margaret P., [redacted]
Berg, Valerie J., [redacted]
Conrad, Shirley N., [redacted]
Demars, Bonnie J., [redacted]
Gallo, Jeanne M., [redacted]
Henley, Hannah C., [redacted]
Hoffman, Bonnie E., [redacted]
King, Nancy, [redacted]
Level, Maria B., [redacted]
Luster, Stephen H., [redacted]
May, Howard C., [redacted]
Murphy, Thomas C., [redacted]
Rasorgreenhalgh, Sue A., [redacted]
Storey, Rebecca S., [redacted]
Stratton, Steven A., [redacted]
Zitzka, Claudia A., [redacted]

VETERINARY CORPS

To be major

Chedester, Alan L., [redacted]
Coburn, Thomas C., [redacted]
Dochterman, Leland W., [redacted]
Finnegan, Niall B., [redacted]
Gaiser, Charles N., [redacted]
Grant, Kenneth J., [redacted]
Hubner, Roger D., [redacted]
Hummel, George M., [redacted]
Jennings, Gerald B., [redacted]
Kelsey, Charles Jr., [redacted]
Levins, Randale H., [redacted]
Lyons, Fred E., [redacted]
McGuire, Mike D., [redacted]
Moore, George E., [redacted]
Morgan, Earl W., [redacted]
Norman, Lynn E., [redacted]
Nuzum, Edwin O., [redacted]
Pool, Thomas N., [redacted]
Potter, Robert C., [redacted]
Rahmes, Gordon D., [redacted]
Schilling, Dan E., Jr., [redacted]
Smith, Robert R., [redacted]
Stokes, William S., [redacted]
Stotts, Richard R., [redacted]
Taylor, Dewayne G., [redacted]
Thayer, Gary W., [redacted]
Vanetten, James, [redacted]
Young, George D., [redacted]

ARMY NURSE CORPS

To be major

Adkins, Carolyn S., [redacted]
Ahern, Judith, [redacted]
Allanach, Elaine J., [redacted]
Allen, Linda C., [redacted]
Auvenshine, Karen E., [redacted]
Avant, William T., [redacted]
Baehr, Randall C., [redacted]
Baggott, Debra L., [redacted]
Baldvins, Lynn A., [redacted]
Batts, Carmencita T., [redacted]
Baum, M.V., [redacted]
Baxter, Mary A., [redacted]
Beatty, Catherine I., [redacted]
Bee, Alberta M., [redacted]
Belich, Joseph M., [redacted]
Bence, Priscilla J., [redacted]
Bermudez, Barbara A., [redacted]
Bernheim, Carolyn G., [redacted]
Beson, Linda R., [redacted]
Bicestephens, Wynona M., [redacted]
Blake, Barbara J., [redacted]
Blankemeier, Cheryl L., [redacted]
Boggan, Richard D., [redacted]
Bond, John H., Jr., [redacted]
Bouffard, Anne L., [redacted]
Boyle, Karen E., [redacted]
Brinkley, Merry A., [redacted]
Brown, Martha E., [redacted]
Brunken, Sandra L., [redacted]
Campbell, Tonia D., [redacted]
Carson, John F., [redacted]
Carvill, Kathleen M., [redacted]
Caylor, Anne M., [redacted]
Cefaly, Patricia, [redacted]
Chadek, Paul E., [redacted]
Chandler, Denise L., [redacted]
Chenausky, Nancy V., [redacted]
Chessher, Patricia J., [redacted]
Choy, Sergio J., [redacted]
Clark, Mark E., [redacted]
Cofer, Gloria D., [redacted]
Cole, Cheryl E., [redacted]
Collins, Deborah C., [redacted]
Conneen, Robert L., [redacted]
Connolly, Mary S., [redacted]
Cozean, Ronald J., [redacted]
Craft, Candice A., [redacted]
Craigmorich, Carolyn M., [redacted]
Crosby, George W., [redacted]
Davis, Donna M., [redacted]
Decesare, Elaine M., [redacted]
Denooyer, Lynn C., [redacted]
Devlin, Frances K., [redacted]
Dickinson, Lois J., [redacted]
Downs, Martha C., [redacted]
Dufresne, Leon A., [redacted]
Erlitz, Gail D., [redacted]
Ewald, Charles T., [redacted]
Facen, Princess L., [redacted]
Ferguson, Joellen, [redacted]
Finney, William E., [redacted]
Flash, Thomas E., [redacted]
Floyd, Cynthia D., [redacted]
Fontana, Leann D., [redacted]
Ford, Lark A., [redacted]
Fourroux, Jeanne A., [redacted]
Fuschino, Wanda A., [redacted]
Galeas, Dewey G., [redacted]
Gerson, Carol A., [redacted]
Gonzalves, Patricia E., [redacted]
Goodrich, William C., Jr., [redacted]
Green, Ardon, [redacted]
Griswold, Michael F., [redacted]
Gscheidle, Barbara S., [redacted]
Guffey, Donald W., [redacted]
Haferman, Charles T., [redacted]
Hagan, John R., [redacted]
Hagley, Michael W., [redacted]
Halliday, Ann E., [redacted]
Harris, Janet A., [redacted]
Harris, Roy A., [redacted]
Harris, Selma V., [redacted]
Harris, Sheila A., [redacted]
Harrison, Marilyn, [redacted]
Harvey, Patricia A., [redacted]
Hayes, Ginger K., [redacted]
Hayslett, Karen T., [redacted]
Herod, Arlita M., [redacted]
Higgins, Suzanne J., [redacted]
Hildreth, Pamela J., [redacted]
Hoaglund, Pamela A., [redacted]
Hoffman, Sally W., [redacted]
Hofman, Janis L., [redacted]
Holliday, Virginia G., [redacted]
Hooper, Teresa A., [redacted]
Hudgins, Carolyn A., [redacted]
Hynes, Diane L., [redacted]
Jackson, Shirley D., [redacted]
Jantzen, Ragni M., [redacted]
Johnson, Lea N., [redacted]
Johnson, Mona, [redacted]
Joltin, Rory C., [redacted]
Kallish, Monika F., [redacted]
Keeton, Dennis S., [redacted]
Kephart, Tami L., [redacted]
Kessler, Diane L., [redacted]
Kilian, Deanne M., [redacted]
Kilpatrick, Darla M., [redacted]
King, Christine A., [redacted]
Kinneberg, Roger W., [redacted]
Kokoszka, Edward A., [redacted]
Kotefka, Connie J., [redacted]
Kozmafornaro, Mary J., [redacted]
Krellwitz, Margit C., [redacted]
Lacharity, Linda A., [redacted]
Lange, Graciela D., [redacted]
Leak, Brenda L., [redacted]
Leblanc, Rene J., [redacted]
Lintvedt, Robert E., [redacted]
Lopez, Yvonne F., [redacted]
Lupien, Alfred E., [redacted]
Madeson, Myrna J., [redacted]
Martin, Leslie A., [redacted]
Masters, Fredrick L., [redacted]
McCourt, Mary E., [redacted]
McDaniel, Juanita H., [redacted]
McDonough, Terry E., [redacted]
McIntyre, Kathleen A., [redacted]
McIver, Deborah Y., [redacted]
McNeill, Nina G., [redacted]
Means, Thomas E., [redacted]
Mele, Robert J., [redacted]
Michael, Mary K., [redacted]
Mitcham, Denise R., [redacted]
Moloney, Carolyn M., [redacted]
Monson, Barbara A., [redacted]
Monteith, Maryann, [redacted]
Moore, Kathleen L., [redacted]
Moore, Kathlyn S., [redacted]
Muzyka, Sharon S., [redacted]
Newman, Kathleen V., [redacted]
Nuppenau, Rea M., [redacted]
Ogg, Donna L., [redacted]
Otero, Albert A., [redacted]
Pabst, Terry L., [redacted]
Patrick, Joyce Y., [redacted]
Pearson, Bonnie S., [redacted]
Pepper, Karen B., [redacted]
Perkins, Constance E., [redacted]
Perkins, Gladys V., [redacted]
Phillips, Jill S., [redacted]
Pinckney, Shirley T., [redacted]
Pinneke, Roger F., [redacted]
Pixley, Beryl K., [redacted]
Plumley, Susan D., [redacted]
Pollock, Gale S., [redacted]
Prewdelekto, Debra A., [redacted]
Raines, Esther L., [redacted]
Reyna, Helen N., [redacted]
Rittenbach, Fe C., [redacted]
Roach, Terry R., [redacted]
Robbins, Dennis L., [redacted]
Robenolt, William J., [redacted]
Rocco, Catherine K., [redacted]
Rowlett, Barbara L., [redacted]
Royster, Cynthia A., [redacted]
Sandoval, Juan, [redacted]
Sandord, Pamela G., [redacted]
Santiagorivera, Miguel, [redacted]
Saulsberry, Patricia A., [redacted]
Saum, Robert W., Jr., [redacted]
Scarbrough, Lydia M., [redacted]
Schempp, Catherine M., [redacted]
Schlesser, David A., [redacted]
Scott, Charlene F., [redacted]
Selin, Jana C., [redacted]
Sharp, Armida, [redacted]
Sheaffer, Steven M., [redacted]
Shelton, Joyce L., [redacted]
Shriver, Natalie M., [redacted]
Simmonds, Gwenneth C., [redacted]
Simpson, Deborah A., [redacted]
Simpson, Kathleen L., [redacted]
Smith, Christie A., [redacted]
Smith, Deborah G., [redacted]
Smith, Mary R., [redacted]
Smith, Mildred M., [redacted]
Smith, Patricia A., [redacted]
Smith, Sybille G., [redacted]
Sorbello, Samuel C., [redacted]
Sprague, Thomas E., [redacted]
Steinfeld, Susan M., [redacted]
Stetz, Charles, K., [redacted]
Stewart, Elizabeth R., [redacted]
Sudduth, Elizabeth, [redacted]
Sutter, Michael J., [redacted]
Swartz, Ann L., [redacted]
Taff, Carol L., [redacted]

Tate, Saundra D., [redacted]
Tefft, Steven L., [redacted]
Tikkanen, Patricia L., [redacted]
Trafford, Antoinette C., [redacted]
Treleven, Ann M., [redacted]
Tyrellsmith, Janis P., [redacted]
Varner, Anne E., [redacted]
Vastunasroe, Mary A., [redacted]
Veit, Nahid, [redacted]
Volk, Maribeth C., [redacted]
Walsh, Gregory C., [redacted]
Walters, Russell T., [redacted]
Washington, Orian P., [redacted]
Weber, James R., [redacted]
Wedge, Brenda J., [redacted]
Wesley, Patrick A., [redacted]
Wesso, Cindy L., [redacted]
Westbrook, Sheila M., [redacted]
Wickwire, Frederick K., [redacted]
Wilhelm, Katherine J., [redacted]
Wilkins, Wanda K., [redacted]
Williams, Rita L., [redacted]
Wise, Wayne C., [redacted]
Woolnough, Nancy A., [redacted]
Wright, Yvonne B., [redacted]
Wyckoff, William J., [redacted]
Yaney, Sandra F., [redacted]
Young, Kathleen K., [redacted]
Yungbluth, Joseph A., [redacted]
Zamora, Donald B., [redacted]

IN THE NAVY

The following-named temporary captains of the reserve of the U.S. Navy for permanent promotion to the grade of captain in the line and staff corps as indicated, pursuant to the provisions of title 10, United States Code, section 5912:

LINE

Burroughs, Robert P.
Hawkinson Arthur A.
Patterson, Robert A.
Raleigh, James, J., III
Schafer, Robert W.
Tarleton, Lee A.

SUPPLY CORPS

Osmon, Robert E.

The following-named temporary commanders of the reserve of the U.S. Navy for permanent promotion to the grade of commander in the line, pursuant to the provisions of title 10, United States Code, section 5912:

Birzer, Norman Q.
Carson, Cary D.
Feller, Rainer
Hampe, Walter R.
Harris, Oscar I. Jr.
Howard, John D.
Keith, Stephen T.
Kraus, George W.
McMorrough, John D.
Medulan, John J.
Miller, David W.
Mortensen, Ivan J.
Navickas, Richard G.
Scully, Thomas J.
Simonson Scott T.
Spangler John H.
Threlkeld Walter F., Jr.

IN THE NAVY

The following-named lieutenants of the line of the Navy for promotion to the permanent grade of lieutenant commander pursuant to title 10, United States Code, section 628, subject to qualifications therefor as provided by law:

UNRESTRICTED LINE (11XX/13XX)

Sabalos, Nicholas, and Thielemann, George J., III

IN THE NAVY

The following-named Navy Enlisted Commissioning Program candidates to be appointed permanent ensign in the line or staff corps of the U.S. Navy, pursuant to title 10, United States Code, section 531:

Alfred, Orlando A.
Baker, Charles R.
Bigalbal, Rustico L.
Carruth, Richard G.
Gero, Ronald M., Jr.
Gilbert, David E.
Holcomb, Nancy J.
Knapp, Frederick L.
Preston, James M.

The following-named Naval Reserve officers to be appointed permanent ensign in the line or staff corps of the U.S. Navy, pursuant to title 10, United States Code, section 531:

Bladow, Craig W.
Borland, Curtis E.
Brennan, Jennifer L.
Bricker, Paul R.
Cummings, Michael G.
Fuller, Luther B., III
Gordy, Samuel J.
Harrison, Michael C.
Henze, Roger H.
Lipscomb, Michael P.
Manzanet, John
McHugh, Kevin G.
Meetze, James A., Jr.
Murray, Stewart L.
Palma, Timothy R.
Porter, Gregory R.
Rands, Steven R.
Reissener, Brett A.
Sachse, Thomas W.
Soens, Francis J.
Strong, Thomas R.
VanMeter, Guy E.
Wanner, John M., Jr.
Weadick, Gregory R.
Wotipka, Donald G.
Wright, Merrick L.

Frederick E. Ludwig II, ex-Naval Reserve officer, to be appointed permanent commander in the Medical Corps of the U.S. Naval Reserve, pursuant to title 10, United States Code, section 593.

The following-named U.S. Navy officers to be appointed permanent commander in the Medical Corps of the U.S. Naval Reserve, pursuant to title 10, United States Code, section 593:

Dufour, David R.
Pratt, Steven G.
Rodriguez, Alexander R.H.

Timothy S. Smith, commander, U.S. Navy, to be appointed permanent commander in the Dental Corps of the U.S. Naval Reserve, pursuant to title 10, United States Code, section 593.

James W. Crawford, commander, U.S. Navy, to be appointed permanent commander in the line of the U.S. Naval Reserve, pursuant to title 10, United States Code, section 593.

IN THE MARINE CORPS

The following-named temporary disability retired officer for reappointment to the grade of major in the U.S. Marine Corps, pursuant to title 10, United States Code, section 1211:

Johnson, James M., [redacted]

IN THE MARINE CORPS

The following-named Marine Corps Enlisted Commissioning Education Program graduate for permanent appointment to the grade of second lieutenant in the U.S. Marine Corps, pursuant to title 10, United States Code section 531:

Harold, D. Jones, [redacted]

The following-named Naval Reserve Officers Training Corps graduates for permanent appointment to the grade of second lieutenant in the U.S. Marine Corps, pursuant to title 10, United States Code, sections 531 and 2107:

Richard S. Babcock, [redacted]
Dale L. Capwell, [redacted]
Ronald M. Clifton, [redacted]
Daniel N. Marquis, [redacted]
Joel S. Sauer, [redacted]
Michael T. Simmons, [redacted]
Wellington Y. Wheaton, [redacted]

EXTENSIONS OF REMARKS

IMPACT OF OIL MERGERS SEEN

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. FLORIO. Mr. Speaker, we are continuing to see the troubling ripple effects of the current wave of giant oil mergers. A recent article which I am inserting in the RECORD reports that one of the parties to a merger is selling off some of the assets it acquired in an effort to pay off part of the enormous debt resulting from the merger.

Among the concerns raised about the giant oil mergers has been their impact on credit and the debt structure of the industry and the possible adverse consequences for exploration for new reserves. Events such as those reported in the article appear to lend support to the arguments of those who questioned the viability of the companies resulting from the mergers.

The broader lesson to be learned here is that we should stop rushing through approval of these mergers without adequate review and consideration of the consequences. My bill, H.R. 2777, is designed to improve procedures for consideration of oil mergers so we can be assured of a more deliberate approach.

[From the Philadelphia Inquirer, July 19, 1985]

GULF REFINERY IN SOUTH PHILADELPHIA FOR SALE, CHEVRON SAYS

(By Andrew Cassel)

Chevron Corp. is seeking buyers for its Gulf Oil refinery in South Philadelphia and up to 2,000 service stations in the region, company officials confirmed yesterday.

Several major U.S. oil companies and foreign-owned concerns have expressed interest in the 370-acre facility that employs nearly 800 workers, although no "serious negotiations" have taken place, Chevron officials said.

Chevron is putting its East Coast properties into a package that it hopes will sell quickly and help pay part of the company's $14.1 billion debt, which it took on in the 1984 merger with Gulf Corp., officials said.

In addition to the refinery, the package would include adjacent gasoline terminals, oil-storage "tank farms" and about half the 4,000 Chevron and Gulf gasoline stations from Maine to Virginia.

Whoever buys the properties would own "a balanced company that could continue operations as an ongoing buisness," said Orvis Larsen, a Chevron executive who heads an East Coast task force for the company.

Larsen insisted that a sale is only one of several options being considered by Chevron. But he said the company has told prospective bidders it would be willing to tailor a package to suit their needs, adding or subtracting gas stations or other properties to help speed a sale.

"The main driving force behind what we're doing is reduction of our debt," Larsen said. Chevron began offering information packages to prospective bidders about three weeks ago, he said.

The package would include enough gas stations and wholesale supply contracts to handle the refinery's output, which can equal 175,000 barrels of oil per day.

"The marketing assets included would move a volume of produce that's just about equal to the production of the refinery," Larsen said.

Chevron has sold a number of former Gulf properties, including an oil refinery in Louisiana and gasoline stations in the Southeast. The company was near a separate $2.2 billion agreement this week to sell its Gulf Canada Ltd., subsidiary to the Reichmann family of Toronto, but the buyers pulled out at the last minute, forfeiting an $18 million deposit.

Among the reported bidders for Chevron's Southeastern properties last year was Kuwait's government-owned oil company, which industry observers said is interested in obtaining an outlet in the United States for its crude oil. Larsen said some of the prospective bidders for the East Coast properties are from overseas, but he declined to identify them.

Industry experts said that Dutch oil trader John Deuss, who last month agreed to buy the Arco refinery in South Philadelphia from Atlantic Richfield, was examining the Chevron/Gulf properties.

"There's a lot of speculation about Deuss looking at it," one oil industry official said.

Other industry observers doubted that Deuss, who is paying $420 million for Arco's refinery, terminals, pipelines and more than 500 gasoline stations and convenience stores in Philadelphia and New York, could finance another deal of comparable size.

"It would stretch him, unless he bought it for a country like Oman," said one oil trader familiar with Deuss' operations.

Deuss has dealt heavily in Omani crude oil, and is said to have close ties in the Persian Gulf sheikdom.

John Simmons, the retired Arco executive who has been representing Deuss in his dealings in Philadelphia, said he did not know whether the Dutch trader was interested in Gulf's refinery.

"I would be very much surprised if that were the case," he said.

Another source familiar with both Philadelphia refineries said they had different technical strengths and could be operated together without undue duplication.

"They are extraordinarily compatible units," he said.

Unlike most of Arco's stations in this area, which are owned by the company and rented to dealer-franchisees, nearly all of Chevron's stations are owned by dealers or distributors who sell Chevron- or Gulf-brand gasoline under a supply contract with the company.

Gulf stations in this region recently abandoned their widely promoted policy of charging credit-card customers the same price as those who pay with cash. Chevron stations had been charging extra to cover credit-card processing costs, and that policy has been extended to Gulf stations, a Gulf official said.

Arco's sale to Deuss was part of its massive abandonment of the gasoline market east of the Mississippi River and its repositioning as a West Coast rather than a national marketer of petroleum products.

Chevron, which became the nation's largest seller of gasoline after the Gulf merger, is not planning a similar restructuring, officials said.

ROBERT BARTLEY ON TOYING WITH DEPRESSION

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. KEMP. Mr. Speaker, yesterday's Wall Street Journal contains the best analysis I have seen of the dangers which lurk in the current mindless itch in Congress to start a worldwide trade war.

Wall Street Journal editor Robert Bartley's article, "Toying With Depression," explains the remarkable similarities between today and the early 1930's, and points to the need for systemic reforms of trade, finance, and the monetary system—not Smoot-Hawley protectionism.

I commend this article as "must" reading for my colleagues.

The article follows:

TOYING WITH DEPRESSION

(By Robert L. Bartley)

For nearly two generations a remarkable consensus dominated American thinking on foreign trade. Protectionism is bad. There was no debate; everyone agreed, but we have forgotten why. Today Congress is awash in protectionist schemes, and it takes an old man to recall that the lesson was painfully learned.

"Some of us remember the 1930s, when the most destructive trade bill in history, the Smoot-Hawley Tariff Act, helped plunge this nation and the world into a decade of depression and despair," President Reagan told a radio audience Saturday. "If the ghost of Smoot-Hawley rears its ugly head in Congress, if Congress crafts a depression-making bill, I'll fight it."

The stock-market crash of 1929 came in the midst of debate in Congress over the tariff; it had spent the year adding item after item to the protection list. In mid-1930 the Smoot-Hawley bill became law, with the highest tariffs in the nation's history. What might have been an ordinary correction—early 1930 showed a recovery in share prices and stabilization in industrial production—turned into the Great Depression. The economy fell until 1933, and fully recovered only with World War II.

ENGINE OF ECONOMIC PROGRESS

After the war, America led the world to a historic open economic order. Following the

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member of the Senate on the floor.
Boldface type indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

path set in the Roosevelt administration by Secretary of State Cordell Hull and his reciprocal trade agreements, the international community created such institutions as the Bretton Woods monetary agreement and the General Agreement on Tariffs and Trade. The long postwar boom dawned. These experiences etched into our national consensus, and in particular into the minds of President Reagan's generation, that free trade means prosperity and protectionism means depression.

Economists have of course made much of this argument since Adam Smith. They find that the principal engine of economic progress is the law of comparative advantage; if each good is supplied by the lowest-cost producer, all will be richer. And the more widely comparative advantage works, the more wealth it creates. By blocking comparative advantage, protectionism hurts those on both sides of a barrier. Such arguments fell on deaf ears when 1,028 economists petitioned President Hoover to veto Smoot-Hawley; after the Depression they were readily accepted.

Economists have of course offered many explanations for the Depression besides Smoot-Hawley. At the time, many economists thought the Depression was caused by some kind of technological exhaustion, a theory that vanished when growth returned. The Keynesians explained the Depression in terms of liquidity traps and accelerators and multipliers, a vocabulary that now seems quaint after stagflation and other things impossible in a Keynesian universe. The monetarists think the Depression was caused by M1, though others find its zigs and zags then as puzzling as those today. Some still see the villain as speculation; in fact, at the 1929 high the Dow Jones Industrials were bid up to a price-earnings ratio of 20—high, but far from a tulip-craze level.

The Depression was nothing if not international, and thus there is also an international interpretation. Indeed, at least to judge by a summer immersion in Depression literature, those who look to the international economy for causes are both numerous and increasingly persuasive. Their explanation is succinctly put by Peter Fearon of the University of Leicester, "The origins of the great slump, which began in 1929, are to be found in the United States, which, by reducing its capital exports and imports of goods, placed an impossible strain, directly and indirectly, upon the world economy."

Sketching the economic landscape on the eve of the Depression is instructive, not to mention eerie:

First, an unprecedented international debt crisis. The U.S., historically a foreign borrower, entered World War I with a net debt of $3 billion. It lent to the allies, and emerged with foreign net credits of some $6 billion, which Britain, France and others planned to repay by collecting reparations from Germany. After the war U.S. bond houses floated issues for Germany, Latin America and others, Mr. Fearon remarks: "During the 1920s several U.S. finance houses changed their tactics from the traditional one of waiting for the borrowers to come to New York to the more aggressive approach of sending out agents in search of potential borrowers. This move led to fierce competition, with many agents urging clients to borrow to the hilt."

Second, a declining price level, especially for primary products. Until 1928, the Federal Reserve kept interest rates low in what was thought of as an easy money policy. But prices were level to slipping, and as usual minerals and food fell most sharply.

Third, agricultural distress. Falling prices brought screams from agricultural states. Whether the actual Farm Belt distress in the 1920s was commensurate with the complaints is in retrospect an open question. Modern and well-financed farms prospered until the Depression itself. But the heavy food demands of the war led to overexpansion, inflated land values and heavy debts for many farmers. As prices topped out, the values collapsed and debts became unmanageable.

Fourth, exchange-rate problems. After the war, nations gradually proclaimed their return to the gold standard, but increasingly declined to follow its rules. The U.S. allowed its price level to decline despite holding nearly 40% of the world's monetary gold reserves in 1921, for example. In what most consider a mistake, Britain returned to gold at the pre-war level, while the franc returned at a lower level. Like the U.S., France gained gold but felt that adjustment was the responsibility only of nations losing gold.

Fifth, a fiscal policy of supply-side tax cuts. Most reviewers of the period take a Keynesian view of fiscal policy, suggesting that too much devotion to a balanced budget helped cause the Depression or at least inhibited its cure. To supply-siders, the important feature of the 1920s was the remarkable series of tax cuts promoted by Treasury Secretary Andrew Mellon. Attacked by some as sops to the rich, the cuts were accompanied by the 1920s boom.

For the U.S. this landscape was rosy—gains in production, a stock-market boom, lower prices, lower taxes, a balanced budget, a strong dollar—the Roaring '20s. Then the Depression burst forth.

The internationalist writers—Charles Kindleberger, Mr. Fearon, Heywood Fleisig—find its first signs in a drop in U.S. lending abroad during 1928 and 1929. Frightened by the stock-market boom, the Fed tightened in 1928. U.S. loans abroad dipped, while foreigners poured more funds into the U.S. A drop in the flow of capital from the U.S. put further pressure on weak foreign economies. With the capital account flows drying up, the only way other economies could earn dollars to buy American goods or service American-held debt was through trade. To sustain the international economy, in other words, the U.S. had to import.

Instead, the path to trade protection opened in the waning days of the 1928 campaign, when presidential candidate Hoover promised to call a special session of Congress on agricultural relief. It quickly became apparent that this meant raising the tariff, which Joseph Schumpeter described as the "household remedy" of the Republican Party.

In December Rep. Willis Hawley's Ways and Means Committee announced public hearings on a tariff revision, and his call was not limited to farm goods. As the bill passed the House in May, was heard by Sen. Reed Smoot's Finance Committee and reached the Senate floor in September, more and more industries climbed on the bandwagon. After more months of haggling, the conference committee accepted the highest tariffs in either bill. President Hoover, consoling himself with the observation that it contained authority for the executive branch to change the rates administratively, signed the bill into law.

U.S. imports, $5.9 billion in 1929, fell to $4.4 billion, $3.1 billion and $2.1 billion in the next three years. With the capital account closing and imports declining, U.S. exports necessarily fell, and retaliatory tariffs abroad further advanced the cycle. Trade closed around the world. With the austerity policies of the Bruning government, deflation was particularly severe in Germany, where Hitler assumed full power in 1933. One writer, Goronwy Rees, says that Smoot-Hawley "convinced Japanese public opinion that American policy would not tolerate the legitimate expansion of Japanese trade," and Japan turned back to conquest instead.

Clearly the Smoot-Hawley tariff was a colossal blunder, but just as clearly it was but one mistake in a series. Was it the decisive one? The financial and psychological causes often offered for the Depression seem somehow inadequate; so deep and persistent a collapse seems to call for an explanation based in the real economy, for example trade in goods and services blocked by protectionism. But because Smoot-Hawley didn't become law until nine months after the stock-market crash, it has not usually been considered the cause of the Depression.

But quite plausibly it was the cause after all, in light of Jude Wanniski observation that the market crash came precisely as congressional maneuvering made it clear the tariff bill would go beyond agriculture. We now know that the stock market does anticipate events in just such a way, and Mr. Wanniski also finds other correlations: The market broke with news of the special session and with House passage of the bill, and stabilized in early 1930 on the hope of a presidential veto. Both stocks and commodities broke sharply as soon as Hoover announced he would sign the bill.

Even if Smoot-Hawley was not the cause, it certainly played a leading role in the ongoing contraction. When it passed, stocks were still above 1928 levels, for example. But as the international accounts closed down, the world economy choked.

GHOST OF SMOOT-HAWLEY

In the largest sense, the Depression was caused by the interaction of political and economic events. What is troublesome is to see the same politico-economic scenario working itself out today: International debts, falling primary prices, agricultural distress, an end to foreign lending, and now rising clamor for protection. No one intends to write another Smoot-Hawley, of course, but no one intended to write the first one. Once the notion of protection was let loose by Hoover's special session, more and more protection was claimed by special interest after special interest. As Mr. Kindleberger put it, "The congressional rabble enlarged protection from agriculture to primary products and manufactures of all kinds."

With some 300 protectionist bills now before Congress, we are indeed seeing the ghost of Smoot-Hawley. If we toy with protectionism, we will be toying with another depression. But at least a 74-year-old man is around to remember, throwing an ironic cloak over "the age issue." In facing the protectionist threat, we are singularly lucky to have an old and experienced President who lived through it the last time.

INFORMING THE PUBLIC

HON. BARNEY FRANK

OF MASSACHUETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. FRANK. Mr. Speaker, earlier this year the Office of Management and Budget proposed regulations which would substantially curtail the amount of information about our society which is collected and made available by the Federal Government. The Subcommittee on Employment and Housing of the Committee on Government Operations, which I chair, held hearings on this matter and these hearings confirmed my view that the proposal as originally made would be a disaster for the intellectual, political, and economic life of our country, because of the extent to which it would curtail in forum debate.

I was pleased to read, during our recess, an article by a very distinguished economist, Prof. Carolyn Shaw Bell of Wellesley College, documenting the harm this proposal would do. I ask that Professor Bell's article from the August 13 Boston Globe be printed here.

INFORMING THE PUBLIC

(By Carolyn Shaw Bell)

A proposed regulation from the Office of Management and Budget threatens this paper, its readers and anyone who cares about any public issue. Dump sites for hazardous waste, the seatbelt bill currently being considered, jobs lost to low-wage countries or the impact of exit polls on voting behavior are issues only because facts about these conditions exist.

The OMB regulation proposes to restrict, severely, the public availability of information collected from the public and paid for by taxes on the public. Federal agencies now collect information needed to carry out their congressionally assigned tasks. For example, every employer must report on a quarterly basis wages and Social Security taxes paid for every employee. From such reports figures on total taxes paid, number of people covered, type of employer, and so on, have routinely been published. But from now on, if may not happen.

Language in the proposed regulation says, "Agencies would have to show that information dissemination activities were essential to their missions," and of course the Social Security Administration does not need to publish these figures to keep accounts for people.

The Globe regularly publishes the Department of Commerce figures on international trade, exports and imports. Most people have read about the number of millionaires who pay no income tax, reported by the IRS. Asbestos and lead poisoning became known as public dangers after the National Center for Health Statistics had published, year after year, data on the causes of deaths. The figures are collected to help these agencies carry out their congressional missions, but all three could function without sharing this information with the public. If the OMB proposal were in effect none of these facts would be "essential" and they would not, therefore, be provided.

The regulation also requires that information be disseminated only by "imposing user charges where appropriate" and with "maximum feasible reliance on the private sector." Today agencies commonly issue press releases describing key points in their new information. TV, radio and the newspapers can report this news and interested parties can buy the complete reports. And since many public libraries and those at colleges and universities receive government documents and periodicals almost everyone can learn about all the information. How will this change?

Libraries with limited budgets will not be able to pay for everything they now receive and probably many reports will be discontinued because they are not cost-effective. Perhaps the news media will pay to subscribe to press releases; the prices charged for government publications will rise because of fewer buyers.

But some users would pay, and willingly. Publishers and consultants can now buy, very cheaply, computer tapes of federally-collected statistics, repackage them in glossy almanacs or directories and sell "their" information for high prices. Under the new regulation, such, volumes will become far more profitable, because the agency reports now available to knowlegeable users may no longer exist.

Much existing information is so taken for granted it is difficult to imagine doing without it. A local committee can plan housing for the elderly with accurate numbers from the Department of Housing and the Bureau of the Census. Advaocates for or against repealing the state income surtax have plenty of figures from the Treasury Department.

But such groups will be reduced to using rhetoric and opinion instead of convincing information if the OMB proposal goes into effect. The regulation proposes that the private sector take over many of the surveys and data collection programs now managed by federal agencies, and sell their information rather than releasing it generally.

The private sector has no particular interest in collecting all the useful information, only that which can be profitably marketed. The private sector need not design objective programs to collect complete figures on a regular basis.

Instead, controversy will sponsor the publication and collection of information by those lobbying for one side or another. Evidence about air pollution malnutrition or prison brutality can be produced to whip up fears or to reassure readers. State and local figures on employment, street crimes or recreational facilities can be collected and disseminated to bolster the political aims of the private-sector organization producing the data.

Only government is charged with the public interest and the general welfare. Government-collected information is widely available to dispel ignorance so that the public can make informed choices.

The full impact of the proposed regulation is still unknown. Only one brief public hearing has been held. And most people will discover, too late, how harmful the regulation is.

OMB insists no censorship is planned nor any denial of the public's right to know. But it has also made no real attempt to let people know about the proposal, nor campaigned for a wide range of comment, nor alerted potential users. Presumably it is not "essential" to the mission of OMB that information be disseminated about the proposed regulation. The threat is real, and everyone has a stake in the outcome.

NATO AND THE PUBLIC

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. GARCIA. Mr. Speaker, in November 1984, the North Atlantic Assembly Committee on Civilian Affairs, which I chair, published a report on the need for a more effective NATO information service. The report was prepared by my friend and colleague, the committee's general rapporteur, Dr. David Clark.

I believe the report to be particularly apropos in light of any adverse affect the West German spy scandal may have had on public opinion of NATO. If the people knew more about NATO then they would be better able to assess problems confronting it. It is important that the general public understand the importance of NATO, and of course, the continued crucial role that, our friend and ally, West Germany plays in that organization. The Atlantic Alliance is much more than bombs and bullets; it is concerned with keeping the peace and legitimate East-West dialog.

Dr. Clark's report offers some excellent suggestions as to how NATO can better communicate its message to the public. I am inserting excerpts from the report for my colleagues' perusal. I can make available a complete copy of the report for anyone who is interested.

NORTH ATLANTIC ASSEMBLY, COMMITTEE ON CIVILIAN AFFAIRS, GENERAL REPORT ON THE PUBLIC AND THE ALLIANCE

SUMMARY

The Rapporteur aims at identifying the difficulties in communication between the public and NATO, and at suggesting ways of solving them.

I. The State of Public Opinion

The aims of the Alliance are not well-understood by the public. Since the fear of a war has increased in all Alliance countries, and since nuclear war would be utterly catastrophic, the flexible response strategy has not answered public concerns, especially as opposition to nuclear weapons has increased in the last few years. The Rapporteur's assertion is that deterrence rests largely on public support, and that a consensus on the Alliance therefore has to be re-established.

The defence will of citizens has a direct bearing on defence spending, since parliaments have to vote appropriations. At a time when the nuclear threshold should be raised, for strategic as well as public reasons, the public passivity over defence is a matter of concern.

National differences and party-political approaches have also accounted for a lessening of the consensus on the Alliance.

II. Issues Affecting the Public

Three problems have been detrimental to the comprehension of Alliance strategy by the public. The fact that NATO has based its policy on a nuclear response means that any change of vocabulary by the United States is misunderstood in Europe. Conversely, the fact that a large majority of the US public is determined to support the use

of US troops if Western Europe were to be attacked is not known.

A clearer association between the Alliance and national survival is also needed. People can more readily understand the necessary demands that are made of them if they can see that their own survival as a national entity relies upon the perpetuation of the Alliance.

The public's dissatisfaction can also be noticed in the discrepancy between some elements of the Alliance's strategy, and relatively new problems, such as the safety of supplies or the need for a European pillar of the Alliance.

III. A New Information Structure for NATO

The Rapporteur describes the present information structure of NATO, based on purely national responsibility. He advocates a more positive approach in each member-country, with the emphasis being placed on variety, by setting up bureaus which would operate through the organizations existing in each country, such as political parties, trades unions, interest groups, etc. The example of the EEC is a case in point.

In NATO itself, the Committees dealing with information should be upgraded and their role in presenting communiques increased. NATO has to realise that information has become a vital part of the Alliance's strategy, since its credibility relies very largely upon it.

INTRODUCTION [1]

1. Governments in democratic countries have to take decisions, even when they are unpopular, but they cannot do so against the wishes of their electorate, when these are expressed by a vote. Furthermore, it is difficult to pursue policies which are contrary to the public mood. However, "public opinion" is much more elusive concept than the electorate, which is a reality expressed by the vote. We are therefore torn between the two extremes: on the one hand, democratically-elected leaders have to take public feelings into account, if only out of prudence, whereas, on the other hand, these cannot be identified clearly. The instruments for measuring support for policies are not perfect, and we are left with an impressionistic approach.

2. What a politican can do, however, is to try to identify problems as he sees them with the help of whatever tools he can find, and offer suggestions for meeting them. In this respect, your Rapporteur should like to express his thanks to those colleagues on this Committee who have sent him results of opinion polls in their countries on the subjects he will be addressing in this report.

3. It is necessary, when dealing with opinion issues, to caution against some misunderstandings. First, it is useful to distinguish between the public as a whole and the leaders, or opinion formers, who are better informed than the general public and share some of the vocabulary and concerns of the decision-makers. Although some of the examples in this report will relate to leaders' positions, if only because of their influence on public opinion as a whole, the report will focus on the attitudes of the public itself. The second caveat arises from the difficulty of comparing results of opinion surveys, especialy on an international basis. Methods vary from country to country, the questions are not strictly the same, and even the same words can bear different connotations. Your Rapporteur would therefore wish to be particularly careful, drawing general conclusions only insofar as they represent visibly a basic framework. Moreover, your Rapporteur would like to underline that opinion surveys seem to him to be one of the means of studying public positions, but that they should be treated with caution. The recent controversy in the Federal Republic of Germany over the drafting of different polls on missile deployment, which induced very varied answers, is a case in point. (1)

4. It is undeniable, however, that politicians and experts consider that public opinion, even in the realm of international policy, is playing an increasingly important role. Even the real politician "par excellence", Dr. Kissinger, argued for his controversial plans to reshap NATO on the basis of the challenge to the Alliance by the "peace movement" and "key segments of public opinion".[32] Democracies cannot ensure their own defence if voters, and their representatives, drag their feet at every proposed amendment to the defence structure. The most compelling reason for this is, of course, financial, although other considerations also have a bearing on it. This is not to say that the general public should determine policies, especially in comparatively abstruse areas such as international affairs and defence. It simply has to be noted that the public now takes part in the discussion of policies in these areas, and that the democratic nature of our regimes implies that this participation will have consequences in terms of budgetary constraints, and of the practicability of the available choices when decisions have to be made. In other words, governments' freedom to act will be more limited. The public will set a framework which will determine the boundaries of policy-making. Governments have some means of influencing the public, but they have to be concious of the change in public attitudes if they want to lead the citizens rather than to be confronted by public opinion.

* * * * *

I. The state of public opinion

6. Without attempting to describe public feelings as thoroughly as if this report were an academic survey of public opinion in our sixteen countries, your Rapporteur would like to try and describe the underlying trends that account for the awkwardness of public reactions to government policies. Three conclusions emerge: public doubts over the effectiveness of NATO strategy are on the increase, the defence will of citizens is decreasing, and national differences may lead to misunderstandings within the Alliance.

(A) Public doubts

7. Fear of war has increased very noticeably over the last few years. Indeed, the prospect of war is considered more likely now than it was a few years ago. According to a survey in the Federal Republic of Germany, 24 percent of people seem to think that a world war is likely in the next twenty or thirty years,[3] and that in a country which is obviously one of the most central in terms of East-West relations. In the United States, the likelihood of armed conflict is assessed even higher than in Europe, as shown by the testimony given by Mr. Wood, Gallup's Vice-President, to our Committee in Washington on 17 November 1983. According to a State Department testimony to the Committee (24 September 1984), US teenagers are twice as worried as their elders by the prospect of a nuclear war, which 50 percent of them believe is likely before the year 2000. In Canada, 53 percent of respondents thinks that "hostile attitudes between the US and Russia will escalate into a third world war".[4] These feelings have to be analysed in the wider context of the "unthinkability" of war in the nuclear age. As last year's General Report made clear, citizens now envisage war as being so totally destructive that its very prospect is unthinkable. The image of nuclear confrontation relates to nothing known. The very concept of prospective warfare has therefore altered dramatically, from the comprehensible vision of something that should be conjured up by a steady effort, to the obscure prospect of total annihilation of civilization and society. It is not for us to pass a judgment on this vision, which we have to accept as a fact of contemporary life. Indeed, the very concept of nuclear deterrences is based upon such a vision, and as such has been popularised by governments and politicians.

8. The coincidence between the unthinkability of war and the increase in its assumed likelihood has a consequence in that the greater people's belief in the possibility of an all-out war, the more likely they are to be sympathetic to the "peace movement". In West Germany, the only group where a majority of those sampled think that a world war is likely, is that group sympathetic to the "Green" Party.[5] It is also true, conversely, that in France the assessment of the possibility of war is comparatively low, as is the refusal of military means, and of the Alliance.[6] Policy makers must therefore redefine the bases for their call to citizens. The traditional appeal to effort and unity cannot be accepted when the choice seems to be between suicide and surrender.

9. Probably the most noticeable factor in this context is the very rapid shift in the perception of the comparative strengths of the US and the USSR. In West Germany, the assumption of equality between them has given way to a feeling of Soviet superiority whereas in France, the Netherlands, Norway and Belgium, opinion was divided over the issue in 1982, after having united on a vision of rough parity.[7] As a consequence, the effectiveness of NATO under threat is now in doubt. This is true of public confidence on NATO's ability to defend Western Europe, and even more so of its capacity to prevent an attack (the concept of deterrence).[8] This has had little effect, as yet, on the perception of the necessity for the Alliance,[9] but it has already had very serious consequences on the credibility of NATO's strategy. Missile deployment is an example, but more generally the flexible response, which has been the base of the Alliance's posture for over two decades, is visibly affected by this disbelief, as well as being one of its causes.

10. Whatever the merits of the dual-track decision, one of the reasons for the strong opposition to its implementation has been the feeling that deployment was sensed as increasing the threat to the public more than its protection. Politicians who opposed the missile deployment, as well as the "peace movement", have always mentioned the increased risk to civilians as one of the causes for their opposition. This discrepancy between general political attitudes and reaction towards deployment is only a sign of fear. In the theory of deterrence, one of the functions of nuclear weapons is to ensure stability through security. The fact

[1] The Rapporteur notes with appreciation the assistance provided by the International Secretariat and especially by Mr. Guillaume Parmentier, the Director of the Committee on Civilian Affairs, in the preparation of this report.

that a large proportion of the people opposes them, conflicts with the sense of security which is a basis for security itself. Your Rapporteur does not wish to analyse the conditions of missile deployment, now a fact of the past. However, it remains a most spectacular example of the spreading of insecurity in public mentality. There are technical reasons why this has been the case: in particular, the delay between the dual-track decision and deployment was too long, as the originator of the decision, ex-Chancellor Schmidt, himself vouches. It nevertheless constitutes a sign that not enough attention has been paid to public sensitivities. This was especially damaging because deterrence (as opposed to defence), has to rest on continuous support by the public. As an abstract concept, based both on the feasibility of a devastating response and on the presupposition that an attack can be prevented by that very prospect, deterrence rests at least partly on the degree of support it enjoys among citizens. Your Rapporteur therefore considers it essential that more attention should be paid, by military and civilian leaders, to public consequences of Alliance decisions. Unpopular decisions may be necessary, and should therefore be taken, but it must be stressed that the nature of deterrence, which implies the credibility of a possible response to an agression, makes it essential for governments to convince their citizens. Imposing decisions without reference to them should be avoided as much as possible.

11. This is even more true when military strategy is supposed by many people to increase the threat rather than to diffuse it. In the Federal Republic, for example, a survey conducted by EMNID shows that 50 percent of respondents think that missiles increase the threat, whereas only 17 percent think that they increase security (19 percent think that neither is correct). Although the technical validity of this poll has been debated, it is confirmed by findings in Germany on the level of opposition to deployment, and also in other countries.[10] In Denmark, in 1982, 28 percent of respondents thought that American missiles stationed in Western Europe "increase the probability of attack on Western Europe", as against only 39 percent who thought they "constitute a greater protection", whereas 33 percent thought the matter had no importance, and 26 percent did not know.[11] Your Rapporteur does not mean that these reactions are correct, he asserts that no policy is sustainable in the long term that refuses to take them into account, although it would be wrong to think that policy should follow the whims of public opinion. The logic of deterrence is such that it has to take society as a whole into account, whereas traditional defence was best left to specialists, under elected governments' control. As the Germans say, defence has now become "total", in that its consequences involve all aspects of society. A "total defence" cannot ignore a dialectical relationship between decisions and citizens: the public has become an active factor in policy-making. The burden of the proof that defence is effective rests on governments, since they have to put their message across to their publics if they want to achieve credibility.

III. A NEW INFORMATION STRUCTURE FOR NATO

(A) The present structure

39. The political organisation of NATO is by no means a supranational body. Information about defence and foreign policy is a national prerogative of each member country. Hence there is no NATO information policy as such. NATO has an information directorate (NATIS), the role of which is to assist the governments in their information task. NATO, in its political role, is an instrument of close cooperation. For NATIS to be entrusted with a task, therefore, the NATO Council—a body of 16 Ministers, deputized for by 16 Ambassadors—has to instruct NATIS to carry it out. The NATO Council only takes decisions unanimously. The NATO Secretariat cannot therefore launch an information campaign, or present the case for NATO in any country, when agreement has not been reached among all the sixteen nations on a political level. In practice, the NATO Council is a diplomatic body, with Ambassadors as a collective head and less senior diplomats manning its functions in different committees. Diplomats are not generally trained to take the public aspect of diplomacy into account. This is certainly one of the reasons why NATO public information has been poor.

40. Another aspect of NATIS is that its officers, called "liaison officers", are appointed by their national governments and are solely reponsible for information in their home country. One consequence of this is that, if a member government refused to appoint a liaison officer, for example for domestic reasons, no information at all can be sent to the country. In many respects, however, this would be the situation when information is most needed. This is at present the case with Spain, where a referendum is supposed to be held on NATO membership in 1985, and where NATO as an organisation cannot put its case forward to the public. This is of course a mere consequence of the fact that governments are solely responsible for information about national defence. It would be detrimental to the defence effort if NATO could address citizens in a manner which was not consistent with the government's message.

41. In practice, therefore, NATIS is a body meant for implementing decisions taken by the NATO Council and its Committees. As a result of that, when NATIS is asked to prepare short draft communiqués, fit for the press and the public, a compromise has to be reached, and as a consequence, the final text is long-winded or complicated. This is reflected in the public image of NATO.

42. On its own, NATIS can produce documents which have to be approved by the Council, but they cannot be circulated in member countries through channels other than the Ministries of Foreign Affairs and/or MoD's. NATIS also has a financial problem in that its resources are very limited, thus reflecting the low priority given to information by NATO. The Scientific Division of NATO, the role of which is largely public-relations oriented, although towards a very limited section of society, is provided with a budget which is *six* times as high as that of NATIS. Why should the information structure of NATO, dealing with the public and the press as a whole in sixteen countries, be considered six times less important than NATO's scientific undertakings?

43. The result is that NATO is not properly understood by the public. It has the image of a bureaucratic monolith, which it is not, and of a purely military body, which is also untrue. Its information policy has two defects: it apparently gives a very one-sided image of defence, which cannot appeal to all sides of the public, and it is also largely ineffective in that it does not reach many people. This is no reflection upon the quality of the personnel, but rather a matter of structure and of resources.

(B) Informing the public in member countries

44. The foremost need is to reach the public. This has to be done directly in member countries. The message put forward should be based on the contribution to peace that NATO has made and intends to make. The role of the Alliance in creating a framework for negotiations with other countries has to be stressed. The necessity of the Alliance for each nation's independence is also a central part of NATO's message, and has to be underlined, perhaps at the expense of the claim for Alliance unity. National differences have to be recognised, especially as they are the Alliance's greatest attraction when compared to the monolithic nature of the Warsaw Pact.

45. Variety, however, also exists within member countries. Sympathy for different political parties is in many cases the single most important factor in the diverse attitudes of citizens towards defence. This has to be taken into account.

46. Your Rapporteur has been impressed by the effectiveness of the EEC information machine in his country. The structure of the European community is more integrated, and therefore it would be easier to take a unified approach. However, the EEC's information policy has been varied because it has been realised that this was the key to success. Indeed, it seems as if a different message had been delivered in each country, and indeed to each group in each country. The party structures have been utilised in order to put the EEC's message across to the different sides of the public. NATO should set up bureaux of information in each Alliance country which would accept them.

* * * * *

54. More generally, NATO must give a more open image of itself. A certain amount of secrecy is necessary in the military field, but the outsider's view of NATO is that it is an obsessively secretive organisation. Many more facts could surely be made available to journalists. The NATO Council should think of a review of the classification system of NATO documents. It is quite extraordinary to see that some of NATO activities which are relevant to civilians, and cannot function properly without the public being made aware of them, such as civil emergency planning for example, are so little-known.

55. Parliamentarians should be encouraged to play a vital part in the field of public communication. Much more data could be made available to those of us who follow these issues closely, and that as a matter of course. This could have a very effective role, as Committee work in national parliaments, as well as questions to governments and positions taken by parliamentarians in their local and national parties, could then reflect some of NATO's concerns and plans. Voluntary organisations also constitute a most important element in this respect. Parliamentarians should play a role in reviving them in some of our countries. In present circumstances, Norway and Denmark stand out as nations where Friends of NATO and Home Guards play an effective role in spreading our message among the population, especially among young people. The report of the Sub-Committee on the Successor Generation deals with these matters in greater detail, and your Rapporteur

only wishes to refer members to it. However, he should like to underline the utility for parliamentarians to take an active interest in the setting up or improvement of voluntary bodies.

THE JESUIT TRADITION LIVES ON AT GONZAGA HIGH SCHOOL IN WASHINGTON, DC

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. MAZZOLI. Mr. Speaker, the teaching tradition of the Society of Jesus is world renowned. This Jesuit tradition is alive—and burning bright—within a few blocks of this Capitol at Gonzaga College High School, 19 I Street, NW.

There, under the remarkable leadership of Rev. Bernard Dooley, S.J., the school's president, and Rev. Leonard Martin, S.J., its headmaster, 734 boys of all races, backgrounds, and religions grow intellectually, physically, but, above all, spiritually into men.

A Gonzaga student develops in 4 years from a boy to a "Man for Others." That is the key, Mr. Speaker. Gonzaga High School in the spirit of Ignatius Loyola, the founder of the Society of Jesus, producers men who care about others.

To all this I can give very personal testimony. Our son, Michael, is a graduate of Gonzaga, class of 1979.

In concrete testimony to the special character of Gonzaga College High School, the Washington Post recently ran a series of three front page articles about the school, its students, its graduates and its goals. All who love Gonzaga swelled with justifiable pride as its successes over formidable odds were detailed in the lengthy articles.

In June, a good friend of mine, John J. Delaney—a Gonzaga alumnus—delivered the annual Kohlman address to graduates of Gonzaga's class of 1985. I know what an honor this was for John because I had the opportunity to deliver the Kohlman address a few years ago.

John, whose sons also attended Gonzaga, in his remarks went to the heart of what this outstanding school stands for and why Gonzaga-trained men—"Men for Others"—are needed in America today more than ever before.

I insert Mr. Delaney's remarks at this point in the RECORD:

GONZAGA COLLEGE HIGH SCHOOL KOHLMAN ADDRESS

Graduation is a passage to be cherished and remembered. The graduation speech, on the other hand, is a sausage. It tends to be lengthy, lacking in meat and above all, forgettable. The most memorable graduation speech that I ever heard was given by columnist Art Buchwald at Georgetown University in 1979. Speaking for his generation, Mr. Buchwald's simple message to the next generation was:

"We've got our oil.

You go find your own oil."

The message I bring you today as you graduate from Gonzaga is also a simple one, but unlike Mr. Buchwald's obviously facetious remark, it is a message of reconciliation. It is Gonzaga's message—to be "men for others." It was first presented to you when you entered these halls as freshmen four years ago. It is a challenge that has been set before Gonzaga students in one form or another since 1821. It finds its roots in the 16th Century prayer of Ignatius Loyola, the founder of the Society of Jesus:

"Teach us, good Lord . . . to give and not to count the cost. . ."

In order to understand that challenge, it is first necessary to understand Gonzaga and why it is singularly qualified to make such a demand upon her sons. So today I would also like to share with you some reflections about this school, its history and spirit, and about you, the Class of 1985, and your role in its past and future.

Thirty-five years ago, like you, I sat in this historic pre-Civil War church as a member of the graduating Class of 1950. I remember little about what was said that day. But I do recall that it was a time of mixed emotions—happiness and nostalgia mixed with a dab of anxiety as we prepared for "life after Zag." I specifically remember my mind wandering back to a few years before when as a freshman I took that first walk up the wind-swept alley by St. Aloysius; observing the grated windows; the smokestacks; the cat walks; the only school in the county it seemed where the "back door" was actually the "front door."

It all contributed to an architectural style which perhaps could best be characterized as "Early American Alcatraz." Many times in those early days I would ask myself, "What is a nice little Chevy Chase boy like me doing here?" Gradually, however, like so many others, I was swept up in the Eye Street scene and the unique spirit that has always been "Gonzaga." And on that long-ago graduation day, as my wandering mind returned to the present, I was extremely grateful that my life had been touched by this place.

But "wait" you say. "We know all of that. We, too, have lived the Gonzaga story. Indeed, for us, that story has been one of virtually unparalleled success. Why belabor us with these meanderings?

It is a fair question. The Class of 1985 has not only lived the Gonzaga story, it has helped to bring this school to new thresholds of greatness. Its successes in academics, extra-curricular activites and athletics are a source of immense pride for the entire Gonzaga family. Yes, members of the Class of 1985, Gonzaga is indeed on a roll. Like a phoenix, it has literally risen from the ashes of this city and returned to its long held place of prominence. New and refurbished facilities abound. Applicants in unprecedented numbers seek admission. The Eagles fly high.

Why then is it necessary to reflect on Gonzaga and its challenge to all of us to become "men for others?" What is the significance of such reflection when we look about us today and see what the school and the Class of 1985 have achieved?

The answer, I submit, lies in another question—a question that is crucial. Is it possible that Gonzaga's successes will blur our vision of what this school has stood for? Are we in danger of forgetting the "men for others" theme that generations of Gonzagans have heard through the years?

It is appropriate to ask these questions today, precisely because success does not often breed introspection. High tide covers over the shoals. Gonzaga's right to challenge us to be "men for others" does not spring from a background of prestige and wealth; from being an institution solely for the rich and powerful. Just as Christianity finds its credibility in Christ's suffering, just as steel is forged from fire, Gonzaga's challenge finds its legitimacy in a lineage of deprivation, born of a commitment to serve all segments of society.

As we bask today in the warm glow of success, we must not forget that there is and always has been another Gonzaga, a Gonzaga which struggles to survive. To be sure there have been triumphs along the way. But between these triumphs and even during them, Gonzaga's 164-year history is in essence a crucible. It was thus from the very earliest years of its existence as a small seminary on F Street. It was thus for decades following the relocation of the school to what is now Kohlman Hall in 1871. In that first year on Eye Street, only 70 students showed up for classes. The discouragement over the school's plight is revealed in the pages of the History of Gonzaga's first one hundred years, wherein it is stated that Eye Street in 1871 was "little more than a praire." The writer goes on to observe: "There is the quiet of peace, and there is also the quiet of death; the tranquility of Gonzaga, during this, its first year in the new site, looked dangerously like the latter."

But we need not return to prior generation or the last century to know and understand this other side of the Gonzaga story. We need only go back to 1968, the year in which many of you were born. It is a lifetime for you, but really only a brief stroke in history's brush. The tragic events of 1968 seared the very fabric of our country and have left their imprint even to this day. They were to present Gonzaga with perhaps the greatest crisis that it has ever faced.

It has been said that this world is divided into "givers" and "takers." All good men and most great men are givers—willing to risk failure, to make sacrifices, to do what is right for their fellow man. Christ was such a giver. Gonzaga's leaders throughout the decades, beginning in 1821 with its founder, Father Anthony Kohlman, and continuing to the present day with our beloved president, Father Bernard Dooley, have been givers. Their spirit of giving has been reflected in the institution itself.

To recall 1968 in the life of Gonzaga is also to recall the lives of two men, each of which in its own way is interwined with that of Gonzaga. Each of these men was a "giver." Each was a "man for others." Each was to fulfill his destiny in 1968.

One was Aloysius P. McGonigal, a humble Jesuit priest. Al McGonigal taught at Gonzaga as a scholastic in the late 1940's. He was a tough little man, barely 5½ feet tall. He ran the bookstore with an iron hand. He also used to conduct what was known as the "Volunteer Saturday Morning Latin Class." You didn't have to attend the Volunteer Saturday Morning Latin Class—unless of course you wanted to pass Latin. I remember how we used to complain about having to come down to school on Saturday mornings. We groused about Al McGonigal's hard-nosed attitude and insensitivity. Later, of course, following our years at Gonzaga, would come the realization that if anyone was insensitve, we were; that Al McGonigal did not have to give up his Saturday mornings for us, but that he did so—he made this sacrifice—in order to help up.

I lost track of Al McGonigal after leaving Gonzaga, but nearly 20 years later in 1968, I

had occasion to read about him again. The Vietnam War was raging and the terrible Tet offensive was underway, especially around the City of Hue. Father McGonigal was serving in the army as a chaplain at the time. His own unit was safely behind the lines, several miles from Hue. But he learned that the units under fire at Hue were without a chaplin. So Al McGonigal took the risk and went to Hue—a place where he didn't have to be. And it was there, as an unarmed chaplain, that Al McGonigal made the ultimate sacrifice in service to his fellow man. Today, if you visit that simple but haunting Vietnam Memorial on the mall next to the elipse, you will find the name of Al McGonigal inscribed there: a small but fitting memorial to one who was truly a "man for others."

The second man of whom I speak is Dr. Martin Luther King, Jr., a humble minister who was also to encounter destiny in 1968, on an April evening in Memphis, Tennessee. Dr. King went to Memphis because the sanitation workers there on strike for a decent wage and they needed help. They were among the forgotten people at the bottom of society's ladder. They were powerless. They had no voice. So Dr. King rearranged his schedule and went to Memphis—and from there to eternity.

Martin Luther King's message was the message of what a "man for others" ought to be. In accepting the Nobel Peace Prize, Dr. King said: "I refuse to accept the idea that the 'isness' of man's present nature makes him morally incapable of reaching up for the 'oughtness' that forever confronts him."

In a television interview a few weeks before he died, Dr. King again reminded us of what being a "man for others" is all about, when he said: "It's not the quantity of one's life that counts. It's the quality. It's not how long you live that matters, but how well you live."

Just as Christ did not have to go to Calvary, and Al McGonigal did not have to go to Hue, Martin Luther King did not have to go to Memphis. But each went because there was a need for him to go—a need to take a risk in order to serve his fellow man. They were "men for others."

Few who were alive in 1968 will ever forget the impact of Dr. King's death. Doubt pierced the very soul of this nation. There was even doubt about the essential unity necessary for survival of a nation so beset by a widening gulf of misunderstanding between black and white, rich and poor, young and old. the cities—those vital core areas of Ameria—were especially scarred, physically and psychologically. To analogize from "Less Miserables," the cities are the conscience of a nation. They are where its people and problems come together and confront one another. But after the events of April 1968, people, businesses and institutions were departing the cities of America in a tidal wave, leaving wastelands of despair, ruin and poverty in their wake. Washington, D.C., the capital of our nation, was no exception.

It was thus, with the death of Martin Luther King, Jr., and its terrible aftermath that the indescribable spirit of Gonzaga—that basic sense of decency that prevades here—was to undergo its severest test and emerge to enjoy its finest hour as an example for the nation. If the cities are the conscience of a nation. perhaps it is not overreaching to claim that Gonzaga is the conscience of the City of Washington, or at least the conscience of the Jesuits of the Maryland Province. For while America writhed in despair about its cities and the headlong rush to suburbia continued, Gonzaga—to its everlasting credit—stayed in the very heart of the nation's capital. The Jesuits took a risk, because they preceived that the need to continue to provide a quality education for young men from all over the metropolitan area was greater than ever.

That risk was not without its price. In the years following 1968, enrollment dropped precipitously. Deficits arose. The school's small endowment disappeared.

In 1971, Gonzaga bravely celebrated its Sesquicentennial—the 150th year of its existence. One of the highlights of that celebration was the Dramatic Association's memorable production of "Camelot." But despite all the noble effort and the brave front, the tranquility of death once again hung over Gonzaga, as it has one hundred years before. Once again Gonzaga was standing alone on the prairie. Like Camelot, its days seemed numbered. That great shinning experiment of the Jesuits—to operate a college preparatory school in the heart of the Nation's Capital, to which boys of all backgrounds could come and learn together—seemed doomed to failure.

But somehow, Gonzaga persevered with its commitment. Few will ever fully understand the day-by-day sacrifices of the Jesuits and the Gonzaga family in living out that commitment. Some of those who lived it are among us today. They sit before you in this sanctuary. They sit behind you with your families and friends. They sit above you in the choir loft. But for their efforts and the efforts of hundreds of others, none of us would be here today to celebrate the achievements of the Class of 1985.

Wolf Von Eckart, the noted urban planner, on the editorial page of the Washington Post in 1973, described Gonzaga's decision to stay in the City of Washington as "almost defiant." But stay Gonzaga did. Now in 1985 we begin to see fulfillment! Gonzaga's vision is at last being shared by others across the land. More and more people and institutions are beginning to understand that mankind's problems are not resolved by running away. New office buildings and hotels have sprouted up around Gonzaga. Cities throughout the country are coming to life again.

That, gentlemen, is why Gonzaga has earned the right to challenge each of us to be a "man for others." She has suffered and she has persevered.

I truly believe that if Christ, or Martin Luther King, Jr., or Al McGonigal were here today, they would say to Gonzaga "Well done." But they would also say to the Gonzaga family that we cannot rest; that much work lies ahead. All we need do is look around us to see that this is true. Problems of social justice, drug and alcohol abuse, poverty and housing, to name but a few, are still unresolved.

It is really bizarre in a way. We live in Washington, D.C., the capital city of the United States and the Free World. Our daily lives are involved with perhaps the only high school in the country that is situated in the very shadow of the Capitol building itself. We can virtually reach out and touch it. How many times have we walked or driven down North Capitol Street and seen that magnificent dome glistening in the sun or the moonlight? How many times have we thought about it as the symbol of hope and justice for all freedom-loving people? And yet, a mere turn of the wheel into the driveway next to St. Aloysius confronts us with a different reality—the reality of hunger, addiction and hopelessness, embodied in the lines of men who daily seek help and solace at the Horace McKenna Center in this very building.

What must one do to be a "man for others"? Time does not permit an extended response here. But the time will come for all of you—and for some it may come often. It came many times for Horace McKenna, who walked these halls with us until just a few years ago. It came for Joe Kozik in the early 1950's when a young black student went out for Gonzaga's football team, and Joe had to decide whether to drop the player or be forced to cancel scheduled games with a number of D.C. public schools. The City's school system was segregated in those days and black and white kids were not permitted to play against one another. Although the young man offered to quit the team, Joe would have none of it. The games were canceled and Gonzaga made several trips to Pennsylvania to fill out its schedule that year.

While it is difficult to describe what one must do to be a "man for others," or to recognize the moment when it comes, it is safe to say that in a world where life has little value; where what a person possesses seems more important than what a person is; where today's fads are mistaken for tomorrow's foundations; where the grotesque is often adulated and virtue is often scorned; that being a "man for others" will likely not be an easy task. Yet Gonzaga still insists that we try.

How is this relevant to the Class of 1985? It is relevant because in the long run you will decide whether Gonzaga will continue to exist; whether the education offered here is worth the commitment of effort and resources to pass on to future generations. In a compelling address delivered at the Father-Son Communion Breakfast a few weeks ago, Dr. Samuel Alston Banks, president of Dickinson College, reminded us that Gonzaga is a "markedly endangered species." Dr. Banks is correct. But Gonzaga has survived and will survive because it is an institution which has never lacked the courage to place its resources, its heart and indeed its soul on the line to attempt to do what is right.

In the final analysis, "Gonzaga" is people—the students, faculty and staff, alumni, parents and friends who have believed in it and supported it down through the years. Without the support of these people—your predecessors—there would be no Gonzaga. There would be no Class of 1985.

In the second verse of the Alma Mater there is an exhortation to Gonzaga to march on through the centuries and to reach ever on unto eternity. Today Gonzaga asks for your help in fulfilling that mission. In a few moments when you receive your diplomas, will you be merely graduating from Gonzaga, or will you be leaving it for good? When you sing the Alma Mater for the last time as a student and walk out of this church, will you be walking away from the life of this school or will you be walking beside it on its long march into eternity?

Gonzaga waits hopefully for your answer.

VIETNAM VETERAN IS A HERO

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. FLORIO. Mr. Speaker, in my capacity as a Member of the House Veterans' Affairs Committee I have had the chance to meet with hundreds of Vietnam veterans from many States in our Nation. Naturally, many of these men and women have been from my own State of New Jersey and more specifically from the First Congressional District which I have the privilege of representing in Congress.

Mr. Speaker, I ask that the following article from the Courier-Post newspaper be included in the RECORD. It is a story about the courage and dedication of John Caffaro who is a Vietnam veteran. I am proud to say that he is also a constituent of mine and I commend his exploits to the attention of my colleagues. John's bravery and desire to help his fellow man should make us all very proud of these many men and women who are now finally receiving the recognition they so richly deserved.

[From the Camden Courier-Post, Aug. 17, 1985]

VIETNAM VETERAN RESCUES WOMAN AND PROVES POINT

(By Bernie Weisenfeld)

MOUNT LAUREL.—A man who administered first aid to a woman trapped in a smoking automobile here Thursday night told rescue workers he was a Vietnam veteran who "wanted to show that Vietnam vets can do good deeds."

The man who gave medical aid, Pennsauken resident John Caffaro, two years ago helped save a 12-year-old boy from drowning in a swimming pool.

"A lot of people are putting down the Vietnam vets," said Caffaro, 35, a decorated veteran of the Southeast Asia conflict.

"If there's a liquor store held up and they find out it's a Vietnam vet, there's a big article about it. But when somebody does something good it's hardly ever shown it's a Vietnam vet.

"See, we are good people.

"I'm strong on Vietnam vets. We do produce some good in the community," said Caffaro, whose military service medals include a Navy Cross and three Purple Hearts.

Caffaro pulled his pickup truck to the side of the road and helped rescue workers at the scene of a two-car accident about 9 p.m. on Route 73 here, said fire marshall Charles Everett.

"I've never seen anything like this. The guy did one terrific rescue job," said Everett. "He obviously had some training."

The fire marshall said Caffaro put a neck brace on a female passenger who was trapped in a burning car, slid her out of the vehicle and administered "various splints and bandages" until paramedics arrived.

"We have trouble getting volunteers for our rescue squad and this guy just stops along the road—he doesn't belong to anything—and he does a great job," said Everett. "He said being a Viet vet he just wanted to prove they can do good things, that there are Vietnam veterans who do good deeds and they're not all junkies and murderers."

Caffaro said he served with the Marine Corps in Vietnam from 1967 to 1969 as a sniper and helicopter door gunner and was trained in emergency medical aid.

"When the Tet offensive was going down, there was quite a bit of first aid to be given," he said. "The biggest thing knocked into our heads in the Marine Corps was teamwork. If you only have one medic between 50 men and some of the guys are wounded, you just jump in and do it."

Caffaro said he later served with ambulance squads when he lived in Williamstown and Glendora.

Township police identified the two drivers involved in the collision as Bonnie Lee Scarfo, of 462 Hickory Lane, Carneys Point and Francis E. Callahan, of 19 Camden Ave., Voorhees.

Everyone said rescue workers had to use the Jaws of Life to separate the two vehicles.

No further details of the accident were available from police.

A nursing supervisor at Garden State Community Hospital in Evesham said Callahan and Scarfo were treated and released at the hospital.

Scarfo, contacted at home yesterday, said she recalled little about the accident or those who helped her afterward. She said she was the driver trapped in her car.

"There were a lot of nice people there. I was pretty well out of it," Scarfo said.

According to Everett, Caffaro did not stay at the accident scene long after paramedics arrived.

"He was like the Lone Ranger. He just came then disappeared. I didn't get a chance to talk to him like I would have liked," he said.

Caffaro said as soon as the local ambulance squad arrived, he got back in his truck and left. "It's their territory. It's their profession. Another person being in the way gets to be a hinderance."

In May 1983, Caffaro helped a lifeguard pull a drowning 12-year-old Louisville, Ky. boy from a swimming pool of a Mount Laurel motel where Caffaro worked as a chef.

"I just like helping people out when they are in trouble," he said yesterday.

THE 100th ANNIVERSARY OF THE R.R. RAGETTE INC.

HON. JOSEPH J. DioGUARDI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. DIOGUARDI. Mr. Speaker, I rise to bring to the attention of this body the proud history of R.R. Ragette Inc., Realtors, which will be celebrating its 100th anniversary on September 22. The people of R.R. Ragette have given dedicated and committed service to homeowners in Westchester County through three generations of the Ragette family. The success of the Ragette firm can be attributed to its professionalism, integrity, and commitment to uncompromising service. For 100 years, R.R. Ragette Inc., Realtors has enjoyed a tradition of achievement, receptivity to contemporary marketing methodology and superb service to both customers and clients.

The R.R. Ragette firm now has four Westchester offices located in Bronxville, Scarsdale, Bedford, and Eastchester, which is the home of their main office. In February 1985, the Ragette firm, in affiliation with Housatonic Valley Insurance, announced the opening of their newest branch—Housatonic Valley/Ragette Inc.—in New Milford, CT.

The firm has a fine record of public service, and is committed to the welfare of the people of Westchester County. The firm established the R.R. Ragette Community Service Award, a scholarship grant to graduating seniors at seven Westchester high schools. The firm also collected food for Ethiopian children at each of our branch offices and matched, dollar for dollar, the value of food collected, had a blood drive, presented free seminars on real estate, and sponsored family concerts in Eastchester, Scarsdale, and Bedford Village. The firm believes this public service is the responsibility of the business community, and therefore has continually "given back" to the people of Westchester who have made them successful.

Committed to the same tenets that have led the Ragette firm to success for a century, President Ralph E. Ragette has had a prestigious career of service to his community and to his profession. In 1977 Mr. Ragette was honored as realtor of the year by the Westchester County Board of Realtors, of which he was president. In addition to his dedicated service as realtor, Mr. Ragette has been involved extensively in community politics. He began his political career in 1947 as chairman of the finance committee of the city of Mount Vernon. He was elected to the city of Mount Vernon's Board of Aldermen, (city council), in 1953 and served for 12 years in that capacity. During this period he served as acting mayor of Mount Vernon. In 1968, Mr. Ragette was elected supervisor of Mount Vernon, and served in this position for 2 years. From 1983 until the present, Mr. Ragette has served on the board of governors, commercial and investment division of the New York State Association of Realtors. He is also the chairman of the housing council of the New York State Association of Realtors. This impressive list of service to the community only highlights Mr. Ragette's productive career.

In 1979, Mr. Ragette's son, Ralph Richard, joined the firm as treasurer, and is presently the executive vice president. Ralph Richard Ragette demonstrates the qualities of leadership that will take the firm into their next century of growth and success. Schooled in marketing methodology and corporate psychology, Ralph R. reflects 20th century goals, attitudes, and insights.

I would again like to commend the firm for its long history of service to the Westchester community and hope that the firm continues to reach ever greater heights of professionalism and competence.

THE DEFICIT DILEMMA

HON. ROBERT K. DORNAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. DORNAN of California. Mr. Speaker, I am genuinely outraged by the sham budget resolution passed by the House on the eve of August vacation. The numerical gimmickry and budgetary tomfoolery contained in that document make it worthy of inclusion in the Guiness Book of World Records as the world's most fraudulent budget. It is certain that had a captain of industry produced a similar budget for a Fortune 500 company, the hue and cry from liberals in this body would have been deafening. A congressional investigation would no doubt have followed with the poor capitalist being subjected to the collective wrath and holier-than-thou attitude of the liberal keepers of the national morality. Indeed, the capitalist might even face a jail term.

I therefore rise today to sound a few alarm bells and to urge my colleagues to ignore the sham budget resolution and use the remaining appropriations bills to really reduce spending. Given America's precarious foreign trade imbalance, rapidly expanding money supply, and still high real interest rates, it is imperative for continued economic growth that we enact serious spending reductions in fiscal year 1986, and that we keep reducing spending in the out years.

However, if the House of Representatives is not prepared to seriously attack extravagant and excessive Government spending, then I have made it much easier for the President to do so. As many of you well know, I have recently made available to the President a letter, signed by 147 Republican Members of the House, pledging to uphold a Presidential veto of any budget-busting spending bill. This shifts the balance of power in the budgetary battle more toward the President and I urge him to use the veto generously if it is needed.

I would like to submit for the historical RECORD the following article, which I authored, on the deficit and the havoc it can cause the economy. Excerpts from this article have appeared in the New York Times, the Washington Times, the Chicago Tribune, Human Events, and the Los Angeles Herald Examiner, among others.

THE DEFICIT DILEMMA

(By Robert K. Dornan)

Embarrassment in the economics profession is understandably widespread. Despite their warnings that continued large deficits would "crowd out" private borrowing and drive interest rates higher, interest rates have fallen to their lowest level in years, with the likelihood of further reductions in the coming weeks. This development, coming as it did in the midst of the House-Senate budget negotiations, prompted one Capital Hill economist to claim that, "It completely undercuts the whole deficit-reduction drive." In other words, it takes the pressure off Congress to enact spending cuts.

If the budget that just passed is any indication, and it clearly is, then that nameless economist was right. Why risk political hot water by cutting special interest programs when interest rates are falling? This type of attitude, undoubtedly shared by many of our elected representatives, is disturbing because it assumes that the only danger of large deficits is high interest rates. Nothing could be further from the truth.

Conventional economic theory suggests that large deficits—in and of themselves—raise prices, output and interest rates while depressing capital formation. However, there is no empirical evidence to support any but the last of these propositions, which should be reason enough to cut the deficit.

Most credible economists rightly maintain that inflation and interest rates are a function of monetary policy, not fiscal policy. Therefore, instead of blaming the President for high interest rates, we should be pointing a finger at Paul Volcker. While this might make those of us who have strenuously objected to Fed policy feel better, it does not mean that the deficit is less of a problem.

In the past, continued overspending by the federal government has put pressure on the Federal Reserve for monetary expansion. Economist James Solloway of Argus Research Corp. has recently shown that Fed has again started to monetise more of the debt than it should. Mr. Solloway sees the huge increases in the national debt each year—caused by continued large budget deficits—obscuring a sharp acceleration in the rate of growth of the monetary base and, in turn, the money supply. A prolonged acceleration in the monetary aggregates will eventually result in significantly higher inflation rates, with a probable attendant rise in interest rates (after all, interest rates are directly related to the actual, as well as the expected inflation rate).

What is most frightening about this scenario is that even though the Fed has been monetizing the debt at an increasing rate, it seems unable to significantly reduce interest rates. (Interest rates, after inflation, are still at 8 percent, high by historical standards). As Mr. Solloway says, "This is eloquent testimony to the damage that can be inflicted by large budget deficits."

Another major factor to consider is that the deficit has been caused by excessive government spending. As long as the rate of growth in government spending continues to out-pace the growth of the economy, the government will absorb a growing proportion of national output. Putting a larger share of the GNP into the hands of the government will eventually restrict economic growth. Are we a nation prepared to accept a growing government sector and slower growth? I expect not. But that is precisely what might happen if the recent good news about interest rates is interpreted in the wrong way.

Deficits do matter, there can be no denying that. However, they matter in ways different than those assumed by the keepers of the conventional economic wisdom, whose faces become redder with each discount rate cut. (Indeed, some still don't get it. The Washington Post recently editorialized that not reducing the deficit would "increase the chances that interest rates will rise this Fall, at a time when the economy is slowing down." They may be right, but if they are it will be for all the wrong reasons.) Given that taxes are generally higher than they were five years ago, despite the so-called "massive" Reagan tax cuts, the current deficit simply tells us that there is something wrong with our spending habits. We should listen and not let some apparent discrepancy in economic theory divert us from our chosen path of spending cuts.

Why fool ourselves? The deficit is a serious problem, but it is not insurmountable. All that is needed to bring the deficit under control is the political will, or backbone, to strengthen fiscal discipline and restrain the relentless pressure from special interest groups for increased government services.

But alas, it was not to be. The Congress completely caved in when confronted with the choice of a responsible budget or a month-long vacation. It seems schmoozing it up with the special interests back home was more important than providing for the general welfare of the country. And whose welfare gets provided for is something Congress can be very particular about (it is almost exclusively for those folks who can be counted on to show their appreciation on election day).

President Reagan stated after Congress finally agreed on a budget for fiscal year 1986, "It marks only a beginning, not an end." In my view, it hopefully marks the beginning of the end of the budget process.

Two things have become quite obvious, even with the passage of a so-called budget. The budget process is the problem, not the solution; and a veto strategy may be the only way to achieve serious deficit reductions this year.

The "budget process", if it can be called one, has merely served to confuse the financial markets and has bred a sort of "budgetary terrorism" that is holding the economy hostage. If there is one thing that sets the nervous nellies in the financial markets on edge, it is uncertainty. Unfortunately, the only thing the congressional budget process genuinely seems to be good at generating is uncertainty.

It is no accident that the most spectacular growth in deficits has occurred since 1974, the year the Congressional Budget and Impoundment Act was passed. The Act placed strict limitations on the President's power to control spending and was supposed to simplify the budget process while enabling congressional planners to get a long-range view of the economy.

But instead of simplification, we got a lexicon of budgetary mumbo-jumbo: spendouts, reflow estimates, concurrent resolutions, stop-gap bills, and meaningless five-year projections. By any reasonable standards, the Act has been an utter failure.

Indeed, the sight of Congressmen rushing into late-night sessions to push through appropriations bills or to provide temporary funding to keep the government running for a few more days has become all too commonplace (the current budget compromise, agreed to two and one-half months after the statutory May 15th deadline, is a perfect example). The outcome has been a stream of sloppy legislation—usually written by anoymous, unelected congressional staffers—which only makes it all the more apparent that a serious effort must be undertaken to streamline the process.

Despite the havoc that congressional budget shenanigans play with the financial markets, there are many of my colleagues who still fervently believe in the "budget process" and who are committed to making it work. This stubborn faith in a system that has produced only confusion is no mys-

tery. It is simply a matter of Congress jealously guarding the additional power it was able to wrest from the Presidency in 1974—a much weakened Presidency at that.

The present Congress is not capable of looking after the finances of the country in a responsible manner. In the recent past, it has consistently appropriated money beyond its own budget limitations. It is now in the throes of doing so again.

Congress will soon hand President Reagan a batch of appropriations bills for fiscal year 1986 that, judging by his own statements, should be unacceptable. A quick glance at some of these appropriations bills will show that the Democrats in the House have systematically appropriated funds that exceed the spending levels proposed by the Administration. The bills are loaded with budgetary gimmickry and statistical sleights-of-hand. The bills deny our citizens the responsible spending practices they so resoundingly endorsed in the 1980 and 1984 Presidential elections.

The public has spoken, and the public has been ignored. Consider the following.

Item: House Democrats claim that federally assisted housing programs in the 1986 appropriations bill for the Department of Housing and Urban Development have been frozen at the FY85 level. They are, in fact, $1.7 billion over the 1985 level.

Item: The House Agriculture Committee asserts that the new obligational authority has been reduced by $1 billion below the Administration's request, and $4.2 billion below the 1985 enacted level. In fact, the bill is almost $8 billion over the President's budget.

Item: The Treasury, Postal Service and General Government Appropriations Bill is $1.2 billion over the Administration's request.

Item: The appropriations bill for the Interior Department is $720 million more than last year's appropriation, and $2 billion over the President's budget request for next year.

And so it goes with most of the appropriations bills. Tip O'Neill fiddles while the economy burns.

And all the while, House Democrats claim to be remaining within—or even below—budget levels proposed by the Administration.

In short, the budget resolution just passed—which is much closer to the original House version—is a fraud. It is nowhere close to a budget freeze. Every group and special interest (even the American Association of Retired Persons) indicated that they would accept a small cut if the sacrifice was shared. This uncharacteristic bit of generosity was, however, ignored.

After cutting (some might say gutting) defense, the conference plan does not cut excessive spending where it exists. About 20 percent (19.6) of the cuts come from 68.4 percent of the budget. The remainder come from sleight-of-hand savings such as offsetting receipts ($4.4 billion), allowances ($2.8 billion), and agriculture ($2.3 billion). And the way things look as of this writing, few of the cuts are reconciled.

About the only thing that we can glean from the budget process this year is that substantial deficits will remain in the out years because there are few program terminations. Programs not eliminated, like weeds, have a way of growing back in election years to become even healthier than they were before.

The lack of spending cuts will then put enormous pressure on those of us who have pledged not to raise taxes to raise them. Republicans may well find themselves caught between a rock and a hard place as they contemplate $200 billion deficits against the negative effects of a tax increase.

It is also highly likely that official forecasts of the deficit for fiscal years 1986-1990 will be revised dramatically upward later this year because the Administration's, and hence the Congress', economic assumptions are far too optimistic.

To combat democratic irresponsibility and budgetary terrorism, and to make real progress on the deficit reduction front this year, a new strategy is called for: A VETO STRATEGY.

To encourage President Reagan to us his veto power, I recently made available to President Reagan a letter bearing the names of 147 Members of Congress who have pledged their votes to sustain presidential vetoes of budget-busting spending bills.

Because this presidential option has been reinforced, the dynamics of power in the funding battle have shifted significantly in the President's favor.

President Reagan may have no choice but to veto appropriation bills if he is to show the Congress and the American people that he was serious when he promised to reduce the deficit without resorting to tax increases.

To date, President Reagan has been particularly reserved in his use of the veto, even though history shows us that some of our most successful Presidents have used the veto extensively. Convincing the President to use his veto power may be difficult. In fact, President Reagan only used the veto an average of ten times a year during his first term, and only five times to kill spending bills, none of which were after 1982.

Last year, for instance, Congress failed to pass a budget Resolution until October 1, well after most appropriations bills had already been passed and sent to the President. The President had vowed to veto any of those bills that exceeded his budget request. But when they reached his desk, he did not veto one of them.

But this time the stakes are high; the options narrow. The President must either revert to the destructive tax increases he has pledged to avoid, risk allowing a fiscally irresponsible Congress to drive us into bankruptcy, or exercise control over the orgy of government spending by using the constitutional power given to him—The Veto.

I undertook the effort to secure the 147 signatures of congressmen to make it easy for the President to look Congress straight in the eye and say: "Enough!", unsling his veto gun, and blast away.

The President's spending priorities were endorsed in an historic 49 state electoral landslide. Despite all the fanfare accompanying the budget resolution notwithstanding, those Presidential commitments to reduce spending have now been challenged by a Congress with a dismal record of reckless spending and a chronic incapacity for balancing the budget. Indeed, in recent years, Congress has been lucky to produce a budget at all.

Under the circumstances, Ronald Reagan should use his veto power and, given the ugly alternatives, he may find that the veto power is the only friend he and the American taxpayers have.

ONE MAN'S APARTHEID

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. CLAY. Mr. Speaker, a recent series of utterances by President Ronald Reagan supporting the South Africa regime lead me to wonder whether he is insensitive, uninformed, misled or simply blind to the realities of life as it exists in that haven of bigotry. Mr. Speakes, his press secretary, in spite of his facility for double talk, has found it impossible to cover or explain Mr. Reagan's comments on the status of integrated facilities in South Africa or the statements on South Africa's progress toward dismantling apartheid. Surely the press has kept Mr. Reagan better informed about the situation of this country in turmoil, than did his personal observations in his hometown where he remained unaware that segregation was a fact of life until quite late.

In addition, Rev. Jerry Falwell, a close friend of the President, made disparaging comments about Nobel Peace Prize winner, Bishop Desmond Tutu which were incongruent with the beliefs of most men of the cloth. The weak rationalizations and poor documentation of Reverend Falwell's observations are discussed in two articles about his recent visit to the land of bigotry. One entitled "Sinking to New Lows" and the other is "One Man's Apartheid." I wish to enter the attached articles from the August 27, 1985, Washington Post, into the CONGRESSIONAL RECORD as testimony to the relationship of these two "odd bedfellows."

ONE MAN'S APARTHEID

Finally President Reagan has provided a basis for understanding his relatively relaxed and indulgent view of South Africa. To an Atlanta radio station, he has given a little snapshot of his picture of reality in that quarter. He finds it a place where important progress is being made through the happy incidence of a reformist local government and a persuasive American administration: where blacks really have very little to complain about; anyway the Soviet Union is stirring the pot. No wonder he resists any policy change.

Except it is all—or most of it—quite untrue. From his comments it is evident that the president does not have the foggiest notion of what apartheid is actually about. As Post reporter Glenn Frankel makes plain in today's paper, even in the limited areas where President Reagan points to progress, there is not all that much to boast about. One could hoot at the president for his ignorance if it were not so painful. He altogether omits from his picture, furthermore, any hint of the larger and grosser aspects of apartheid: the humiliation and harassment of the pass courts, for instance, the forced removals, the brutalization of family life. He shows no awareness of the fundamental question of political power—that is, of the disenfranchisement of blacks under the current system and of the quality of repression organized

by whites to deny blacks political power. Has anyone told him that a state of emergency is currently in effect and that blacks are being arrested and killed practically every day?

The president did make his ritual use of the adjective "repugnant" to describe apartheid. By what else he said, however, he erased any impression that the system truly troubles him. It was not simply that he was at pains to excuse Jerry Falwell from the burden of his unfair and unfeeling criticism—since only partially retracted—of the Nobel peace laureate, Bishop Tutu. It was the particular explanation Mr. Reagan offered in so doing. South Africa, he said, is "a combination of minorities. There are at least 10 tribal divisions there." This is a painful echo of the official South African rationale for the large structure of apartheid: that blacks are not the rightful citizens of a unitary South African state but are members of distinct tribes who are to be consigned, unconsulted, to separate "homelands."

What Mr. Reagan has said goes far to explain the most objectionable aspect of his approach to South Africa: his stunning lack of moral energy and commitment to the cause of justice. The South Africa he depicts exists only in his mind. But the South Africa the United States must deal with exists on the ground.

SINKING TO NEW LOWS

When the Rev. Jerry Falwell called Bishop Desmond Tutu a "phony," it seemed as if the depths of offensive know-nothingism had at last been plumbed. But President Reagan has gone his unofficial chaplain one better by claiming, in a radio interview, that segregation in South Africa, as we once knew it in this country, has been virtually eliminated.

Falwell's smear was too much even for the racists in his flock, and he sent a telegram to the bishop in which he accused himself of "an unfortunate choice of words." Similarly, after the president had made a remark that compares with President Gerald R. Ford's hapless insistence that Poland was not under communist domination, a flurry of clarifications came from the White House press office.

Falwell, who purports to do the Lord's work, is plainly doing Reagan's. They want to kill sanctions legislation and to rehabilitate the government of South Africa. It is such uphill work it is no wonder that they have been driven to excesses.

They see the current agony as a communist plot. Falwell warns of "a red river of communism" engulfing the country; Reagan thinks "we would be very innocent, naive" if we didn't believe that the Soviets are "stirring up the pot and waiting in the wings for whatever advantage they can take."

The Reagan-Falwell defense team is getting no help from their clients in South Africa. They are being routed on the field of public relations. President Pieter W. Botha combines the charm of a southern sheriff at Selma with the appeal of a Chicago alderman losing a sewer contract. On the other side are the radiant, committed Tutu and Winnie Mandela, a woman of infinite sorrow and dignity.

For weeks, the American people have been regaled by the sight of South African policemen wading into crowds wielding whips, recalling their use by overseers of slaves.

Falwell, a man of infinite brass, is not the least embarrased by any parellel to slavery. In fact, he invoked it in one of the many speeches he has given since he launched his squalid campaign to make mush of a moral issue.

"We were 180 years as a nation before segregation was eliminated here," he said. "Thank God the world was more patient with us than we have been with South Africa."

It is true that the world was tolerant of slavery as a U.S. institution. But the country at last was not and took arms to end it. The Civil War is not an event for which Americans are grateful.

Tutu has done more than any other person on the scene to avert the civil war that sometimes seems inevitable if black Africans—who, despite Reagan's rosy view, cannot live where they want, must carry passbooks wherever they go and cannot vote—are to achieve their liberties. Far from claiming to represent his people, Tutu has humbly—and pointedly—noted that he is amazed that, considering the situation, they listen to him at all.

The South African government and the Reagan-Falwell team do not realize how lucky they are to have him. It is impossible to imagine what horrors would be occurring without his valiant, principled presence. Perhaps Falwell and Reagan missed the pictures of the bishop intervening, at the risk of his life, to save a black man who was being menaced by a crazed mob, and warning that he would leave South Africa if blacks resorted to violence.

Yet when Tutu declined to attend a meeting of religious leaders called by Botha, the White House did not hesitate to express disapproval. For Falwell's squalid assault on Tutu, however, there was a presidential pardon. Reagan commended Falwell for his "apology" and explained his offense. The bishop, he said, was only reporting what he had heard from South Africans—not passing a pygmy's judgment on one of the noble figures of our time.

In making his apology, Reagan's favorite divine explained he had merely meant to say that Tutu was not speaking for the South Africans "any more than I speak for all Americans."

It was magnanimous of the leader of the Moral Majority to suggest he does not speak for all of us. What was most egregious about his smear was the suggestion that he was speaking for South Africans, putting credentials acquired in 5½ days on a government tour against Tutu's lifetime scars.

But what is most strange is that Reagan and Falwell, both of whom have benefited so mightily from public opinion expertise, have failed to impart any of it to their clients in South Africa.

If they really want to succeed, they should whisper to Pretoria that arresting schoolchildren, the new and repugnant tactic of the "reformist" government, is hardly the way to win friends and influence people in behalf of "constructive engagement."

INDISCRIMINATE INSURANCE PRACTICES THREATEN TO ELIMINATE NURSE MIDWIFE PROFESSION

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. FLORIO. Mr. Speaker, there is growing evidence that Americans may no longer enjoy access to a wide range of necessary services due to the scarcity and high cost of insurance coverage. Over the past year, I have received numerous reports of insurance carriers telling child care providers, toxic waste generators, fishermen, and others throughout the country that their premiums have been raised by as much as 1,000 percent, and in some cases, that their policies have been canceled altogether. Last month, about a third of the certified nurse midwives in this country were notified that their malpractice insurance will not be renewed.

The Subcommittee on Commerce, Transportation, and Tourism will continue to examine the availability and affordability of insurance.

The insurance industry states that the rate hikes and cancellations are necessary to cover the insurance company losses that were suffered in 1984. They claim these actions are based on actuarial data and merely reflect the industry's resolve to underwrite selectively and avoid high risks.

The following article suggests that insurance consumers are being denied coverage for reasons that are arbitrary and not based on sound actuarial judgments.

The cutback in insurance coverage is widespread. Often essential services that, by law in some States, may not be offered unless the provider is insured, are denied coverage. Many insurance consumers and the public they serve are experiencing a crisis. It is time to find out what has gone wrong and what can be done about it.

The article follows:

[From the Washington Post, July 21, 1985]

By Colman McCarthy

NURSE-MIDWIVES AND THEIR STRUGGLE TO SURVIVE

Nurse-midwives, whose professionalism is indispensable in America's birthing rooms, are about to become dispensable to the health-care industry. Liability insurance companies are no longer able to provide malpractice coverage. As a result, a large percentage of the nation's 2,800 certified nurse-midwives may be forced out of the hospitals in which they serve or from the birth centers they operate.

The nurse-midwives are the last ones to deserve ejection. Although they assist at only 2 percent of the nation's annual births, their services are near 100 percent in personal care and warmth. While they only deliver in cases of uncomplicated, or low-risk, births, they are soothers and nurturers whose hands and heads know how to make childbirth a joy, not a trauma.

Their rewards are not in money, with salaries averaging $25,000 a year, against

$110,000 for obstetricians. Their rate of malpractice suits is low: 6 percent have been sued since 1974, against 60 percent of obstetricians having been sued at least once. From that it is fair to say that large numbers of the women they serve tend to swear by them, while many women who use obstetricians merely swear.

Nurse-midwives have no moneyed lobby, as do physicians, to protect their interests before regulators or legislatures. Their interests are anything but special and are based only on a wish not to be driven from business by expenses beyond their control.

Marion McCartney's story is typical. She is a licensed nurse-midwife at the Maternity Center in Bethesda. In 10 years of practice and in more than 600 deliveries, McCartney has never been sued. Four years ago, her insurance was $125 a year. It doubled to $250 two years ago and this year went up to $800. She was braced for even larger hits except that her carrier Mutual Fire, Marine and Inland Insurance Co., which covers 1,400 other nurse-midwives, terminated all its malpractice policies.

McCartney is in practice with four other nurse-midwives. In all, they have assisted at 2,500 deliveries. None has been sued. It is important to keep that record in mind, because it underlies the unfair treatment that is suddenly burdening the nurse-midwives. An official of Mutual Fire in Philadelphia explains that his company is leaving the medical malpractice field because of the soaring risk of claims. In the past, Mutual Fire was reinsured by more than 10 other firms, but now the reinsurance market is avoiding high-risk medicine.

That raises an obvious question: Why should nurse-midwives, who practice low-risk medicine, be treated as if they had created the problem? The answer, according to Richard Guilfoyle, the president of Mutual Fire, is that the insurance industry has yet to establish a separate category in obstetric for nurse-midwives. Guilfoyle is sympathetic to the sudden financial problems of a group that provides low-cost health care. He praises the nurse-midwives for their record and says that he favors separating them from the physicians.

As the loudest protesters, physicians, most of whom earn high salaries, are quick to blame lawyers for the million-dollar verdicts that are increasing in malpractice suits. They blame patients for their high expectations for risk-free medical care. With insurance premiums rising as much as 400 percent in some states in the past five years, physicians see their profession in need of emergency-room rescue.

Whatever heartburn doctors may be suffering, it is far less severe than the pain being endured by the nurse-midwives. Many obstetricians are conscientious and high-skilled professionals ready to make any sacrifice for the women who come to them. But one explanation for their high rate of malpractice suits is that too often an atmosphere of personal warmth and human trust has been lost on the way to, and in, the delivery rooms. The wizardry of technology is often paid greater attention than the emotional needs of the woman.

Much of the technology means better health care; it can also mean impersonal care. As bonds weaken or break between obstetricians and mothers and fathers, fewer restraints are present against suing the doctor. Why not sue? He is a distant figure, not a confidant with whom you can discuss differences.

One reason nurse-midwives are rarely slapped with malpractice suits is that they are sought out by pregnant women who share their belief that birth is a profound emotional experience, not a passing medical event. Nurse-midwives don't dominate the process with machinery and drugs, they nurture it with hands-on skill and personal attentiveness. They gird their medical expertise with woman-to-woman friendliness and understanding.

None of that is to senitmentalize the practice of people like Marion McCartney. She and the Nation's other licensed nurse-midwives are asking only that insurers, insurance commissioners and physicians see them as skilled professionals providing low-cost quality care. They are independent and deserve to be separate.

A TRIBUTE TO MRS. MARIAN BARON GOLDNER

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Ms. KAPTUR. Mr. Speaker, recently, one of my constituents took first prize in the International Association for Children's Literature Competition in Budapest, Hungary. Mrs. Marian Baron Goldner received top honors for her book, "Georgie the Jovial Giraffe," published by Banner, Inc. of New York and South Carolina. At a dinner in her honor in Budapest, Mrs. Goldner received a silver inscribed tray with a notation in Hungarian that she received first prize. Her book will be on display at the International Book Fair in Frankfort, Germany in October.

Mrs. Goldner, who has previously published plays, poems, stories, and articles, signs her books "Grandma Marian." "Georgie" is written in rhyme and contains educational information in addition to being entertaining for children of all ages. I know my colleagues in the House of Representatives join me in congratulating Marian Baron Goldner for her fine work and thanking her for enriching the lives of children throughout the world.

HEART TRANSPLANT PERFORMED IN TALLAHASSEE

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. FUQUA. Mr. Speaker, Tallahassee, Florida's capital city, is rapidly gaining a national reputation in the sciences. Last week, doctors at Tallahassee Memorial Regional Medical Center became only the third team in the State of Florida to perform a heart transplant. The patient is doing fine.

The Tallahassee Democrat ran two articles the next morning, one detailing the events of this historic operation and the other explaining the processes of transplant procedures. I wish to praise the doctors, nurses and other members of the medical team involved and pay special tribute to the brave recipient of the heart, Calvin Creel. Special honor should be paid the soul who gave his or her heart so that another might live.

Mr. Speaker, I include at this point in the RECORD the two articles from the Democrat on the heart transplant surgery.

CITY'S FIRST HEART TRANSPLANT PEFORMED

(By Linda Duffy)

The heart of an undisclosed donor was transplanted into a 47-year-old Tallahassee man early Wednesday in a 61-minute operation at Tallahassee Memorial Regional Medical Center.

Calvin "Burl" Creel, who doctors said would have lived only a few days without the transplant, became the first patient to receive a new heart at the hands of Tallahassee Memorial's 16-member heart transplantation team headed by Dr. Thomas J. Bixler.

Tallahassee Memorial has become only the third hospital in Florida where heart transplants are performed. The other two are Shands Teaching Hospital in Galnesville and Tampa General Hospital. The Miami Heart Institute performed one heart transplant in 1969.

Because Creel's family remained in seclusion Wednesday after a week-long ordeal and middle-of-the-night surgery, little is known about him except that he has been disabled with coronary artery disease for several years.

By 3 p.m. Wednesday, Creel was listed in critical-but-stable condition, which Bixler says means there is uncertainty about whether his now-stable vital signs will continue to improve. The condition is usual for a heart-transplant patient.

A report issued by J. Craig Honaman, Tallahassee Mrmorial executive vice president, said Creel was "awake, alert and communicating with nurses and family." He was said to be "progressing as expected."

"I want to emphasise that Mr. Creel is extremely sick," Bixler said at a 7:15 a.m. news conference Wednesday. "He had already undergone two open-heart procedures and would have died within the next few days. He has been disabled for years and it was unclear how long he could have waited for a transplant."

Creel is suffering from some kidney damage, but Dr. C.W Applegate, the team's kidney specialist, had determined it was directly related to the patient's coronary-artery disease and would reverse itself after the transplant, Bixler said.

"Mr. Creel is awake, but he can't speak because he has a breathing tube," Bixler said. "I am sure he is in pain as that is usual for any operation."

If all goes well, Bixler, added, the breathing tube should be removed within 48 hours.

Creel knew he would eventually need a transplant and was evaluated for the procedure when the hospital's unit was readied in August. When he was admitted a week ago, his need for a new heart became crucial.

The search for a suitable donor took six days. Creel's name went on a heart-recipient list with approximately 116 others, but because of his blood type, body weight and severity of illness, he was the No. 1 candidate of 10 for the heart he received Wednesday. According to Terry Jackson, director of the Tallahassee Organ Donor Agency, Creel's wait was very short.

Jackson, Bixler and hospital personnel refused to reveal the identity of the donor other than to say the heart came from an upper Midwestern city.

Jackson said even the Creels don't know the identity of the donor. "This is a very sensitive ordeal," he said, "The majority of donors do stay anomymous."

Although most of the waiting for the heart took place while Hurricane Elana had closed airports in North Florida, Honaman said, "we put off worrying about whether we'd be able to get a heart in here until we actually had one." Once a heart is removed from a donor, it must be implanted within four hours.

The actual transplant began Wednesday at 12:30 a.m. and was completed at 1:31 a.m., three hours and 11 minutes after the organ was located and Bixler flew to the donor hospital to remove the heart.

Kathleen Creel, wife of the patient, gave a short statement, Wednesday morning in which she said: My husband has been sick for a long time. We're thankful to the Lord for this transplant. With the Lord's help, he'll pull through."

"I want to emphasize that even though the operation went well, this is just the beginning for Mr. Creel," Bixler said. "The critical period starts with the operation and doesn't end for several months. He could suffer serious rejection or other problems at any time."

HEART TRANSPLANT REQUIRES SPEED AND PRECISION

(By Linda Duffy)

Transplanting any organ is a procedure requiring delicacy, precision and speed, but the heart dies the fastest, as only four hours can elapse from the time the heart is removed from the donor and placed in the recipient.

Before any operation can take place, however, recipients must be screened and donors must be found. The recipient has to be under 55 years old and in the last throes of coronary disease. Although without a new heart he would face death in a few months, his lungs need to be in good shape, his pulmonary blood vessels have to be healthy and he must be infection-free.

The donor has to be under 35 and free from infection, cardiovascular disease or cancer.

Then the matching of the donor and the recipient begins—blood types, antibody levels, height and weight. Currently in the United States, 116 dying patients are on list hoping to be matched with a heart. Burl Creel, who received a new heart Wednesday at Tallahassee Memorial Regional Medical Center, had a six-day wait for a donor, which is considered brief.

Once a potential donor has been found for a Tallahassee Memorial recipient, at least one member from the cardiac-transplant team—in Creel's case, Dr. Thomas J. Bixler—rushes to the donor's hospital to remove the heart, place it in a cold electrolyte solution, pack it in a cooler of ice and return with it to Tallahassee to complete the transplant.

Remember, all this must be done within four hours. To stay within that time frame. Tallahassee Memorial's cardiac team will travel no farther than 1,000 miles for a donated organ. Once the doctor's plane lands at Tallahassee Municipal Airport, the hospital's Life Flight helicopter rushes the heart to the medical center.

All the while frenzied activity is going on. The patient, being prepared for surgery, is wheeled into the operating room a full two hours before the arrival of the donor heart. As soon as the heart arrives, the transplant begins. The 15-member team goes to work.

Two technicians divert the patient's blood through a heart-lung machine and surgeons cut the aorta, the right atrium and the blood vessels that lead to the lungs. The donor heart is placed in the chest cavity and sown into place. Finally, the surgeons resuscitate the cooled heart by electrical shock, beginning the heart beat.

The heart-lung machine is disconnected and the chest is closed.

The patient is then moved into the intensive-care unit to receive one-on-one nursing and recuperatory care. He will be in some pain and won't be able to talk for a day or two until the uncomfortable breathing tube in his throat is removed.

RECOGNIZING CLEAR RIDGE ALL-STAR BASEBALL TEAM

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. LIPINSKI. Mr. Speaker, today I would like to share with my colleagues a resolution adopted by the City Council of the City of Chicago recognizing the outstanding achievements of the Clear Ridge Baseball 12-Year Old All-Star Team and commending them on their Illinois State championship win.

RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF CHICAGO, IL

Whereas, the Clear Ridge Baseball League in Chicago, is comprised of twenty-nine teams drawn from some three-hundred families of various ethnic backgrounds; and

Whereas, these families and their children live on the southwest side of our great city in the twenty-third ward; and

Whereas, Clear Ridge Baseball has been providing a baseball program for children for almost fifty years; and

Whereas, the Clear Ridge Baseball Twelve Year old All-Star Team won the Illinois State Championship of Babe Ruth Baseball held in downstate Illinois; and

Whereas, the fifteen young men who won this title for their team and this city were: Robert Krzeckowski, Kevin Duddleston, Pat Kane, Robby Brown, Chris Gallichio, Jeff Gricus, Ken Morgan, Frank Famaglia, Joey Bunch, Steve Pfeifer, Steve Sobun, Matt Taylor, Mike Chico, Brian Spalliero, Matt Hall, Coaches—Jim Duddleston, Phil Pfeiffer, Bob Gricus, John Spalliero: Now, therefore, be it

Resolved, That the Mayor and the City Council assembled here on this 7th day of August, 1985, do hereby recognize the outstanding achievements of the Clear Ridge Baseball Twelve Year Old All-Star Team and commend them on their Illinois State Championship win. Be it further

Resolved, That a suitable copy of this resolution be forwarded to the coaching staff of this team as well as the players parents.

A PROGRAM FOR WORLDWIDE ECONOMIC GROWTH

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. FRENZEL. Mr. Speaker, it is my privilege to insert into the RECORD the following speech given to the Japan Federation of Economic Organizations in Tokyo on August 23 by friend, classmate, and colleague, the Honorable JACK KEMP of New York.

Titled "A Program for World-Wide Economic Growth," JACK KEMP'S wide-ranging presentation to this most prestigious group of Japanese business leaders both contained four principal recommendations to improve the climate for world trade, and worldwide economic growth: First, liberalized access to domestic markets, not only in Japan but Europe as well; second, prompt, serious negotiation of a "Reagan round" of GATT improvements; third, reduction of marginal tax rates, and government regulation in all countries; and fourth rebuilding of an international system of stable exchange rates.

You may want to quarrel with one or two of those recommendations. I'm not crazy about No. 4 myself, but our colleague Congressman KEMP has presented a coherent, comprehensive positive program for world growth. His ideas are a refreshing change from the often heard demands for the more negative pessimism of protectionism.

I commend JACK KEMP'S speech, and am pleased to include it in the RECORD.

The speech follows:

A PROGRAM FOR WORLD-WIDE ECONOMIC GROWTH

(By Congressman Jack Kemp)

I am greatly honored to be your guest here in Japan and to be able to address the Keidanren. My wife Joanne and I are especially pleased because it gives us the opportunity to meet Japan and her people in person, instead of through newspaper reports and trade statistics.

Even a brief acquaintance makes it clear that the Japanese are economically successful because they are at heart a nation of artists and poets. It should not be surprising that the people who invented the tea ceremony have also made production almost an art form. Japanese frugality is reflected in the elegance of the haiku even more than in your high rate of personal saving. Indeed, you express your artistic temperament in the very fact that, instead of writing words with a pen, you draw pictures with a brush!

Ambassador Mike Mansfield has said many times that the relationship between the United States and Japan is the most important bilateral relationship in the free world, bar none. Despite our current concerns about trade and national defense, I am happy to say that the state or our relationship is very good.

As an American and a Congressman from Buffalo, I was proud when President Reagan spoke to the Japanese Diet in 1983, the first American President ever to receive that honor. I believe he expressed the senti-

ment of the American people when he said, "Of all the strengths we possess, of all the ties that bind us, I believe the greatest is our dedication to freedom. Japan and America stand at the forefront of the free nations and free economies of the world."

Both Japanese and Americans should be proud of Japan's economic and democratic development since the war. But it did not happen by accident. It took foresight, courage and hard work on the part of both Japanese and American leaders, and especially on the part of the Japanese people.

The degree of success seems to have astonished even the Japanese. I understand that Japanese journalists began calling the initial spurt of growth in the mid-1950s the "Jimmu boom," because no one could remember such prosperity since the Emperor Jimmu ascended the throne in 660 B.C. But when growth accelerated further in the late 1950s, they had to find a new name, so they called it the "Iwato boom," meaning that such good times had not been seen since the even more remote period when the sun goddess Amaterasu was lured from her Iwato cave. When the economy grew by 13 percent yearly in the late 1960s, they spoke of the "Izanami boom," harking back to the still more misty past when the goddess Izanami gave birth to the islands of Japan.

Yet Japan's "economic miracle" was not really miraculous. Your formula for domestic economic policy was basically what we in the United States call "supply-side economics"—tax incentives for thrift and hard work, a relatively small burden of government, and a minimum of unnecessary regulation. Despite increases in recent years, Japan still has the lowest tax burden among the industrial countries. In fact, for two decades, Japan reduced its tax rates every year, counting on the revenues from faster growth to balance its budget.

Similar policies were also pursued in the United States, notably by President John F. Kennedy. And they have contributed to the rapid development of countries like the Republic of Korea, the Republic of China, Singapore, and Hong Kong—countries poor in natural resources but very rich in human potential. However, it was America's misfortune to forget the formula for its success, until President Reagan rediscovered it.

I am sure that all Japanese school children are told the story about the Emperor Nintoku of the fourth or fifth century, who ascended a high mountain, looked around and said, "In the whole land there rises no smoke; the land is all poverty-stricken. So I will remit all the people's taxes and forced labor from now until three years." The Emperor allowed his palace to become dilapidated, and did not build a new one until he saw the smoke rising once again from the people's chimneys.

Five years ago, President Reagan noticed that there was no smoke rising from the smokestacks of our nation's industries. And he said that it was time to reduce the burdens of taxation, federal spending, and the forced labor of government regulations. He cut tax rates 25%, added new incentives for business investment, and freed our economy from government-imposed burdens. Today the fires of recovery have been stoked, and more than 7 million new jobs have been created. But we will not stop until we have achieved what we promised—full employment without inflation. Congress will shortly consider President Reagan's proposal for a further reform of the tax system, which would cut the top tax rate in half, to 35%, from the time he took office.

Over the years, as our national economies have grown, we have grown together. Trade between the U.S. and Japan has surged tremendously. Our combined economies represent 35 percent of the world's entire output. Total trade between the U.S. and Japan has reached $70 billion, double the level of just ten years ago. Japan is our second largest trading partner after Canada, and our largest agricultural customer. This commerce is still helping our countries to create abundance.

Trade is mutually beneficial. It raises our standard of living by increasing the variety and quality of goods available in every country. It accelerates economic development, not only in the industrialized nations but also in the less developed countries. It helps to keep a tight grip on prices through competition. Above all, it creates jobs by increasing the market for locally produced goods. When trade is free, jobs in Tokyo are not created at the expense of workers in Buffalo, or vice versa; with expanding trade and prosperity, jobs are created in both cities.

Yet, as you know, the sentiment for trade protectionism is growing rapidly in the United States. During my 15 years in the Congress, I have never seen such pressure for protectionism. In the past few days, you have heard other legislators from the United States, who have said they will support protectionist legislation unless Japan moves even further than the recent trade action package. More than 300 different protectionist bills have been introduced, and Congress will begin considering some of them when it reconvenes next month. A major Democratic Party initiative threatens to impose a 25% import fee on any country whose non-oil trade is in surplus by 50% or more. (The sponsors are unclear as to why oil-exporting nations are excluded). This formula aims directly at Japan, the Republic of Korea, the Republic of China, and Brazil.

It is extremely important for you to remember that ours is not a parliamentary system in which the head of government controls the legislature. If such a bill goes to the floor of the Senate, scores of more specific protectionist measures will be added. That's exactly what happened to the Smoot-Hawley tariff of 1930, which began as a bill limited to agriculture, but soon turned into a sweeping measure and finally placed outlandish tariffs on some items that the U.S. didn't even produce. Today the stakes are equally high, and the danger is equally great.

Right now, the chances for avoiding such a disaster rest heavily with President Reagan, who has stood almost alone against the protectionist tide. I will strongly oppose, and I will urge President Reagan to veto, any protectionist legislation passed by the Congress. But President Reagan needs all the help he can get, from his friends both at home and abroad, and I urge you to do what is in your power to help.

The pressure for protectionism will persist as long as its causes remain. It is therefore extremely important to understand and deal with them. I believe there are three reasons why the American trade deficit is front-page news today.

First, the trade deficit has partly reflected a strong U.S. economy, as Sen. Robert Dole observed. Our economy naturally has imported more because it has grown faster than the rest of the world.

It is fashionable to say that the mere existence of a trade deficit costs jobs; on a recent trip to Japan, Rep. Sam Gibbons said that 25,000 American jobs are lost for every $1 billion in the U.S. trade deficit. But this fallacy cannot be allowed to pass unchallenged.

In 1980 the United States had a surplus in goods and services of $9 billion, and total U.S. employment was 100.9 million. Today the total deficit is about $100 billion, but total employment is 108.1 million. In 1980, 59.6 percent of the population over age 16 was employed; today it is 60.1%. These figures prompted economist Herb Stein to ask: "Where are the lost jobs?"

What is overlooked is that the counterpart to our trade deficit is a net capital inflow. This net inflow is due mostly to the fact that U.S. banks are lending more at home and less abroad because of the more favorable economic climate—foreigners have not greatly increased their gross annual investment in the United States. The net inflow has financed 40 percent of the recent investment boom, creating new jobs, hundreds of thousands of new business starts, and a higher standard of living.

There are two ways in which this share of the trade deficit could be reduced. The United States could have a recession; but this would lead to a world-wide reduction in trade, and incidentally increase the U.S. budget deficit. On the other and, the deficit would be reduced if other nations reduce their own tax rates—thereby attracting capital, and strengthening their currenices. In my opinion, this portion of the deficit does not require correction, as long as the investment in America is productive enough to pay for itself. The United States ran a trade deficit almost every year during our first century—and we are still the world's largest developing country.

A second part of the trade deficit is due to trade restrictions; and this has received the most attention. It is clear that Japan has liberalized its trade since the 1960s, and its tariff barriers are lower today on average than in most other GATT nations, including the United States. However, problems remain, especially in such areas as agriculture, forestry, oil and oil products, and capital markets. Their removal would not only increase our trade, but also improve the standard of living of the Japanese, who now spend twice to four times as much as the rest of the world for many basic agricultural and dairy products. Many experts also agree that non-tariff barriers in Japan, such as standards and certification procedures, are a serious obstacle to the free flow of trade between our countries.

I applaud Prime Minister Yasuhiro Nakasone for his trade "action program," which is both a sign of good faith and a significant step forward. The United States should also remove some of its own self-imposed barriers, such as the restriction on exporting Alaskan oil to Japan and the rest of Asia. All of these steps need to be undertaken on their own merits. However, our Commerce Department has estimated that all of them together would reduce the trade imbalance by about $10 billion, or only a quarter of the trade imbalance with Japan.

The third source of the trade imbalance—and the most underestimated—is the chaotic state of the international monetary system. Much of the pressure for protectionism stems from an attempt, since 1971, to maintain a highly integrated world economy without a stable international monetary unit. The result has been similar to what would happen if each American state

or Japanese prefecture issued its own fluctuating paper currency.

According to Jan Tumlir, former GATT director of research, "Over the 1970s, the steep rise in the level of economic uncertainty is still insufficiently appreciated as the cause of the halting growth and increased instability in the world economy. It can best be compared to a thick fog descending on a turnpike, slowing down traffic and causing accidents."

Think of the vast difference in the international economic climate before and after the Second World War. The 1930s were the economic equivalence of war—and were soon followed by war itself. A chain reaction was started when each country tried to raise barriers with beggar-thy-neighbor tariffs, exchange controls, and competitive devaluations.

But the farsighted leaders who established the Bretton Woods monetary system, and later the General Agreements on Tariffs and Trade, sought precisely to prevent a return to the mercantilism of the 1930s. President Kennedy, who initiated GATT's Kennedy Round, described this vision as one of "a free community of nations, independent but interdependent, uniting north and south, east and west, in one great family of man, outgrowing and transcending the hates and fears that rend our nation."

Under the Bretton Woods system, the United States offered indirect financial assistance to nations recovering from the war, through multilateral institutions, and agreed to anchor the world monetary system by maintaining the dollar convertible into gold. Other countries committed themselves to stabilizing their currencies by keeping them freely convertible into dollars, and all nations agreed to liberalize international trade. By any measure, the system was a success. Within the framework of Bretton Woods and GATT, nations like Japan and Germany recovered spectacularly through their peoples' efforts. Many less developed nations also began to prosper, thanks to the increasing economic integration.

But fifteen years ago the Bretton Woods system broke down—partly because the international system, based on a national currency, became overextended. Despite its flaws, Bretton Woods was far better than what followed. The breakdown of the world's last stable monetary system unleashed an unprecedented global inflation, which was followed by severe global contraction and rapid regression toward conditions which strongly resemble the 1930s: falling commodity prices, overcapacity, an intractable debt problem; and the beginnings of a slide toward protectionism.

The experiment with floating exchange rates has been a failure. It has failed to bring the promised autonomy of domestic economic policies. It has put a premium on short-term, speculative assets, discouraged long-term investment, and generated defensive behavior by producers and consumers. Trade is disrupted almost daily by unprecedented swings in exchange rates, which have almost turned international trade into a form of gambling. The disruption costs many jobs and much misallocated capital, and those who are hurt turn to their governments for help. Rather than acting as a benign substitute for protectionism, floating exchange rates have directly encouraged it.

I have not said anything about America's budget deficit until now, because the issue can be intelligently addressed only in the context of the international monetary and economic chaos. There is no disagreement about the desirability of reducing the budget deficit, on either side of the Pacific. Indeed, no one would like to reduce the deficit more than the President of the United States. The whole debate turns on how the deficit can actually be reduced. When asked whether tax cuts or deficit reduction is the first priority, the only sensible answer is that the first priority is to prevent a recession that would be the coup de grace for the world economy, and which would hinder rather than promote success in reducing the deficit. Without the American recovery, there would have been little expansion of world trade, and no foreseeable solution to the downward-spiraling debt crisis. It would have been nothing less than irresponsible to pursue monetary or fiscal policies which permited this.

According to conventional wisdom, an autonomously created U.S. budget deficit forces up interest rates, attracting capital and causing the dollar to rise. But it is equally arguable that in a world of floating exchange rates, the dollar's central role in the world economy has caused the currency to rise, created a trade deficit, and contributed to the budget deficit. As long as U.S. dollars are the almost exclusive source of global monetary reserves to accommodate world growth, then one of two things must happen in the face of world-wide demand for reserves: either the U.S. central bank must supply the demand for dollars, or else that demand will be met in real terms through devaluation of other currencies—in either case forcing a trade deficit upon the United States. Until we restore a stable international monetary system through fundamental reform, I am afraid that the pressure for protectionism will continue.

To summarize my recommendations, I believe the industrial countries should take the leadership to improve the climate for international trade in four ways.

First, we need much faster progress in liberalizing access to domestic markets. I am thinking here not only of Japan and the United States, but more especially about Europe, which is in many ways more protectionist. The U.S.-Japanese trade imbalance is not merely a bilateral problem, because Europe's protectionism forces more competition into relatively open markets like the United States.

Second, we need a "Reagan Round" of GATT talks among both industrial and less developed countries. The level of cynicism and hopelessness surrounding such negotiations strike me as completely unjustified. Considering what is at stake, it is our duty to try harder.

Third, more balanced trade can be restored if other countries reduce marginal tax rates and—especially in the case of the stagnant economies of Europe—reduce government intervention in the economy. This would also reduce high rates of unemployment in many countries. I would like to caution against the notion that what is needed is Keynesian "demand stimulus," as though there were little to choose between cutting marginal tax rates and raising government spending. In the United States we have found through hard experience that positive results are achieved only when incentives are increased throught tax rate reduction, not when the burden of spending rises.

Finally, we must quickly begin co-operation to rebuild an international system of stable exchange rates. The Group of Ten meeting in Tokyo earlier this summer, which affirmed support for the floating-rate system, was extremely disappointing, as well as extremely dangerous for the future development of the world economy. I was embarrassed to read a U.S. government publication that justified this position on the astonishing grounds that the floating-rate system "diverts a smaller amount of capital from productive to speculative uses since speculation under this system entails larger risks." My question is: if floating exchange rates are too risky even for speculators, what hope is there for productive businesses?

Prime Minister Nakasone was right when he said: "The free world nations are at a crossroads, facing the crucial choice of continuing along the road of economic prosperity with free trade as its basis or following the path to economic stagnation under protectionism." I am hopeful that we will choose the right path, but to do so we must co-operate in taking vigorous action to address the fundamental problems we face.

Yet economic development does not occur in a vacuum. I would be remiss if I did not mention that the free nations of Asia are also approaching another crossroad. On my current trip—which embraces the Philippines, the Republic of Korea, Japan, and the Republic of China—I find increasing concern throughout the Western Pacific about the dramatic increase in the Soviet Union's military presence here. To someone who has not visited the Pacific in several years, the developments are striking.

For example, over the past eight years, the Soviet Union has built substantial military facilities on the Northern Territories—the south Kurile islands—including about 10,000 motorized infantry, air, and artillery troops. The Soviets remain unyielding concerning the status of the Northen Territories, because the sea lanes of the Soviet Pacific Fleet, as well as of its large strategic nuclear submarine force, run through them. Unfortunately, it is fundamental to Soviet military strategy to control the Northern Territories and to try to neutralize Japan's self-defense.

The Japanese-American Mutual Security Treaty has been called the cornerstone of Asian security. A strong Japanese effort, especially in air defense and sealane protection, is critical to that security, and I commend Prime Minister Nakasone for his responsible commitment to improve its quality. One of the strongest impressions of my visit is how many nations depend on Japan's ability to defend herself.

Perhaps no emotion causes deeper anguish to peace-loving people today than the fact that we live in a world where peace must be defended if it is to be preserved. Yet we bring oursleves to perform the difficult task because what is at stake is not some abstract balance of power, or even a choice between communism and anti-communism. Infinitely more important than what we oppose, it what we stand for: the desire for peace and freedom itself.

One of this century's greatest signs of hope for mankind is that the flower of friendship between our countries blossomed upon a battlefield. This month we observe the 40th anniversary of the end of the tragic war between the United States and Japan. In doing so, we should follow the example of General Douglas MacArthur. At a time when others were steeped in malice, distrust, and hatred, General MacArthur looked forward to reconciliation. Aboard the battleship *Missouri* in Tokyo Bay on September 2, 1945, he said, "It is my earnest hope, and indeed the hope of all mankind,

that from this solemn occasion a better world shall emerge out of the flood and carnage of the past—a world dedicated to the dignity of man and the fulfillment of his most cherished wish for freedom, tolerance, and justice."

Far-sighted as he was, if General MacArthur were with us today, even he would be astonished at the progress. Forty years ago, Tokyo lay in ruins. Yet last night, my wife Joanne and I marveled at the culture and prosperity of this thriving, world-class city. There is a reason why Tokyo was able, with the respect and suport of friends, to rebuild herself—because freedom works. We don't need a monument to commemorate the beginning of friendship between our peoples; this city is that monument—a monument to what free men and women can do in a society which empowers them to create a new life for their families and their children.

Yet in the end what is decisive is not just the concept of economic freedom—which you enjoy; nor is it just the necessity of free trade, for which we must all strive. Above all, it is freedom of the spirit—even more than the material prosperity which results from it—that can make a city rise like a phoenix out of the tragedy of war, and come to stand as a living testament to the values which unite the community of freedom-loving peoples everywhere in the world.

Those present today enjoy a measure of peace and prosperity thanks to those, like MacArthur, who went before us—people who were not merely inspired by this vision, but acted upon it. It is our responsibility not merely to conserve this precious heritage, but the increase it and hand it on to those who will come after us. For in the end our highest responsibility is not merely to make our nations prosper; our highest responsibilty to the world is to keep our nations free.

Thank you very much.

PUERTO RICO SEES HARM IN TAX PLAN: REAGAN WOULD DROP PROVISION CREDITED FOR THOUSANDS OF JOBS IN COMMONWEALTH

HON. JAIME B. FUSTER

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. FUSTER. Mr. Speaker, the New York Times article of August 25, 1985 had the arresting title above.

I hope that my colleagues will read with interest the following excerpts of that news story. Its message is of vital importance to the welfare of the 3.5 million American citizens that live in Puerto Rico and to the employment prospects of our labor force now suffering a 23 percent unemployment rate.

Despite what appear to be unfavorable odds, Gov. Rafael Hernández Colón is stepping up efforts to save a tax privilege that has created thousands of jobs on the island from elimination under President Reagan's tax revision proposal.

Economists on and off the island have warned that if the tax privilege, Section 936 of the Internal Revenue Code, is phased out in five years as the White House proposes, dozens of corporations with thousands of jobs will leave the island.

Norman Ture, president of the Institute for Tax Economy Investigation in Washington, said this would be "devastating" to Puerto Rico, whose unemployment rate of 22 percent is three times the national average. Virtually all economists on the island agree with his assessment.

Section 936, in effect since 1976, frees American corporations from Federal taxes on earnings from plants on the island and permits the return of those profits to the mainland. The provision was designed to create jobs. Puerto Rico has 522 plants, with 83,000 jobs, operating under Section 936, according to the Puerto Rico Economic Development Administration. Most are in the pharmaceutical and electronics fields.

TAX PAID TO ISLAND TREASURY

Companies that take portions of their profits to the mainland must pay the Puerto Rico treasury a tax that ranges from 5 percent to 10 percent, depending on how much of the profits the corporations decide to invest in island enterprises. The "toll gate tax" earned the commonwealth $130 million in the fiscal year that ended June 30.

In addition, corporations are required to place 10 percent of their island bank deposits with the Puerto Rico Government Development Bank, which holds $700 million in such deposits. The Hernández Colón administration hopes to persuade companies to spend some of this money to build low-cost housing.

Mr. Ture said of the Section 936 program, "I don't know of any program to create jobs that has created so many jobs so economically."

Economists in the commonwealth predict that elimination of the section, which would require Congressional approval, would cost 100,000 to 150,000 jobs directly and indirectly and that this would touch off a mass migration to industrial cities in the states. And they foresee substantially higher costs for social welfare programs in Puerto Rico that are financed by the Federal Government.

PATENT COOPERATION TREATY LEGISLATION

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. KASTENMEIER. Mr. Speaker, today, I introduce legislation at the request of the administration to implement chapter II of the Patent Cooperation Treaty. If enacted, the proposed legislation authorizes the Patent and Trademark Office to become an international preliminary examining authority and enable U.S. inventors to take advantage of all the benefits offered by the Patent Cooperation Treaty.

This major multilateral convention, adhered to by the United States and 38 other countries, has increased in importance to our inventors since it became operational in 1978. The treaty simplifies the filing of patent applications on the same invention in different member countries by providing centralized filing procedures and a standardized application format. Further, the treaty affords applicants additional time to evaluate their inventions before incurring major prosecution expenses in the countries in which they seek protection. The procedures, which give applicants several options on how to proceed with their applications are embodied in two main chapters of the treaty.

Chapter I of the treaty gives applicants a period of 20 months from the priority date of the international application before they have to incur the expenses associated with national filings. During this period, applicants obtain an international search report to help them decide whether to proceed with patent prosecution in the various countries they initially chose.

Under chapter II of the treaty, the period for delaying national patent prosecution is extended by an additional 10 months and applicants are given an international preliminary examination report evaluating their invention on the basis of information contained in the earlier search report. As a consequence, applicants can be more selective of the countries in which they ultimately decide to proceed, can have time to evaluate the strength of their potential patents and can develop marketing plans.

When the United States ratified the Patent Cooperation Treaty in 1975, Congress decided to postpone adherence to chapter II of the treaty because of the then-prevailing opinion that divergent patent examining methods made chapter II impracticable. The treaty is not self-executing and when Congress passed implementing legislation in 1975—Public Law 94-131—that legislation only provided authority for the Patent and Trademark Office to discharge its functions under chapter I. Experience gained with the operation of the treaty since it became operational in 1978, as well as international harmonization of patent processing procedures, may have laid to rest the early concerns regarding U.S. adherence to chapter II. Some in the patent community have come to the conclusion that it would be in their interest to take advantage of the benefits offered by the procedures of chapter II.

To this end, in a letter of July 27, 1984, the President has already requested the Senate's advice and consent to a withdrawal of the reservation on chapter II, which the United States made when it originally ratified the treaty. The bill which I am introducing today, would legislatively implement the withdrawal of that reservation. It would authorize the Patent and Trademark Office to discharge its functions as an international preliminary examining authority and to act as an elected office under chapter II of the treaty.

Arguably, enactment of this legislation would give our inventors an improved tool to strengthen the protection of industrial property on an international scale. This may be so since most other member states of the Patent Cooperation Treaty already adhere to its chapter II, and our inventors can avail themselves of its benefits in those countries only if the United States also adheres to that chapter.

As chairman of the Subcommittee on Courts, Civil Liberties and the Administration of Justice, I urge all interested parties to submit comments on this proposal to the subcommittee at 2137B Rayburn (225-3926).

SUPERFUND REAUTHORIZATION

HON. DEAN A. GALLO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. GALLO. Mr. Speaker, during the summer recess, I had the opportunity to tour the 11 sites in my district that are covered by the NPL list and Superfund. As a result of my visits, I am more convinced than ever that we need closer working relationships at all levels of Government and between Government and the private sector to solve our common environmental problems.

I am also more convinced than ever that we can not continue to delay in the reauthorization of Superfund legislation which, unless we move with purpose and dispatch, will expire in 25 days.

On Thursday, August 8, and Monday, August 12, I visited each Superfund site with local, State, and Federal officials, as well as other interested local residents, concerned about cleanup at each site.

I made this tour for two reasons. First, I wanted to be briefed on the current status of each project and to be sure that local and State officials are working closely to solve these common problems.

My second reason for touring the sites was to emphasize the need for quick congressional action in the fall on the Superfund reauthorization.

What I found were 11 unique Superfund sites, each with individual problems and opportunities for solutions.

The most difficult cleanup project in the 11th District so far is the removal of radon from residential neighborhoods in Glen Ridge, Montclair and West Orange. Work is being done in a confined, populated area, based on experience gained from other cleanups in residential areas.

Transportation and disposal of this low-level radioactive material has become a problem, as well.

Several of the sites I toured involve old landfills leaking polluted groundwater that threatens water supplies. The short-term solution in these areas will be to stop the flow of the liquid.

Long-term solutions may include innovative new technology that will allow for onsite cleansing to remove contamination from the ground. This technology includes a portable unit to burn off hazards.

This process has been perfected by the Environmental Protection Agency. It is portable, leaving no permanent structures behind, and is equipped with state-of-the-art pollution control devices.

Other sites I visited involve innovative local solutions to problems with water supplies. The town of Dover is operating on a backup well system as it awaits agreements paving the way for a permanent solution.

Rockaway Borough and Rockaway Township each have constructed state-of-the-art filtration systems, using local talent to ensure quality water supplies. These sites have been visited by representatives of governments from three continents in search of solutions to their water purification problems.

One site is worthy of particular note, because it involves a private company that has spent well over $1 million to remove a chemical deposit and to remove chemicals from the groundwater using state-of-the-art skimmers.

More companies should be taking such positive steps in cooperation with local, States and Federal officials to complete work on these important cleanup efforts.

Current laws discourage such public spirited efforts, however, on cleanup sites involving more than one company.

My visits have reenforced my belief that local officials have done excellent work toward protecting their communities in these cases.

These visits, combined with my extensive work on the Public Works and Transportation Committee, have furthered my belief that our work over the next 3 weeks will have a profound effect on our environmental quality for decades to come.

Our efforts must provide adequate funding to get the job done, and to do it right. We need a stable, sufficient and fair funding source for our remedial cleanup activities.

We need to provide a community right to know and emergency response training so that communities and people who reside in them are fully protected from the dangers of hazardous wastes.

Our efforts, and the efforts of professionals in the field must continue. Frankly, we have to take steps to ensure that professionals are willing to keep working. We have to provide these professionals with the legal and technical tools to safely and thoroughly perform their mission in a way that protects the public good.

Twenty-one days is not much time to coordinate our actions with the actions of the Senate. It isn't much time to reconcile the well-intentioned approaches of the various committees and subcommittees in our Houses. But, we have a job to do, and do it we must.

ONE HUNDREDTH ANNIVERSARY OF THE FIRST PRIMITIVE METHODIST CHURCH IN WESTMORELAND CITY

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. MURTHA. Mr. Speaker, it is a pleasure for me to place in the CONGRESSIONAL RECORD these remarks noting the 100th Anniversary of the First Primitive Methodist Church in Westmoreland City.

Anniversaries such as this deserve our special recognition. Reflect for a moment that when this church was founded Grover Cleveland was President of the United States, America was still healing the wounds of a Civil War that had ended only 20 years before, and we were on the edge of a major industrial revolution that would reform American society.

And reflect that our ancestors over that 100 years saw unprecedented changes in America that have affected the lives of every citizen and how we go about our lives.

At the center of those changes, providing constancy, guidance, and community were American churches such as the First Primitive Methodist Church. In celebrating this anniversary, we mark not only the 100th year of its existence, but we join together in a celebration of the American spirit, America's religious heritage, and American ideals that have seen our families and friends through those often trying and difficult years.

The occassion of this anniversary also marks a rededication—to begin the next hundred years of the Church's history as a continuing community force of strength for individuals and families, and a source of continued focus for the American and religious ideals that will remain a key to our national strength and success.

It is my pleasure to insert these comments in recognition of the congregation of the First Primitive Methodist Church in Westmoreland City.

TRIBUTE TO ALLAIRE LIMOUSINES

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. HOWARD. Mr. Speaker, I would like to express high praise and appreciation for the outstanding safety record of Allaire Limousines in Brielle, NJ. As chairman of the House Public Works and Transportation Committee, I feel a special sense of gratitude for the commitment that Allaire Limousines consistently has shown to innovative safety measures. Michael J. Renehan, president of Allaire Limousines, deserves additional praise for his leadership and excellence in contributing to the overall safety of the roads and highways in my district and all of New Jersey.

Allaire Limousines makes every effort to ensure the safety of their drivers and passengers. Each driver is required to successfully complete the National Safety Council safe driving course. Every vehicle is carefully maintained, and each is replaced by a brand new vehicle every 20 to 30 months. In addition, Michael Renehan has been a longtime advocate of the use of safety belts in his vehicles.

I am not alone in honoring this very special organization. The New Jersey State Legislature, Gov. Thomas Kean of New Jersey, U.S. Transportation Secretary Elizabeth Dole, New Jersey State Senator Frank Pallone, the Insurance Information Institute and Limousine and Chauffeur magazine have also recognized the firm's outstanding safety record.

With best wishes for continued success, I thank Mr. Renehan and his firm for the

model of excellence they provide for others across the Nation who use America's road system.

THE PERSECUTION OF SOVIET JEWS

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. PORTER. Mr. Speaker, the following statement describes the mistreatment of Dr. Nelson Kanter on his recent trip through Europe and the Soviet Union. I would like to call my colleagues attention to this statement as it is a further illustration of the persecution that exists for Soviet Jews, and how an American traveler personally experienced this brutality.

Dr. Nelson Kanter arrived in Leningrad on Friday, August 9, 1985. On August 10, he and his traveling companion were forcibly taken to a Leningrad police station by three or four unidentified persons, one of whom was later identified as the chief of the militia of that district in Leningrad. At the police station, Dr. Kanter and his companion were taken to a room where there were many plain clothesmen and militiamen walking around. Dr. Kanter was separated from his traveling companion: He was taken down a long corridor to a small auditorium where all his personal possessions were examined. An intourist interpretor arrived and Dr. Kanter's personal possessions from a tote bag were exposed on a table where they were photographed from various angles. Dr. Kanter was photographed as well. His requests to speak with the American Consulate were denied. Vitamin C, which he was carrying, was confiscated for a drug check with the implied threat that these people often bring drugs to our country. His personal notebook, containing his views and impressions of Leningrad, were carefully examined and kept.

Some pages of notes made by Dr. Kanter during the previous day, during a visit with Leningrad refusenik, Yakov Gorodetsky, were questioned. Officials implied that he, Dr. Kanter could be held as a spy and that he lied about being a tourist. Under this intimidation, Dr. Kanter was forced to write a statement which said that he did meet with Yakov Gorodetsky, and discussed the recent trial of Roald Zelichonek, another Leningrad refusenik and now prisoner. Dr. Kanter signed the statement. He was told that he was under investigation for speculation. He was removed from detention, but was told he had to report his movements to hotel administration. Dr. Kanter terminated his trip prematurely at great personal expense because he felt he was being followed and watched.

Dr. Kanter is in great distress and there is no doubt that this tourist was used in an incident designed to manufacture evidence against Leningradian Yakov Gorodetsky. Dr. Kanter understands this, and has volunteered the following statement:

I, Dr. Nelson Kanter, affirm and declare that the statement made at the Leningrad militia station on August 10, 1985, was written and signed only as a result of the enormous pressure exerted on me by the Leningrad militia and the KGB. This statement was in no way a reflection of what Yakov Gorodetsky said in the apartment of the previous day. The information written in my notebook, which was confiscated, was not in the exact words of Mr. Gorodetsky. Those notes represented my own loose interpretation of what was said during the course of my visit with him for my own reminiscences of my travels.

It is important that we in the Congress continue to do all that we can to express our support for those who are being denied their basic human rights in the Soviet Union. I urge my colleagues to join me in protesting the Soviet Union's blatant abuses of fundamental freedoms.

TRIBUTE TO GREG SCHLOSSER

HON. ARLAN STANGELAND

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. STANGELAND. Mr. Speaker, today marks the beginning of a stimulating week in Washington, DC, for my constituent and handicapped intern, Greg Schlosser.

Members of my Handicapped Advisory Committee selected Greg to serve as the 1985 Handicapped Intern from Minnesota's Seventh Congressional District.

A lifelong resident of Minnesota, Greg is a recent graduate of St. Cloud State University where he received his B.S. degree in chemistry with a computer science minor. In September 1986, Greg will enter the University of Minnesota Medical School and will pursue the field of pediatric physical therapy.

In May of 1980, Greg suffered a spinal cord injury in a motorcycle accident and he is now confined to a wheelchair. Undaunted, this inspiring young man has become totally independent and extremely active in the St. Cloud and Sauk Rapids communities. He is a volunteer at the St. Cloud Hospital in occupational therapy. And most recently, he was the vice president of the MS Wheelchair Minnesota Pageant. Always a sports enthusiast, Greg has become active in a number of wheelchair sports, participating as the tournament coordinator in basketball for the Minnesota State Tournament in 1984.

This week-long internship will provide Greg with a firsthand opportunity to learn about the Federal Government, national organizations and consumer groups, and their implementation of the programs benefiting handicapped Americans. This internship profits my district through a sharing of Greg's knowledge about the Government's operation and benefits me by increasing my awareness of the needs and concerns of disabled Seventh District citizens.

Greg has an energetic and challenging week of meetings and discussions involving the Social Security Administration, Department of Health and Human Services, the National Organization on Disability and the American Coalition of Citizens with Disabilities, just to name a few. These meetings will prove invaluable in broadening the scope of this week-long internship and have long-term benefits for the handicapped constituents of my district who struggle to meet daily challenges.

With pride, I salute and welcome Greg to our Nation's Capital and to the attention of my colleagues in the Congress of the United States.

OPPOSING AMNESTY FOR ILLEGAL ALIENS

HON. C.W. (BILL) YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. YOUNG of Florida. Mr. Speaker, more than 30 years have passed since the enactment of our Nation's last comprehensive immigration and naturalization legislation. During this period, the swell of millions of immigrants and illegal aliens seeking shelter in the United States has placed undue strain on our Nation.

In an effort to deal with this situation, Congress has acted over the years in a piecemeal fashion to address urgent immigration concerns. The resulting patchwork of U.S. immigration laws and regulations is seriously in need of a comprehensive overhaul by this Congress.

Both the House and Senate spent a considerable amount of time in the 97th and 98th Congress considering immigration reform legislation without reaching a final agreement. An effort will be made again this year to complete the task of formulating a sound national immigration policy. To assist in that effort, I am introducing legislation today to improve upon the proposals considered by Congress in the past and resubmitted for consideration again this year.

My first measure is a resolution expressing the sense of the Congress that no amnesty be granted to illegal aliens living in the United States. After very long debate, the House narrowly defeated an amendment to immigration reform legislation last year which would have eliminated a provision granting amnesty to aliens.

The Census Bureau estimates that there are as many as 6 million illegal immigrants living in the United States. Granting general amnesty to these lawbreakers would send a signal to potential aliens that our immigration laws are made to be broken.

Amnesty also unfairly rewards those who have bypassed our immigration process, while penalizing the millions of law-abiding individuals who have followed the proper procedures, but have been denied entry for one reason or another. Many others must wait out the lengthy application process, which often takes years to complete.

The second measure I'm introducing today would correct one example of our

Nation's contradictory immigration policies by prohibiting aliens living in the United States for less than 5 years from applying for and receiving Federal welfare benefits. Immigration officials have the authority, under current law, to deport aliens who become public charges within 5 years of their arrival in the United States. The officials, however, who administer the supplemental security income program are not prohibited from making SSI payments to these same aliens.

My legislation would close this loophole by prohibiting the payment of SSI benefits to aliens living in the United States for less than 5 years. The legislation also requires sponsors of aliens to assume a legal financial responsibility during the alien's first 5 years in our country. Current law requires only a moral, but not a financial, responsibility for sponsors. My legislation ensures that the sponsor, and not the American taxpayers, provide a minimum standard income for aliens.

Mr. Speaker, we are a nation of immigrants, who over the years have sought out a life in the United States where many freedoms and opportunities are available that do not exist elsewhere in the world. We have an obligation to accept a legislatively mandated number of immigrants to our Nation each year who have legally applied and followed proper procedures.

We, however, have no obligation to grant amnesty or benefits to any aliens who have come to our shores illegally. As a representative of the State of Florida, I am well aware of the burdens that have been placed upon the State, country and local governments by the influx of illegal immigrants over the years. These aliens should not be rewarded while millions of other people patiently wait many years for their time to come when they can apply for and receive permission to emigrate to our Nation. It is for these people that we must provide a fair, sensible and comprehensive immigration policy, one that I hope Congress will formulate in the coming months and that will reflect the concerns I have expressed over the years.

UNFORGETTABLE FIRE

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. GORDON. Mr. Speaker, I recently received a copy of a book called "Unforgettable Fire." A man from my hometown of Murfreesboro sent it to me on the 40th anniversary of Hiroshima. He hoped that it might help me better understand the horrors of nuclear war. He hoped that it might emphasize the need for eliminating the nuclear threat. I bring the book to your attention for the same reasons.

"Unforgettable Fire" is a collection of pictures drawn by survivors of the Hiroshima bombing. It was published in 1975, 30 years after the bombing, in an effort to keep us from forgetting this nightmare. It is one of the more moving documents I have ever encountered.

The drawings are understated renderings of an unimaginable horror. Often they are accompanied by brief, searing descriptions. I find the drawings are more disturbing than a collection of photographs because they do not represent objective reality—they record images that have been burned in the memories of the survivors.

Here is one example from a man named Ken Nakagawa, age 64.

This picture is about a rescue operation along the river bank in Sakaimachi. There were cries for help from women, children, and old people pinned under houses or crushed between pillars. The dead were sacrificed for their country. Children, wives, fathers and friends never came back. I hear phantom voices crying for help. I can not forget.

I don't believe that looking at an old man's drawing will make arms control any easier to achieve. I do believe that examining the horror of nuclear war will compel us to prevent its recurrence.

TRIBUTE TO ROBERT G. NICHOLSON

HON. GENE CHAPPIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. CHAPPIE. Mr. Speaker, I'd like to bring to the attention of my colleagues in the House an individual whose dedication and service to youth deserves special recognition. His name is Bob Nicholson, and after more than 40 years as a Boy Scout leader, he is retiring from service.

Mr. Nicholson began his Scouting as a youth in Racine, WI. From out of that experience came a lifelong dedication to the Boy Scouts. Over the years, he has led Boy Scout troops and councils in Montana, Washington, Arizona, New Mexico and California, providing leadership and guidance to hundreds of young men. Since 1974, northern Californians have been especially fortunate to have Bob Nicholson as Scout executive for the Buttes Area Council in Marysville, CA.

As a former Boy Scout, I believe there is no better training for a young man than to become involved in Scouting. It instills in our young people the basic values on which this country was built.

But Boy Scouts couldn't be effective without the dedication of its leaders. That's why it is so important to recognize the contribution made by those who spend their lives helping young men.

In today's busy world, it is especially noteworthy that someone like Bob Nicholson is willing to provide that selfless dedication to enrich the lives of those around him. Through his leadership, he has helped shape and influence America's next generation of leaders. Those young men, and our country, are better for it.

I know I speak for many others when I express my gratitude and appreciation to Bob Nicholson for giving so much of his life to Scouting. His leadership will be missed.

DONALD BAXTER, NEW ROCHELLE FIRE COMMISSIONER, HONORED

HON. JOSEPH J. DioGUARDI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. DIOGUARDI. Mr. Speaker, I rise today to honor Donald Baxter, who is retiring as the fire commissioner of New Rochelle Fire Department in New York. After 35 years of distinguished service, Don's presence will be sorely missed. Appointed on July 16, 1950, as a probationary firefighter, Don's excellent performance saw him quickly rise through the ranks of the department from lieutenant to captain and then deputy chief.

Not only was Don an outstanding firefighter, he was always in the forefront of bringing new methods and technology into the department to improve their lifesaving capabilities. These included the training of all personnel to handle the implementation of emergency medicine and the introduction of computers for usage in the application of fire service. Last year, not one person died in a New Rochelle fire.

Don's commitment to excellence and safety stretched to private individuals and homeowners, encouraging people to install smoke detectors in their homes. Don is also a member of the Westchester County Fire Advisory Board, the Rotary Club and the Elks Club.

It is with great pleasure that I extend my congratulations and best wishes to Don, his wife Mary, and his four children, Donna, Linda, Lawrence, and Donny. We all look forward to Don's continued success and commitment to excellence.

RECOGNIZING THE MONSOUR EDUCATION DEPARTMENT

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. MURTHA. Mr. Speaker, it is a pleasure to insert these remarks into the CONGRESSIONAL RECORD honoring the Monsour Education Department.

This is a group of women who are registered nurses, several with master's degrees, plus a secretary and librarian, who are specialists in women's health, children issues, cardiac rehabilitation, and critical care.

We in Congress have closely overseen the outstanding advances made in medical care in recent years and through the efforts of the National Institutes of Health and other Government agencies have helped to promote this research. No matter how fast we can develop the answers to complex medical problems, they are only partially effec-

tive until we get the information to individuals and promote individual health care throughout the community.

This is the type of work being done by the Monsour Education Department through community teaching, over 600 in-service programs a year, and public appearances. These types of educational programs can be particularly effective in the prevention of disease and in calming the fears of citizens who face medical problems.

This vital element of the overall American health care delivery system deserves our continued support and recognition. It is my pleasure to add these congratulations to those being received by the Monsour Education Department on a special day of recognition on September 13.

AMERICAN HEART ASSOCIATION'S FOOD FESTIVAL TO EMPHASIZE GOOD DIET

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. WALGREN. Mr. Speaker, heart and blood vessel diseases kill more men, women, and children in this country than any other cause of death. The economic cost of cardiovascular disease will amount to an estimated $72.1 billion in 1985 alone. Scientists have demonstrated that the typical American diet—one high in cholesterol and saturated fats—contributes greatly to the risk of cardiovascular disease. To help focus public attention on this widespread problem, from September 8–14 the American Heart Association's [AHA] Food Festival will spotlight the eating patterns which can help reduce the risk of heart disease.

Most cardiovascular diseases are the result of atherosclerosis, a condition in which the lipid—fat—and cholesterol levels in the blood are higher than the body requires to maintain good health. When the body accumulates an abundance of fat and cholesterol, the excess can collect in the walls of the arteries, forming deposits called "plaque." If the accumulation of plaque is allowed to progress over the years, an artery can become completely clogged with fats, cholesterol, and other debris. If the artery supplies the heart, the result can be heart attack; if it supplies the brain, the result can be a stroke.

The United States has one of the highest rates of cardiovascular disease in the world. The American diet is so rich in saturated or animal fats, that even children show evidence of high blood cholesterol levels. By middle years, most Americans have accumulated plaque in their arteries, making them candidates for heart and blood vessel diseases.

Medical scientists tell us that lowering the level of cholesterol and saturated fats in the diet can reduce one of the risks of coronary disease. The American Heart Association, in conjunction with several national supermarket chains, will work together during Food Festival Week to encourage consumers to purchase nutritional foods and to become aware of eating habits which can help prevent heart disease. According to the AHA, by limiting cholesterol consumption to less than 300 milligrams per day and fat intake to less than 30 percent of daily calories, otherwise healthy men, women, and children over 2 years old can control blood cholesterol levels and reduce the risk of heart attack and stroke.

American Heart's Food Festival spotlights the value of good nutrition and dietary control of cholesterol and saturated fat. The Food Festival's focus on nutrition lets the public know that participating local food retailers and the American Heart Association care about their well-being.

CHAMINADE COLLEGE PREPARATORY CELEBRATES 75TH ANNIVERSARY

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. GEPHARDT. Mr. Speaker, September 7 is a very important day in the hearts and minds of many young men who attend Chaminade Preparatory School in Creve Coeur, MO. The school is celebrating its 75th anniversary with various celebrations.

Chaminade has served many young men in the crucial growth years of high school. The school is unique among others in that it is the only day and residential school in the St. Louis area.

Not only is this anniversary special to the young men now attending Chaminade—but also to the many alumni who have left its hallowed halls since 1910.

Mr. Speaker, I commend Chaminade College Preparatory for the quality academic and religious guidance it has shown the St. Louis area for the past 75 years and, on this occasion, wish future success.

MSGR. JOSEPH R. PANNONI ENTERS 60TH YEAR OF PRIESTHOOD

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 9, 1985

Mr. FRANK. Mr. Speaker, we can all learn from the example of dedicated and responsible community leaders. Therefore, it gives me pleasure to bring to the attention of the House the inspiring role that Joseph R. Pannoni has played in the city of Fall River, MA, on the occasion of his 60th year in the priesthood. For 60 years, Joseph Pannoni has given generously of his talents as a priest, as a friend of the members of the Holy Rosary Parish, and through his example, to the entire community of Fall River.

Joseph Pannoni's service is especially noteworthy because he is the first priest of Italian descent ordained for the Diocese of Fall River to be elevated to the rank of monsignor.

Mr. Speaker, all the residents of Fall River, MA, deserve to feel honored by the contribution that Msgr. Joseph R. Pannoni has made for 60 years to his parish, to the Diocese of Fall River, and to the community. As his friends and colleagues gather to wish him well, I join to commend him for his exemplary service.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Tuesday, September 10, 1985, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 11

9:30 a.m.

Banking, Housing, and Urban Affairs

To continue oversight hearings on reforming Federal deposit insurance for banks and thrift institutions.

SD-538

Commerce, Science, and Transportation

Business meeting, to consider S. 1017, to provide for the transfer of the Metropolitan Washington Airports to an independent airport authority, S. 1073, to improve the availability of Japanese technical literature to U.S. businesses, scientists, and engineers, and the nomination of Anthony J. Calio, of Maryland, to be Administrator of the National Oceanic and Atmospheric Administration.

SR-253

Finance

To hold hearings on proposed legislation to provide for certain spending reductions and revenue increases.

SD-215

Labor and Human Resources

To hold hearings on United States' relations with the International Labor Organization (ILO).

SD-430

10:00 a.m.
Agriculture, Nutrition, and Forestry
Business meeting, to mark up S. 501 and S. 616, bills to expand export markets for United States agricultural commodities, provide price and income protection for farmers, assure consumers an abundance of food and fiber at reasonable prices, and continue low-income food assistance programs, and related measures.
SR-328A

Energy and Natural Resources
Business meeting, to resume consideration of S. 426, Electric Consumers Protection Act, S. 403, Hydroelectric Facility Relicensing Amendments, S. 1219, Fair Competition in Hydroelectric Licensing Act, and S. 1260, Hydroelectric Relicensing Reform Act.
SD-366

Foreign Relations
To hold hearings on international narcotics trafficking.
SD-419

Governmental Affairs
To continue hearings on S. 1527, to establish a new retirement program for all Federal and postal employees and Members of Congress.
SD-342

Select on Indian Affairs
To hold hearings on S. 1396, to settle unresolved claims relating to certain allotted Indian lands on the White Earth Indian Reservation in Minnesota.
SD-628

1:00 p.m.
Commerce, Science, and Transportation
Communications Subcommittee
To hold hearings on competitiveness in the long-distance telephone markets.
SR-253

2:00 p.m.
Judiciary
To continue hearings on pending nominations.
SD-226

3:00 p.m.
Agriculture, Nutrition, and Forestry
Business meeting, to mark up S. 501 and S. 616, bills to expand export markets for United States agricultural commodities, provide price and income protection for farmers, assure consumers an abundance of food and fiber at reasonable prices, and continue low-income food assistance programs, and related measures.
SR-328A

SEPTEMBER 12

9:00 a.m.
Armed Services
To hear and consider the nominations of Robert K. Dawson, of Virginia, to be Assistant Secretary of the Army for Civil Works, Robert B. Sims, of Tennessee, to be Assistant Secretary of Defense for Public Affairs, and routine military nominations.
SR-222

Office of Technology Assessment
The Board, to hold a general business meeting.
EF-100, Capitol

9:30 a.m.
Energy and Natural Resources
Energy Research and Development Subcommittee
To hold oversight hearings on the Department of Energy's "Mission Plan for the Civilian Radioactive Waste Management Program".
SD-366

Finance
To continue hearings on proposed legislation to provide for certain spending reductions and revenue increases.
SD-215

Veterans' Affairs
To hold oversight hearings on veteran's employment issues.
SR-418

10:00 a.m.
Agriculture, Nutrition, and Forestry
Business meeting, to mark up S. 501 and S. 616, bills to expand export markets for United States agricultural commodities, provide price and income protection for farmers, assure consumers an abundance of food and fiber at reasonable prices, and continue low-income food assistance programs, and related measures.
SR-328A

Commerce, Science, and Transportation
Merchant Marine Subcommittee
To hold hearings on S. 1461, to permit for two years, any passenger cruise vessel that was built in the United States and subsequently sold foreign to be brought back under the United States flag with domestic trading privileges.
SR-253

Foreign Relations
European Affairs Subcommittee
To hold hearings to review the North Atlantic Treaty Organization (NATO), focusing on Soviet imperatives for the 1990's.
SD-419

Judiciary
Business meeting, to consider pending calendar business.
SD-226

Labor and Human Resources
Education, Arts, and Humanities Subcommittee
To resume hearings on proposed legislation authorizing funds for programs of the Higher Education Act.
SD-430

2:00 p.m.
Finance
International Trade Subcommittee
To resume hearings on S. 680, to limit imports of textile products into the United States to a one-percent growth rate for exporting countries.
SD-215

*Foreign Relations
European Affairs Subcommittee
To continue hearings in closed session to review the North Atlantic Treaty Organization (NATO), focusing on Soviet active measures.
S-116, Capitol

3:00 p.m.
Agriculture, Nutrition, and Forestry
Business meeting, to mark up S. 501 and S. 616, bills to expand export markets for United States agricultural commodities, provide price and income protection for farmers, assure consumers and abundance of food and fiber at reasonable prices, and continue low-income food assistance programs, and related measures.
SR-328A

SEPTEMBER 13

9:30 a.m.
Finance
To continue hearings on proposed legislation to provide for certain spending reductions and revenue increases.
SD-215

10:00 a.m.
Foreign Relations
European Affairs Subcommittee
To continue hearings to review the North Atlantic Treaty Organization (NATO), focusing on Soviet active measures.
SD-419

SEPTEMBER 16

9:30 a.m.
Finance
Taxation and Debt Management Subcommittee
To hold hearings on S. 376, the Child Health Incentives Reform Plan.
SD-215

10:00 a.m.
Judiciary
Security and Terrorism Subcommittee
To hold hearings to explore the effects of terrorism in South Africa on the security of the United States.
SD-226

SEPTEMBER 17

9:30 a.m.
Rules and Administration
To hold hearings on S. Res. 29 and S. Res. 81, measures to set forth regulations to implement television and radio coverage of Senate Chamber proceedings.
SR-301

10:00 a.m.
Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Labor and Human Resources
Education, Arts, and Humanities Subcommittee
To resume hearings on proposed legislation authorizing funds for programs of the Higher Education Act.
SD-430

11:00 a.m.
*Foreign Relations
Business meeting, to consider pending calendar business.
SD-419

2:00 p.m.
Finance
International Trade Subcommittee
To hold hearings on S. 1544, to extend and reform the Trade Adjustment Assistance Program, and related measures, including S. 1459, S. 234, and S. 23.
SD-215

SEPTEMBER 18

9:30 a.m.
Labor and Human Resources
To hold hearings on private sector initiatives to feed the world's hungry.
SD-430

Rules and Administration
To continue hearings on S. Res. 29 and S. Res. 81, measures to set forth regulations to implement television and radio coverage of Senate Chamber proceedings.
SR-301

10:00 a.m.
Foreign Relations
To resume hearings on the Supplementary Extradition Treaty Between the United States of America and the United Kingdom of Great Britain and Northern Ireland, with Annex (Treaty Doc. 99-8), signed at Washington on June 25, 1985.
SD-419

Judiciary
Juvenile Justice Subcommittee
To hold hearings on S. 985, to protect the rights of victims of child abuse.
SR-325

Select on Indian Affairs
To hold hearings on S. 1298, to coordinate and expand services for the prevention, identification, and treatment of alcohol and drug abuse among Indian youth.
SR-485

Joint Economic
Economic Goals and Intergovernmental Policy Subcommittee
To hold hearings on international trade.
SD-342

2:00 p.m.
Environment and Public Works
Environmental Pollution Subcommittee
To resume oversight hearings on the implementation of section 404 of the Clean Water Act, relating to the wetlands dredge and fill permit program.
SD-406

Governmental Affairs
Energy, Nuclear Proliferation and Government Processes Subcommittee
To hold oversight hearings on enumeration of undocumented aliens in the decennial census.
SD-342

SEPTEMBER 19

9:00 a.m.
*Foreign Relations
European Affairs Subcommittee
To resume hearings to review the North Atlantic Treaty Organization [NATO].
SD-419

9:30 a.m.
Banking, Housing, and Urban Affairs
To hold hearings on S. 812, to authorize the President to control loans and other transfers of capital to any or all of the Soviet bloc countries.
SD-538

Commerce, Science, and Transportation
To hold hearings on record labeling.
SR-253

Energy and Natural Resources
Energy Regulation and Conservation Subcommittee
To hold oversight hearings to review the Federal Energy Regulatory Commission notice of proposed rulemaking on Regulation of Natural Gas Pipelines after Partial Wellhead Decontrol.
SD-366

Finance
To resume hearings on the President's tax reform proposal.
SD-215

Veterans' Affairs
Business meeting, to consider proposed legislation to meet reconciliation expenditures as imposed by S. Con. Res. 32, setting forth recommended levels of total budget outlays, Federal revenues, and new budget authority for fiscal years 1986, 1987, and 1988, and revising the congressional budget for fiscal year ending September 30, 1985.
SR-418

10:00 a.m.
Labor and Human Resources
Education, Arts, and Humanities Subcommittee
To resume hearings on proposed legislation authorizing funds for programs of the Higher Education Act.
SD-430

1:30 p.m.
Foreign Relations
European Affairs Subcommittee
To continue hearings to review the North Atlantic Treaty Organization [NATO].
SD-419

SEPTEMBER 20

9:30 a.m.
Labor and Human Resources
To hold hearings on matters relating to private education.
SD-430

10:00 a.m.
Environment and Public Works
Environmental Pollution Subcommittee
to hold hearings on proposed legislation authorizing funds for wildlife refuge programs.
SD-406

SEPTEMBER 23

9:30 a.m.
Finance
International Trade Subcommittee
To resume hearings on S. 680, to limit imports of textile products into the United States to a one-percent growth rate for exporting countries.
SD-215

SEPTEMBER 24

9:00 a.m.
Energy and Natural Resources
Energy Regulation and Conservation Subcommittee
To hold oversight hearings on innovative approaches in industrial energy efficiency.
SD-366

9:30 a.m.
Commerce, Science, and Transportation
Business meeting, on pending calendar business.
SR-253

Finance
To resume hearings on the President's tax reform proposal.
SD-215

10:00 a.m.
Labor and Human Resources
Children, Family, Drugs, and Alcoholism Subcommittee
To hold hearings on child fitness and health programs.
SD-562

11:00 a.m.
*Foreign Relations
Business meeting, to consider pending calendar business
SD-419

SEPTEMBER 26

9:30 a.m.
Finance
To hold hearings on the President's tax reform proposal.
SD-215

10:00 a.m.
Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Foreign Relations
International Economic Policy, Oceans, and Environment Subcommittee
To hold hearings on the General Agreement on Tariffs and Trade (GATT).
SD-419

2:00 p.m.
Foreign Relations
To hold hearings on financing of foreign military sales.
SD-419

Governmental Affairs
Energy, Nuclear Proliferation and Government Processes Subcommittee
To hold hearings on S. 209, the Federal Debt Recovery Act.
SD-342

SEPTEMBER 30

9:30 a.m.
Finance
Taxation and Debt Management Subcommittee
To hold hearings on proposed revisions in subchapter C of the Internal Revenue Code relating to corporate taxation.
SD-215

10:00 a.m.
Governmental Affairs
Civil Service, Post Office, and General Services Subcommittee
To hold hearings on S. 1440, the Non-Smokers Rights Act.
SD-342

OCTOBER 1

9:30 a.m.
Finance
To resume hearings on the President's tax reform proposal.
SD-215

Labor and Human Resources
Labor Subcommittee
To hold oversight hearings on pension policy implications of the President's tax proposals on fringe benefits and retirement savings.
SD-430

10:00 a.m.
Governmental Affairs
Civil Service, Post Office, and General Services Subcommittee
To continue hearings on S. 1440, the Non-Smokers Rights Act.
SD-342

Labor and Human Resources
Education, Arts, and Humanities Subcommittee
To hold joint hearings with the House Committee on Education and Labor's Subcommittee on Elementary, Secondary, and Vocational Education on the problem of illiteracy in the United States.
2175 Rayburn Building

*Labor and Human Resources
Aging Subcommittee
To hold hearings on pension accrual and the older worker.
SR-385

Labor and Human Resources
Children, Family, Drugs, and Alcoholism Subcommittee
To hold hearings on the exploitation of runaway children.
SD-628

11:00 a.m.
Veterans' Affairs
To hold hearings to review the legislative priorities of the American Legion.
SD-106

OCTOBER 2

9:30 a.m.
Finance
To continue hearings on the President's tax reform proposal.
SD-215

Labor and Human Resources
To hold hearings on the nomination of Edward A. Curran, of Maryland, to be Chairman of the National Endowment for the Humanities.
SD-430

10:00 a.m.
Select on Indian Affairs
To hold hearings on S. 1558, to settle certain claims affecting the Pyramid Lake Paiute Indian Tribe of Nevada.
SR-485

OCTOBER 3

9:30 a.m.
Finance
To continue hearings on the President's tax reform proposal.
SD-215

10:00 a.m.
Governmental Affairs
To hold hearings on the President's management initiatives and related measures.
SD-342

Labor and Human Resources
Education, Arts, and Humanities Subcommittee
To resume joint hearings with the House Committee on Education and Labor's Subcommittee on Elementary, Secondary, and Vocational Education on the problem of illiteracy in the United States.
2175 Rayburn Building

OCTOBER 9

9:00 a.m.
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

9:30 a.m.
Commerce, Science, and Transportation
To hold hearings on Robert Elsner, of Alaska, and Karen Pryor, of Washington, each to be a Member of the Marine Mammal Commission.
SR-253

10:00 a.m.
Commerce, Science, and Transportation
To hold oversight hearings in conjunction with the National Ocean Policy Study on Pelagic driftnets.
SR-253

Labor and Human Resources
To hold hearings to examine certain barriers to health care.
SD-430

OCTOBER 10

10:00 a.m.
*Commerce, Science, and Transportation
Merchant Marine Subcommittee
To hold hearings on fishing vessel safety and insurance.
SD-562

Labor and Human Resources
To hold hearings on mandatory nutritional labeling.
SD-430

Labor and Human Resources
Education, Arts, and Humanities Subcommittee
To resume hearings on proposed legislation authorizing funds for programs of the Higher Education Act.
SR-385

10:30 a.m.
Commerce, Science, and Transportation
Business, Trade, and Tourism Subcommittee
To hold hearings on the promotion of domestic tourism.
SR-253

OCTOBER 16

9:30 a.m.
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

OCTOBER 17

10:00 a.m.
Labor and Human Resources
Education, Arts, and Humanities Subcommittee
To hold hearings to examine measures to discourage students from dropping out of high school.
SD-430

OCTOBER 23

9:30 a.m.
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

OCTOBER 24

10:00 a.m.
Labor and Human Resources
Education, Arts, and Humanities Subcommittee
To resume hearings on proposed legislation authorizing funds for programs of the Higher Education Act.
SD-430

OCTOBER 29

9:30 a.m.
Labor and Human Resources
Handicapped Subcommittee
To hold hearings on the Tenth Anniversary of the Education for All Handicapped Children Act (P.L. 94-142).
SD-430

OCTOBER 30

9:30 a.m.
Labor and Human Resources
To resume hearings to examine certain barriers to health care.
SD-430

10:00 a.m.
Labor and Human Resources
Children, Family, Drugs, and Alcoholism Subcommittee
To hold hearings on the effects of domestic violence.
SD-628

NOVEMBER 6

9:30 a.m.
Labor and Human Resources
To hold hearings on nutrition and fitness in public health.
SD-430

CANCELLATIONS

SEPTEMBER 11

10:00 a.m.
Judiciary
To hold hearings on certain provisions of the Conrail Sale Amendments of 1985.
SD-226

SEPTEMBER 13

2:30 p.m.
Commerce, Science, and Transportation
Surface Transportation Subcommittee
To hold hearings to examine motor carrier safety and Mexican trucking operations.
SR-253