SENATE—*Tuesday, September 9, 1986*

(Legislative day of Monday, September 8, 1986)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Honorable JAMES T. BROYHILL, a Senator from the State of North Carolina.

PRAYER

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

Let us pray.

Lord of life, we commend to your compassionate care Senator GARN as he enters the hospital for surgery to give his kidney to be transplanted into his daughter. Guide the surgeon and grant a successful process and recovery.

Gracious God and Father, I pray for the leadership of the Senate—Senators DOLE and SIMPSON; Senators BYRD and CRANSTON. These, your servants, are accustomed to pressure and to the exigencies of political stress. Grant to them in these weeks ahead a special dispensation of wisdom and grace, strength and energy to handle what seems like an impossible agenda. I pray for those who chair committees and subcommittees whose legislation is on the docket.

Father in heaven, You know the enormous task of legislation compounded by international incidents which weigh upon the Senate. Sensitize the awareness of the leadership to the availability of godly resources which You in Your love will provide whenever they are sought and received. Prevent the Senate from becoming a jungle filled with conflict. Guide in ways that will transform these final days into a period of extraordinary achievement and sense of accomplishment. In His name, whose love knows no bounds. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 9, 1986.

To the Senate:

Under the provisions of Rule I, Section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JAMES T. BROYHILL, a Senator from the State of North Carolina, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. HEINZ. Mr. President, as I think my colleagues are aware, there is now a period for the two leaders under the standing order for 10 minutes each. There is a joint congressional leadership meeting taking place at the White House this morning, and that is why neither Senator DOLE nor Senator BYRD are here. Accordingly, Senator PROXMIRE is the deputy minority leader and I am acting for Senator DOLE.

I would like the Senate to be advised that there are two special orders that have been entered into not to exceed 5 minutes each for Senator PROXMIRE, who is here, and for Senator LEVIN, and routine morning business that is not to extend beyond 10:30 a.m. this morning. Senators are, of course, permitted to speak for not to exceed 5 minutes each.

I would like to advise the Senate also on behalf of the majority leader that the Senate at 10:30 a.m. will resume consideration of H.R. 5234, the Interior appropriations bill. The Senate is going to stand in recess between the hours of 12 and 2 p.m. today for the weekly party caucuses, and then at 2 p.m. this afternoon there will be 30 minutes total debate on the Daniloff resolution and the terrorist resolution. At 2:30, by unanimous consent, the Senate will proceed to vote on the Daniloff resolution, to be immediately followed by a vote on the terrorist resolution.

The majority leader would like me to advise that the Senate could turn to the consideration of H.R. 5233, the Labor, Health and Human Services appropriations bill and that rollcall votes will occur during today's session of the Senate.

Mr. President, I have no further announcements.

Mr. PROXMIRE. Mr. President, will the distinguished acting majority leader yield?

Mr. HEINZ. I am pleased to yield to my friend from Wisconsin.

Mr. PROXMIRE. As I understand it, the Senator has indicated that the Labor, Health and Human Services appropriations bill will be up, not the Interior appropriation bill, is that correct?

Mr. HEINZ. Mr. President, if the Senator will permit me to respond, this morning at 10:30 we will take up the Interior appropriations bill. But the majority leader has advised that sometime today we can be expected to turn to the Labor-HHS appropriations bill. I assume that that means the leader hopes to complete action on the Interior bill.

Mr. PROXMIRE. Is it possible that that might be done without completing action? The reason I ask is I think the Interior bill will take considerable debate and discussion. There is at least one amendment I will offer. There are other amendments. There are Senators, I understand, who will not be here today but tomorrow who are very anxious to discuss this Interior appropriations bill. So I wondered if the distinguished acting majority leader has any information on whether or not it might be possible to go to the Health and Human Services bill or whether we will stay with the Interior bill?

Mr. HEINZ. I say to the Senator from Wisconsin that it is certainly possible the Senate could lay aside the Interior appropriations bill and proceed for a period of time or even to the conclusion of the Labor-HHS bill, although that would be unlikely as well; that bill is often very time consuming. So that is entirely possible, but that is a decision the majority leader will obviously have to make later on today.

RECOGNITION OF THE ACTING MINORITY LEADER

The ACTING PRESIDENT pro tempore. The acting minority leader is recognized.

Mr. PROXMIRE. Thank you, Mr. President.

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PUBLIC OPINION MAY YET SAVE ARMS CONTROL

Mr. PROXMIRE. Mr. President, there is one simple truism about American government. It is that the President, and the President alone, as the Commander in Chief, must be the sole force in control of this Nation's

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

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military forces. Why did the Founding Fathers make the President the "Commander in Chief?" Possibly, an immediate reason was the presence of the first President as the great commander in chief of our Armed Forces during our successful revolution, in the person of George Washington. Was that all? No, indeed. There was another obvious logical reason. There was no other force that could or should share this power. What other force could serve as Commander in Chief? The Supreme Court? The Congress? An effective military force must have a single commander. It must be one person with total responsibility.

To an only slightly lesser extent, the President must exercise the prime control of the Nation's foreign policy. Why? For the same reason the country needs a single person as commander in chief of the military forces. The Nation must usually speak with a single voice in foreign affairs.

What should be the President's role, then, in negotiating arms control treaties? Obviously, the President must once again be the dominating force. Arms control represents a combination of control and direction of our military forces and negotiations with foreign powers. So it seems both logical and necessary that the President must be in charge.

If all this is true, what happens when public opinion, the dominant force in this democracy, strongly favors arms control and the President does not advance it? This Senator concluded years ago that arms control must fail under these circumstances. This Senator may have been wrong. The President may be losing his grip on arms control. President Reagan is being challenged by the House leadership now as no preceding President ever has been.

After 5½ years, the administration has been strong in its rhetoric, but it has accomplished nothing in advancing arms control. It is worse. The administration has presided over the end of both Strategic Arms Limitation Treaties—SALT I and SALT II. It has taken dead aim—and I mean dead aim—at the Anti-Ballistic Missile Treaty which prohibited both superpowers from building antimissile systems. The administration has even made the construction of a total antimissile system, also known as the Strategic Defense Initiative, or star wars, as its No. 1 military priority. What does this mean? That means the prime objective of the administration's military policy is to end the ABM treaty. So what remains from this arms control debacle? Literally nothing—not one major treaty restraining nuclear arms is left from the series of promising beginnings that emerged from the dawn of the nuclear age.

How can this happen in a democracy where public opinion is supposed to be supreme? How can this happen in this Republic of the people, by the people, and for the people? After all, the American people have overwhelmingly indicated that they want arms control. Don't the people have any recourse if the man they elect as their President brings arms control to a dead halt? Until a few weeks ago, I would have said that, as a practical matter, the American people are helpless in those circumstances. They have to patiently wait until the next Presidential election. Then they can try to elect a President pledged to make arms control as a means of achieving nuclear peace in the world as his top priority.

But now, I am not so sure. On three issues, the House of Representatives has pushed through arms control measures over strong Presidential opposition. The House has insisted on cutting funds for antisatellite development as long as the Soviets refrain from further antisatellite development. The House did this after the President refused to negotiate treaties with the Soviet Union to stop the development of antisatellite weapons. Similarly, the House has pushed ahead with provisions in funding bills that would deny the expenditure of funds to equip bombers with nuclear warheads in violation of the SALT II treaty unless there were proven violations of a similar nature by the Soviet Union of the treaty.

Finally, and most spectacularly, the House has proposed to shut down funding for nuclear weapons explosions for 1 year, as of January 1, 1987, provided the Soviet Union also stops nuclear weapons tests as of January 1, 1987, and provided the Soviet Union agrees to the deployment of seismic monitoring stations throughout the Soviet Union to verify Soviet compliance. The House Armed Services authorization bill that carries these arms control provisions must go to conference with the Senate. The conferees may drop the provisions or sharply reduce their potency. If not, the House and Senate may stalemate. The conferees might proceed without an armed services authorization in 1987. In that event, the House will still have an opportunity to attach restrictions on antisatellite funding or in providing appropriations for procurement or deployment that would violate SALT II or in providing funds for nuclear weapons tests. Do these actions by the House really take the arms control role away from the President? At least by flexing its spending muscles, Congress has put the most effective pressure yet on the President to move toward some significant arms control progress, at long last, with the Soviet Union.

ORDER OF BUSINESS

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the time of the minority leader be reserved for his use later in the day and that my time be taken out of my regular order.

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

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF SENATOR LEVIN

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Michigan is recognized for not to exceed 5 minutes.

Mr. LEVIN. I thank the Chair.

THE MYTH THAT TAX REFORM CANNOT MEAN DEFICIT REDUCTION

Mr. LEVIN. Mr. President, yesterday, in stating my opposition to the conference report on the tax reform legislation, I focused on the myth that this tax bill is unambiguously good news for the average American taxpayer. In fact, more than 15 million average Americans would get tax increases under the proposal.

Today, I would like to view things from a different perspective, that of deficit reduction. Simply put, it is a myth that tax reform cannot help us reduce the deficit. The bill is called revenue neutral, which implies that we would not use the revenues generated by loophole closing, and the revenues generated by a minimum tax on profitable corporations and wealthy individuals who are sheltering all their income—revenue, that is, from tax reform—to reduce the deficit. That view is neither prudent nor popular. And it would mean more than foregoing an opportunity for deficit reduction. It would make deficit reduction more difficult to achieve in the future and more unfair and harsher whenever it is achieved.

Many speeches have been given in this Chamber on the dangers of huge Federal budget deficits continuing year after year. The problem is well known. Suffice it to say now that the deficits present a clear and present danger to our economic growth. They contribute to the trade deficit, the effects of which are seen most strikingly in our agricultural and manufacturing

sectors. The huge budget deficits are also an economic time bomb, because so much of our budget deficits are financed out of foreign borrowing. If the political or economic winds change, we could find ourselves with a continuing huge budget deficit but without the foreign inflow of cash to sustain it. The result would be higher interest rates, as the demand for deficit financing stayed the same while the available supply of borrowable funds shrank. Finally, the continuing huge budget deficits and the interest payments on them use up funds which could be more productively used to protect and improve our quality of life.

With the huge budget deficits at the core of the economic problems facing us, it is more than ironic that the tax reform bill, which the conference committee has now agreed to, does nothing to help with that situation. Knowing this—that so vast an effort as tax reform has as its affirmative goal to do nothing to improve our deficit problem over the next few years—makes the words of the chairman of the Budget Committee, Senator DOMENICI, during the debate on the Senate bill ring in my ears: "What a pity. What a pity," he said.

Mr. President, we can do otherwise and must do otherwise.

We must confront, first of all, an impression that a revenue-neutral tax reform bill does not raise revenues. In fact, this bill raises tens of billions of dollars in revenues from corporations and individuals. For many of them, it will result in a net tax increase. So, again, this bill does include revenue increases, and, for many corporations and individuals, actually includes net tax increases. The fact that it also includes tax cuts for others, and balances out to no net gain in revenue, should not mask the fact that it includes revenue increases for tens of millions of individuals and thousands of corporations. Therefore, an argument that there must be a revenue-neutral tax reform bill because we are against tax increases can only be made by someone who is not familiar with this bill. In a very real sense, the issue in tax reform is not whether to make changes in the Tax Code which would increase revenues. The issue is what to do with the tens of billions of dollars in revenues that tax reform will raise from some. Do we cut taxes for others or reduce the deficit?

Second, there is a contention that by definition tax reform must be revenue neutral. Reality—and history—are to the contrary. In 1982, the House and the Senate passed and the President signed the Tax Equity and Fiscal Responsibility Act. It was a tax reform bill and it was not revenue neutral. Rather, it called for raising net revenues of more that $200 billion over 5 years.

Third, insisting on a revenue-neutral tax reform bill ignores the reality that if we are going to deal with the budget deficit in a meaningful and lasting way, then there will have to be a combination package of further spending cuts and increased revenues. We need increased revenues to reduce the deficit if we are to avoid reducing it by spending cuts alone involving unacceptably large reductions in domestic and defense programs.

The only way to increase revenues without imposing new tax burdens on middle- and low-income people is through a version of tax reform which has as its cornerstone an effective minimum tax on profitable corporations and wealthy individuals who have been sheltering all of their income and paying nothing in taxes. The new revenues from such a minimum tax, affecting not more than 5 percent of the taxpayers, can then be used to reduce the deficit. Put another way, a tax reform bill should have as its goal raising revenues to reduce the deficit in a way that eliminates the need for imposing new tax burdens on average Americans. Unfortunately, the reality of the tax reform bill reported out by the conference committee is that it not only would impose increased taxes on more than 15 million average Americans, it also would set the stage for imposing new taxes on them and on the rest of our people as well. Why is that? Because if all the revenue from tax loophole closing is going to be soaked up by the uneven tax cuts proposed by the bill, then in looking for additional revenue for deficit reduction, we will be forced to turn to regressive ways to generate revenue: Perhaps a national sales tax or increased excise taxes, or possibly increased user fees. Although generating new revenue through excise taxes and the like might make deficit reduction possible, it would impose taxes on many of the very people who are supposed to benefit from this tax reform bill and who are among the least able to shoulder additional revenue burdens.

Fourth, the conference report is represented as being revenue neutral over 5 years. The reality is that from 1988 through 1991 this bill would add to the deficit by $11 billion. This is because the language adopted by the Senate in the Domenici-Gramm amendment was dropped in conference. That amendment basically said that the $11 billion revenue windfall in 1987 could not be used for reducing the deficit in 1987, but rather should be counted against the bill's shortfall of $11 billion from 1988 to 1991. Senator PACKWOOD himself, in speaking in favor of the Domenici-Gramm amendment during the debate on the Senate bill, said:

> We do not want to attempt some phony deficit reduction with phony figures. The fact that this bill raises some money in the early years, drops in the middle years, and comes back in the end years may encourage Congress to use it in an attempt to meet our deficit projections of last year and in essence say that we shall worry about 1988 in 1988—let's just take the money now and worry about the devil next year * * * I very much support this amendment * * * this bill should not be used as an artificial vehicle to attempt to get us over a hurdle next year.

Those are Senator PACKWOOD's words.

> This bill should not be used as an artificial vehicle to attempt to get us over a hurdle next year.

But by dropping the Domenici-Gramm amendment in conference, it is exactly this kind of artificial deficit reduction for which we are setting ourselves up.

Now, some may say that it is inconsistent to argue that we should use tax reform to reduce the deficit generally but not use the $11 billion to reduce the deficit in 1987. However, there is no inconsistency at all. The goal of using tax reform revenues for deficit reduction should be to provide for meaningful and lasting deficit reduction. Using the $11 billion in 1987 would be deficit reduction for year one and a deficit increase in years two through five. It would be using a windfall in a way that would create a shortfall. The goal of using tax reform revenues to reduce the deficit is to help clean up the budgetary mess we are in. Using the first year windfall against the first year deficit reduction target in Gramm-Rudman would dig us into a deeper hole.

Finally, there is an impression that this bill must be revenue neutral because the people want it that way. In reality, however, there is strong evidence to the contrary. Early this year, a nationwide poll indicated that by a 3 to 1 margin the public supported using revenues from loophole closing and a minimum tax for deficit reduction instead of for tax cuts. The public knows that common sense lies in making the Tax Code fairer and reducing the deficit in one stroke.

Mr. President, our economy is living on borrowed time just as much as our deficit is being financed out of borrowed money. Everyone knows that action taken sooner will be less painful than action taken later. Tax reform should be used as a vehicle for meaningful deficit reduction. The conference report foregoes that opportunity and, even worse, would make deficit reduction more difficult. The Senate should not add its stamp of approval to that approach.

Mr. President, I yield the floor.

ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there

will now be a period for the transaction of routine morning business with statements therein limited to 5 minutes each.

TERRORISM

Mr. SPECTER. Mr. President, I take the floor to comment about the recent acts of terrorism involving the Pan-Am plane in Pakistan and the brutal murders of the worshipers in the synagogue in Istanbul.

I have communicated with the President urging him to take action under legislation which has passed the Congress and which was signed into law by the President on August 27 to move with our allies in the international field and to set up Nuremberg-type criminal prosecutions to deal with the problem of international terrorism. This is a bill which this Senator had introduced, was incorporated into legislation which reached the President and, as I say, was signed into law by the President on August 27.

It is my view that the only way in the long run to deal effectively with the problem of international terrorism is to have joint action by the allies to move in a Nuremberg-type prosecution.

We have the precedent of the Nuremberg trials where the war crimes committed by the Nazis were defined as international crimes against humanity. Those prosecutions were successful. It is this kind of joint and coordinated activity, Mr. President, which I believe would be an effective response to terrorism on the international level.

It strikes this Senator that there may be more than coincidence with the incidents in Pakistan and in Istanbul and there ought to be an investigation to determine if there is any connection between those two incidents.

Mr. President, there is another provision of the legislation which was signed into law on August 27 which I urge be acted on, and that is another aspect of legislation which I have introduced which makes it a violation of U.S. law for an American citizen to be the victim of an attack, maiming, or murder anywhere in the world. I was disturbed that there was no violation of U.S. law when our citizens were brutally murdered last December 27 at the Rome and Vienna airports. And that led to a new press for legislation I had first introduced September 25, 1984, which would make that a violation of U.S. law.

Mr. President, I believe that the Government of the United States ought to act in a very forceful way against terrorism until there is an international mechanism to deal with the problem of terrorists. This is authority under international law to apprehend criminals in the international scene with or without the cooperation of the nation which may harbor criminals.

In the case of *Ker* v. *the United States*, a landmark decision by the Supreme Court of the United States, which established authority for this proposition, Ker was under a criminal charge in the State of Illinois and had fled to Peru. Illinois authorities went to Peru, took him into custody—you might call it an abduction—without any international extradition, without any consent by the Peruvian Government, and brought him to Illinois for trial. The case went to the Supreme Court of the United States, which said those procedures were appropriate. Ker was appropriately brought back to Illinois for trial and conviction, and his conviction was upheld.

That principle has been upheld repeatedly in the Federal courts in the United States and one Supreme Court decision written by Justice Hugo Black, a noted libertarian.

We have the President of Israel going to Argentina bringing Eichman back for trial.

Mr. President, it would be my preference that we proceed through extradition wherever that is possible. But I believe that the Government of the United States must keep a close watch on what is done against international terrorism where other nations have the jurisdiction.

I frankly have been encouraged to see the Pakistan officials promise to prosecute the terrorists vigorously, and to seek the death penalty. I believe that the death penalty is appropriate when you deal with horrendous kinds of criminal violent conduct like hijacking, where hundreds of lives are put at risk, or when many lives are taken which was the incident in Pakistan. I believe it is regrettable that the Congress of the United States has not legislated the death penalty for acts of terrorism and for any hijacking where mass murders are involved.

And it is not easy to get legislation through this body, unfortunately, because of the filibuster incidents.

So, we will await the action by the Pakistani Government. But I believe we should keep a close eye on it, and it is good that we have issued protection warrants out of the U.S. courts to see that the terrorists are brought to trial and are brought to justice in an appropriate way.

I recall the incident in Teheran not too long ago where two U.S. officials were murdered, and no action as yet has been taken against those terrorists. I recall, too, the incident of the *Achille Lauro* where the Egyptian airliner was forced down by United States fighter pilots in our effort to apprehend those individuals with a view to bringing them to the United States for trial, prosecution, conviction, and punishment, and then the Italians gained jurisdiction over Abu Nidal's principal confederate, and four other individuals.

That case was mishandled. Nidal's confederate was let go. And four other terrorists who were brought to trial were not treated as harshly as they ought to have been.

Mr. President, it would be strong action by the United States to apprehend and take into custody terrorists in jurisdictions without proceeding through extradition, but I believe that to be fully warranted by the threat which international terrorism forces pose to the world and the threat which international terrorism poses to the citizens of the United States. Certainly, a surgical action which had a moderate amount of force would be much less interventionist than the action which this country appropriately took against Libya. I believe, Mr. President, that we ought to try first diplomacy, then economic sanctions, and then we ought to try the use of force in the most moderate manner possible to try to identify terrorists, where we have warrants of arrest, where we have indictments, where we have those legal actions supported by competent evidence, and if necessary, to take terrorists by means such as upheld by the Supreme Court of the United States in *Ker* v. *Illinois*, and that is what ought to be done.

The difficulty is that the attention span is limited. We see the terrorist attack in Pakistan, and we see a terrorist attack in Istanbul at the synagogue. We are outraged. But then other events come into fore and crowd out those matters. It is going to take a full court press by the U.S. Government taking the lead on the problem of international terrorism. It has become a way of waging war where only the terrorists are at war. And with these incidents freshly before us I have urged the President to act under the provision of law which calls for Nuremberg-type prosecutions. The Secretary of State and the Attorney General have both said on the records in hearings, first Secretary of State Shultz in the Foreign Operations Subcommittee and later Attorney General Meese before the Judiciary Committee, that they approve of the use of moderate force to take terrorists into custody now that those acts are violative of specific legislative enactments of the Congress of the United States—in 1984 the Omnibus Crime Control Act on hijacking and hostagetaking, and now the broader legislation which was signed into law on August 27.

This afternoon this body will be considering a sense-of-the-Senate-resolution. But I wanted to make these comments since we had a little bit of free time here this morning.

I thank the Chair. I yield the floor.

AID TO THE WEEKLIES

Mr. STEVENS. Mr. President, I have been extremely pleased at the response to the Rural Newspaper Preservation Act, S. 2723, which I introduced on behalf of Senators ABNOR, ANDREWS, BURDICK, GRASSLEY, HAWKINS, and MURKOWSKI. Especially helpful was the September 2 editorial in the Anchorage Times strongly supporting our efforts.

The editorial is, of course, gratifying. But, important too is that it is a positive reflection on the Anchorage Times, its publisher, and editorial board. It is an example of why the Anchorage Times is one of the giants of the Alaska press—the legislation they endorse primarily benefits their competitors, the weekly newspapers throughout the State of Alaska.

Mr. President, I ask unanimous consent to have the entire text of the September 2 editorial printed in the RECORD.

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

AID TO THE WEEKLIES

For most small businesses an increase in postal rates makes little impact on the bottom line of the ledger pages, Not so the many small rural newspapers around the country.

In Alaska, where a weekly newspaper's primary distribution area can cover thousands of square miles, last year's rate increase caused enough concern among publishers to prompt them to appeal to the state's congressional delegation for relief.

In response, Sens. Ted Stevens and Frank Murkowski, along with Rep. Don Young, jointly sponsored and introduced the "Rural Newspaper Preservation Act," which offers relief in the form of reduced postal rates for publications with a circulation of 20,000 or less.

Said Sen. Stevens: "These small newspapers play a crucial role in the rural areas of America, and in many cases they are the sole source of local news and essential information. As such, they are the bedrock upon which our information system rests, and their importance to their communities and the nation is without question."

We concur. And with help from Washington, these voices will continue to be heard.

HARLEY M. DIRKS

Mr. HATFIELD. Mr. President, on August 28, Mr. Harley M. Dirks died.

After nearly 10 years of struggling against cancer, he finally succumbed. That he battled so courageously, for so long, serving others even in the midst of great pain, was and is an inspiration to us all.

As many of my colleagues will recall, Harley Dirks served as a professional staff member of the Committee on Appropriations from January 1965 to December 1976, most notably as the clerk of what was then known as the Labor, Health, Education, and Welfare Subcommittee under the chairmanship of our former colleague, Senator Warren G. Magnuson. Those were the years when the Congress began to place a high priority on the areas of health research and disease prevention and treatment. For the strides we have taken in those areas thus far, and for the seeds of accomplishments yet to come, we can thank men like Harley Dirks.

After he left the committee, Mr. Dirks worked with the American Medical Association for a time, and eventually created his own consulting firm on health issues. Even as he fought his toughest battles with the disease that would eventually kill him, he did not slacken in his contributions to our process.

Mr. President, all of us have our crosses to bear, but few of us bear one so heavy, or with as much courage, as did Harley Dirks.

On behalf of the members and staff of the Appropriations Committee, I want to express my deep gratitude and admiration for the contributions and courage of Harley Dirks, and extend my sympathy to his family .

BUSINESS MUST LEAD THE WAR ON DRUGS

Mr. SPECTER. Mr. President, today I wish to have printed in the CONGRESSIONAL RECORD a short article recently distributed by the Chamber of Commerce of the United States entitled "Business Must Lead the War on Drugs."

I wanted to call attention to this piece in order to applaud the chamber for urging that business "take the lead in the campaign against drug abuse in our society." The chamber recognizes and points out the tremendous toll which is taken each year in hours of lost productivity, increased absenteeism, rising medical costs, workplace accidents and employee theft. Even more importantly, the tremendous influence wielded by business leaders makes it imperative that they become immersed in the effort to banish drugs from our culture today.

I have written to Richard Lesher, president of the chamber, to congratulate him on the chamber's stance, and to urge him to forge ahead with specific programs on behalf of business leaders. I have suggested that he begin by enlisting the aid of the National Association of Manufacturers and the Business Roundtable. Drug education programs must be instituted as soon as possible, in order that an impact may be felt during the upcoming school year.

I have been working with business leaders in Pennsylvania to plan a program of drug education seminars directed to age groups ranging from elementary school through high school. Our children are becoming exposed to drugs at increasingly earlier ages—estimates are that the age at which a child must take a decisive position on drugs is as young as 11. I hope that plans like I am working to develop for Pennsylvania's youth will be replicated nationwide through the efforts of various business groups.

Mr. President, I ask unanimous consent that the article by the chamber of commerce be printed in the RECORD.

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

BUSINESS MUST LEAD THE WAR ON DRUGS

"Oh God, that men should put an enemy in their mouths to steal away their brains."

Shakespeare was referring to alcohol, but his anguished cry could apply even more aptly to heroin, cocaine and other illegal drugs that are running rampant in our society today.

The recent deaths of two prominent young athletes have underscored the hazards of drug abuse, focusing the nation's attention on what can only be described as an epidemic.

This is a grave crisis that will not yield to government action alone. The Reagan administration is doing all it can to stem the flow of drugs into this country; the first lady devotes practically all of her public life to educating young people about drugs; and government agencies at the state and local level are applying herculean efforts to the problem.

All of which seems to have no more effect than spitting on a forest fire. The grim truth is that the war on drugs is being lost and no turnabout is possible until every sector of society—schools, businesses, churches, social groups, charities, all of us—acknowledge the threat and join hands with government to deal with it.

Business in particular must shoulder a major share of the responsibility. By some estimates, the direct cost of drug abuse to business is over $60 billion a year, measured in lost productivity, increased absenteeism, rising medical costs, more workplace accidents, and stealing by employees desperate to support their expensive addictions.

More importantly, business bears an obligation to society that transcends its economic interests. Business people wield significant power and influence in their communities. They are looked to for leadership in setting standards of personal behavior and participation in public affairs.

This is not a role that all business people seek or enjoy, but it is ours whether we want it or not. It is imperative that business people take the lead in the campaign against drug abuse in our society.

We must begin with a concerted effort to eliminate drugs from the workplace. It will not be easy and our efforts are certain to stir up a hornet's nest of controversy. But our nation, and especially our young people, face a great peril that will not yield to cautious measures.

I am certain that when business gets out front on this issue, other groups and organizations will rally to our cause and work with us. I am certain also that government officials at all levels are eager to work with us in every way they can to help rid our country of this pestilence.

We have no alternative but to commit ourselves to this cause and resolve to see it through.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

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

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS, FISCAL YEAR 1987

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 5234) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1987, and for other purposes.

The Senate resumed consideration of the bill.

Mr. McCLURE addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Idaho is recognized.

Mr. McCLURE. Mr. President, the fiscal year 1987 Department of the Interior and Related Agencies Appropriations bill as reported by the Appropriations Committee, and as scored by the Budget Committee, proposes new budget authority totaling $7,732,277,000. This bill represents a decrease in new budget authority of $464.5 million below the House passed level and an increase of $1,059 million above the budget request.

At this level, this bill is just below its allocation in budget authority and outlays as required by Deficit Control Act, which is $600 million below the fiscal year 1986 level. To get to this level, the committee was forced to take action that is very controversial. This bill mandates the sale of the Naval Petroleum Reserves in fiscal year 1987 and requires that the first payment be received before the end of the fiscal year in an amount of at least $200 million.

While the budget resolution assumes sale of the reserves in fiscal year 1988, I question whether such a provision would be approved by the Congress in a free-standing piece of legislation. Quite frankly, it is unlikely that the provisions requiring the sale will be approved by the Conference Committee, but the leeway provided by offsetting appropriations by the amount of receipts from the sale was necessary in order to get the Interior bill to the floor within our allocation.

□ 1050

When the committee voted on allocations, it was made very clear that, to the extent possible, new allocations would be assigned when each subcommittee had a better idea what their funding requirements are. It is my hope that as work continues in the Senate and in conference with the House on appropriations bill, some adjustment in allocations can be made to bring the Senate committee allocations closer to those of the House subcommittees.

Mr. President, Members of the Senate have requested over 400 amendments to the Interior appropriations bill, most of which sought to add money. We have made every effort to fund as many of these as requests as possible within existing budget constraints. I am sure every Senator in this body can think of other projects that are worthy of funding. Since we are right at our allocation, amendments which seek to add funds may require offsetting reductions in other areas.

Mr. President, I would ask that there be included in the RECORD a table detailing the actions of the committee on the Interior appropriations bill.

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

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
TITLE I - DEPARTMENT OF THE INTERIOR					
BUREAU OF LAND MANAGEMENT					
Management of Lands and Resources					
Onshore Energy and Minerals Management					
Energy Resources					
Coal Leasing	13,695	13,695	13,695	---	---
Oil & Gas Leasing	46,519	46,519	45,049	-1,470	-1,470
Geothermal leasing	2,475	2,475	2,475	---	---
Oil Shale and Tar Sands leasing	---	---	---	---	---
Subtotal, Energy Resources	62,689	62,689	61,219	-1,470	-1,470
Non-Energy Minerals					
Mineral Material Sales	2,184	2,184	2,184	---	---
Mining Law Administration	8,210	8,810	8,710	+500	-100
Mineral Leasing	3,868	3,868	3,868	---	---
Uranium operations	621	621	621	---	---
Subtotal, Non-Energy Minerals	14,883	15,483	15,383	+500	-100
Subtotal, Energy and Minerals Management	77,572	78,172	76,602	-970	-1,570
Lands and Realty Management					
Realty Operations					
Energy Realty	8,063	8,063	8,063	---	---
Non-Energy Realty	16,725	16,725	16,725	---	---
Alaska Lands program	10,434	10,434	14,054	+3,620	+3,620
Subtotal, Realty operations	35,222	35,222	38,842	+3,620	+3,620
Withdrawal Processing and Review	3,732	3,732	3,732	---	---
Subtotal, Lands and Realty Management	38,954	38,954	42,574	+3,620	+3,620
Renewable Resources Management					
Forest Management					
Public Domain	5,106	5,106	6,796	+1,690	+1,690
Western Oregon	---	914	914	+914	---
Subtotal, Forest Management	5,106	6,020	7,710	+2,604	+1,690
Range Management					
Wild Horse & Burro Management	15,200	12,777	18,100	+2,900	+5,323
Grazing Management	30,860	30,860	36,360	+5,500	+5,500
Subtotal, Range Management	46,060	43,637	54,460	+8,400	+10,823
Soil, Water, & Air Management	14,469	15,119	14,469	---	-650
Wildlife Habitat Management	13,801	15,961	16,261	+2,460	+300
Recreation Management					
Cultural Resources Management	5,078	6,018	6,618	+1,540	+600
Wilderness Management	7,254	7,254	7,254	---	---
Recreation Resources Management	7,198	8,042	8,898	+1,700	+856
Subtotal, Recreation Management	19,530	21,314	22,770	+3,240	+1,456

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
Fire Management	8,847	8,847	8,847	---	---
Subtotal, Renewable Resources Management	107,813	110,898	124,517	+16,704	+13,619
Planning and Data Management					
Planning	9,525	9,525	9,525	---	---
Data Management	14,888	14,888	14,888	---	---
Subtotal, Planning and Data Management	24,413	24,413	24,413	---	---
Cadastral Survey					
Alaska	11,069	11,069	15,059	+3,990	+3,990
Other States	11,622	11,622	11,622	---	---
Subtotal, Cadastral Survey	22,691	22,691	26,681	+3,990	+3,990
Fire control					
Firefighting & Presuppression	3,492	3,492	78,492	+75,000	+75,000
Rehabilitation	584	584	584	---	---
Subtotal, Fire Control	4,076	4,076	79,076	+75,000	+75,000
Technical Services					
Resource Protection	3,320	3,320	3,320	---	---
Maintenance and engineering services					
Buildings	3,421	3,421	3,421	---	---
Recreation	3,681	3,681	3,681	---	---
Transportation	3,483	3,483	3,483	---	---
Maintenance improvement	---	1,000	---	---	-1,000
Engineering services	1,160	1,160	1,160	---	---
Subtotal, Maintenance and engineering services	11,745	12,745	11,745	---	-1,000
Subtotal, Technical Services	15,065	16,065	15,065	---	-1,000
General Administration					
Executive and managerial direction	5,525	5,525	5,525	---	---
Equal employment opportunity	2,056	2,056	2,056	---	---
Administrative services support	30,680	30,680	30,680	---	---
Bureauwide fixed costs	46,840	46,840	46,840	---	---
Subtotal, General Administration	85,101	85,101	85,101	---	---
BLM/FS interchange	3,400	---	---	-3,400	---
Total, Management of Lands and Resources	379,085	380,370	474,029	+94,944	+93,659
Construction and Access					
Access	1,200	1,200	1,200	---	---
Construction	---	---	1,600	+1,600	+1,600
Total, Construction and Access	1,200	1,200	2,800	+1,600	+1,600

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
Payments in Lieu of Taxes					
Payments to Local Governments	105,000	105,000	105,000	---	---
Land Acquisition					
Bureau of Land Management:					
Acquisitions	---	3,550	---	---	-3,550
Acquisition Management	---	300	300	+300	---
Prior year deferral	---	-3,000	---	---	+3,000
Total, Land Acquisition	---	850	300	+300	-550
Oregon & California Grant Lands					
Construction and Acquisition	528	528	528	---	---
Maintenance	3,620	4,120	4,120	+500	---
Renewable Resource Management	46,617	47,567	50,599	+3,982	+3,032
Planning and Data Management	395	945	395	---	-550
Unobligated balance adjustment	---	1,100	---	---	-1,100
Total, Oregon & California Grant Lands	51,160	54,260	55,642	+4,482	+1,382
Range Improvement Fund					
Improvement to Public Lands	6,956	6,956	8,450	+1,494	+1,494
Farm Tenant Act Lands	950	950	950	---	---
Administrative expenses	600	600	600	---	---
Total, Range Improvements	8,506	8,506	10,000	+1,494	+1,494
Service Charges, Deposits, and Forfeitures					
Rights-of-way Processing	2,695	2,695	2,695	---	---
Adopt-a-horse program	500	500	500	---	---
Repair of Damaged Lands	1,650	1,650	1,650	---	---
Cost recoverable realty cases	350	350	350	---	---
Total, Service Charges, Deposits, and Forfeitures	5,195	5,195	5,195	---	---
Miscellaneous Trust Funds					
Base Program	100	100	100	---	---
Total, Bureau of Land Management	550,246	555,481	653,066	+102,820	+97,585
U.S. FISH AND WILDLIFE SERVICE					
Resource Management					
Habitat Resources					
Field Operations	23,167	23,167	23,167	---	---
National Wetlands Inventory	5,313	5,313	5,313	---	---
Research and Development	16,028	18,028	18,528	+2,500	+500
Cooperative units	4,564	4,564	4,564	---	---
Subtotal, Habitat Resources	49,072	51,072	51,572	+2,500	+500

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
Wildlife Resources					
Refuge operations and maintenance	96,275	107,573	109,217	+12,942	+1,644
Law enforcement and protection	9,708	9,708	9,908	+200	+200
Population management	9,180	9,289	9,389	+209	+100
Research and Development	13,060	13,380	12,410	-650	-970
Alaska subsistance	---	---	974	+974	+974
Subtotal, Wildlife Resources	128,223	139,950	141,898	+13,675	+1,948
Fishery Resources					
Hatcheries operations and maintenance	23,861	25,422	25,197	+1,336	-225
Lower Snake River Compensation Fund	6,411	6,411	6,411	---	---
Refuge operations and maintenance	2,148	2,148	2,148	---	---
Law enforcement and protection	2,075	2,075	2,075	---	---
Population management	2,285	2,285	2,071	-214	-214
Research and Development	11,259	11,409	12,009	+750	+600
Subtotal, Fishery Resources	48,039	49,750	49,911	+1,872	+161
Endangered Species					
Listing	2,937	3,187	3,437	+500	+250
Law enforcment and protection	7,240	7,990	7,590	+350	-400
Consultation	2,588	2,888	2,588	---	-300
Recovery	6,030	6,165	6,605	+575	+440
Research and Development	4,365	4,565	4,565	+200	---
Cooperation with states	---	4,300	4,300	+4,300	---
Subtotal, Endangered Species	23,160	29,095	29,085	+5,925	-10
General Administration					
Executive Direction	7,306	7,306	7,306	---	---
Administrative services	10,217	10,217	12,117	+1,900	+1,900
Related support services	19,110	19,110	20,963	+1,853	+1,853
Unemployment Compensation	---	---	---	---	---
Fish and Wildlife Foundation Matching grants	---	---	500	+500	+500
Subtotal, General Administration	36,633	36,633	40,886	+4,253	+4,253
Total, Resource Management	285,127	306,500	313,352	+28,225	+6,852
Construction and Anadromous Fish					
Construction and rehabilitation					
Refuges	---	3,720	3,600	+3,600	-120
Hatcheries	---	9,300	6,800	+6,800	-2,500
Fishery research facilities	---	953	6,340	+6,340	+5,387
Dam safety	2,790	2,790	2,790	---	---
Wildlife research facility	---	---	1,750	+1,750	+1,750
Endangered species facility	---	1,750	---	---	-1,750
Anadromous fish grants	---	2,000	2,000	+2,000	---
Capital development & maintenance management	323	600	323	---	-277
Total, Construction and Anadromous Fish	3,113	21,113	23,603	+20,490	+2,490
Migratory Bird Conservation Account					
Advance Appropriation	---	3,000	10,561	+10,561	+7,561

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
Land Acquisition					
Fish and Wildlife Service:					
Acquisitions - Federal refuge lands	---	31,475	35,175	+35,175	+3,700
Acquisition Management	1,500	1,750	1,600	+100	-150
Total, Land Acquisition	1,500	33,225	36,775	+35,275	+3,550
National Wildlife Refuge Fund					
Payments in Lieu of Taxes	5,645	5,645	5,645	---	---
Total, Fish and Wildlife Service	295,385	369,483	389,936	+94,551	+20,453
NATIONAL PARK SERVICE					
Operation of the National Park System					
Park Management					
Management of park areas	62,518	62,705	62,518	---	-187
Concessions management	3,548	3,548	3,548	---	---
Interpretation and Visitor Services	57,413	67,717	67,704	+10,291	-13
Visitor protection and safety	76,361	83,222	85,017	+8,656	+1,795
Maintenance	233,826	242,580	243,360	+9,534	+780
Resources management	86,437	100,491	99,053	+12,616	-1,438
Information publications	---	3,400	2,890	+2,890	-510
International Park Affairs	403	771	771	+368	---
Volunteers-in-parks	---	1,000	500	+500	-500
Subtotal, Park Management	520,506	565,434	565,361	+44,855	-73
Forest Fire Suppression and Presuppression	1,319	1,319	1,319	---	---
Park Recreation and Wilderness Planning					
Water resources	2,909	2,909	2,909	---	---
General management plans	2,332	2,332	2,332	---	---
Subtotal, Park Recreation & Wilderness Planning	5,241	5,241	5,241	---	---
Statutory or Contractual Aid for Other Activities					
Roosevelt Campobello International Park Commission	408	408	408	---	---
Ice Age National Scientific Reserve	573	573	573	---	---
Lowell Historic Preservation Canal Commission	537	537	537	---	---
Folger Theater	---	---	---	---	---
Corcoran Gallery	---	---	---	---	---
Mary McLeod Bethune NHS	99	199	199	+100	---
Martin Luther King, Jr. Center	199	199	199	---	---
Phillips Gallery	---	---	---	---	---
Arena Stage	---	---	---	---	---
National Building Museum	---	---	---	---	---
National Capital Children's Museum	---	---	---	---	---
William McKinley Tomb	---	---	---	---	---
Fisk University, Jubilee Hall	---	168	168	+168	---
James Garfield NHS	---	468	---	---	-468
Johnstown Flood Museum	---	398	---	---	-398
Harding Home and Tomb State Memorial	---	538	538	+538	---
Subtotal, Statutory or Contractual Aid	1,816	3,488	2,622	+806	-866

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
General Administration					
Central office	5,820	5,820	5,820	---	---
Regional offices	14,993	14,993	14,993	---	---
Automatic data processing	4,827	4,827	4,827	---	---
Service wide administrative support	7,161	7,605	8,010	+849	+405
General services	390	390	390	---	---
Employee compensation payment	5,355	5,355	5,381	+26	+26
Unemployment compensation for federal employees	7,892	7,892	7,892	---	---
GSA space rental	12,865	13,500	14,135	+1,270	+635
Executive direction	6,544	6,544	6,544	---	---
Public Affairs	1,753	1,678	1,678	-75	---
Alaska Land Use Council	---	-53	---	---	+53
Subtotal, General Administration	67,600	68,531	69,670	+2,070	+1,119
Recreation fee programs (propsd for later trans)	59,000	---	---	-59,000	---
Temporary Fee Legislation	---	---	-50,000	-50,000	-50,000
Transfer from Planning, Development and Operation of Facilities	---	-15,158	-15,158	-15,158	---
Total, Operation of the National Park System	655,482	628,875	579,055	-76,427	-49,820
National Recreation and Preservation					
Recreation Programs	284	600	284	---	-316
Natural Programs	541	1,582	1,582	+1,041	---
National Register	6,843	6,843	6,549	-294	-294
Environmental and Compliance Review	400	400	383	-17	-17
Grant administration	1,479	1,479	1,479	---	---
Total, National Recreation and Preservation	9,547	10,904	10,277	+730	-627
Historic Preservation Fund					
Grants-in-aid	---	20,000	20,000	+20,000	---
National Trust for Historic Preservation	---	4,200	4,300	+4,300	+100
Total, Historic Preservation Fund	---	24,200	24,300	+24,300	+100
Construction					
Buildings and Utilities					
Emergency and Unscheduled (Lump Sum) Projects	2,000	3,000	3,000	+1,000	---
Advance Planning	2,800	4,600	4,600	+1,800	---
Project Planning	4,996	8,500	8,500	+3,504	---
Line Item Construction Projects	19,318	59,889	60,418	+41,100	+529
Total, Construction	29,114	75,989	76,518	+47,404	+529
Federal Highway Administration					
Federal-aid highways (liquidation of contract authority) (trust fund)	---	(12,500)	(10,000)	(+10,000)	(-2,500)

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
Land Acquisition and State Assistance					
Assistance to States					
Matching grants	---	47,730	32,700	+32,700	-15,030
Administrative expenses	2,270	2,270	2,300	+30	+30
National Park Service					
Acquisitions	8,000	44,900	25,900	+17,900	-19,000
Acquisition management	5,000	6,200	5,000	---	-1,200
Total, Land acquisition and state assistance	15,270	101,100	65,900	+50,630	-35,200
John F. Kennedy Center for the Performing Arts					
Base program	4,771	4,771	4,771	---	---
Illinois and Michigan Canal National Heritage Corridor Commission					
Base program	---	250	---	---	-250
Jefferson National Expansion Memorial Commission					
Base program	---	75	---	---	-75
Total, National Park Service	714,184	846,164	760,821	+46,637	-85,343
GEOLOGICAL SURVEY					
Surveys, Investigations, and Research					
National Mapping, Geography and Surveys					
Primary mapping and revision	33,266	33,266	33,266	---	---
Digital cartography	13,499	13,499	13,499	---	---
Receipts for printing and distribution	---	---	---	---	---
Small intermediate and special mapping	11,948	13,798	11,948	---	-1,850
Advanced cartographic systems	12,206	12,206	12,206	---	---
Earth resources observation system	8,888	8,888	8,888	---	---
Cartographic and geographic Information	3,620	3,620	3,371	-249	-249
Side looking airborne radar	---	1,500	---	---	-1,500
Subtotal, National Mapping, Geography & Surveys	83,427	86,777	83,178	-249	-3,599
Geologic and Mineral Resource Surveys and Mapping					
Earthquake hazards reduction	33,275	35,275	33,275	---	-2,000
Volcano Hazards	10,667	10,667	10,667	---	---
Landslide hazards	2,058	2,958	2,058	---	-900
Geologic framework	18,862	19,362	20,362	+1,500	+1,000
Geomagnetism	1,629	2,129	1,629	---	-500
Climate change	992	992	992	---	---
Mineral resource surveys	42,033	44,033	44,033	+2,000	---
Energy geologic surveys	25,072	26,772	25,072	---	-1,700
Offshore geologic surveys	24,428	24,428	24,428	---	---
Subtotal, Geologic & Mineral Surveys & Mapping	159,016	166,616	162,516	+3,500	-4,100
Water Resources Investigations					
Federal Program	64,015	67,765	64,015	---	-3,750
Water resources research institutes	7,164	9,664	12,150	+4,986	+2,486
Federal-State program	50,499	52,835	50,195	-304	-2,640
National water quality assessment	3,000	10,000	2,500	-500	-7,500
Subtotal, Water Resources Investigations	124,678	140,264	128,860	+4,182	-11,404

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

—	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
General Administration	13,356	14,540	13,356	---	-1,184
Facilities	15,023	15,023	15,023	---	---
Map sales receipts	---	---	---	---	---
NPRA payments	---	---	---	---	---
Total, Geological Survey	395,500	423,220	402,933	+7,433	-20,287
MINERALS MANAGEMENT SERVICE					
Leasing and Royalty Management					
OCS Lands					
Leasing Outer Continental Shelf Lands and environmental program	39,132	39,132	37,545	-1,587	-1,587
Resource evaluation	23,459	23,459	22,695	-764	-764
Regulatory program	30,938	30,938	29,748	-1,190	-1,190
Subtotal, OCS Lands	93,529	93,529	89,988	-3,541	-3,541
Royalty Management					
Mineral Revenue Collection (onshore royalty) 2/	14,893	15,238	14,370	-523	-868
Mineral Revenue Compliance (offshore royalty)	10,382	12,882	10,013	-369	-2,869
Systems development and maintenance	17,234	17,234	17,234	---	---
Subtotal, Royalty Management	42,509	45,354	41,617	-892	-3,737
General Administration					
Executive direction	3,223	3,223	3,119	-104	-104
Administration operations 2/	9,392	9,392	9,064	-328	-328
General support services	11,447	11,395	10,199	-1,248	-1,196
Subtotal, General Administration	24,062	24,010	22,382	-1,680	-1,628
Interest on refunds (propsd for later trans)	---	---	---	---	---
Total, Leasing and Royalty Management 1/	160,100	162,893	153,987	-6,113	-8,906
Payments to States from receipts under Mineral Leasing	800	---	---	-800	---
Total, Minerals Management Service	160,900	162,893	153,987	-6,913	-8,906
BUREAU OF MINES					
Mines and Minerals					
Minerals Research					
Health and Safety Technology	26,121	35,371	29,621	+3,500	-5,750
Mining Technology					
Advanced Mining Technology	8,189	9,689	10,689	+2,500	+1,000
Resource Conservation Technology	1,555	5,430	3,955	+2,400	-1,475
Subtotal, Mining Technology	9,744	15,119	14,644	+4,900	-475

1/ Reflects transfer of 15 FTEs, $922,000 to U.S.G.S.
2/ FY86 Adjusted amount is reflection of realignment of an ADP security function ($63,000)

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
Minerals and Materials Research	25,315	27,015	30,815	+5,500	+3,800
Subtotal, Minerals Research	61,180	77,505	75,080	+13,900	-2,425
Minerals Information and Analysis					
Minerals Information	9,856	9,856	9,856	---	---
Mineral Data Analysis	16,714	16,714	18,214	+1,500	+1,500
Subtotal, Minerals Information and Analysis	26,570	26,570	28,070	+1,500	+1,500
Mineral Institutes	---	3,004	10,000	+10,000	+6,996
General Administration	19,350	19,350	17,815	-1,535	-1,535
Program offset	---	---	---	---	---
Total, Bureau of Mines	107,100	126,429	130,965	+23,865	+4,536
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT					
Regulation and Technology					
State Regulatory Program Grants	45,110	45,110	42,110	-3,000	-3,000
Federal Regulatory Programs					
Regulatory program operations	17,578	20,171	17,578	---	-2,593
Technical services, training and research	15,931	12,706	14,181	-1,750	+1,475
Assessments and collections	7,929	7,929	7,929	---	---
Subtotal, Federal Regulatory Programs	41,438	40,806	39,688	-1,750	-1,118
General Administration					
Executive direction	1,734	1,614	1,734	---	+120
Administrative support	6,297	6,297	6,297	---	---
General services	6,301	5,251	6,301	---	+1,050
Subtotal, General Administration	14,332	13,162	14,332	---	+1,170
Total, Regulation and Technology 1/	100,880	99,078	96,130	-4,750	-2,948
Abandoned Mine Reclamation Fund					
State Reclamation Program Grants 2/	150,600	186,100	150,600	---	-35,500
Federal Reclamation Programs					
Fee compliance 1/2/	3,482	3,482	3,482	---	---
Reclamation program operations 1/2/	29,992	28,092	26,492	-3,500	-1,600
Rural lands reclamation program	800	9,400	800	---	-8,600
Subtotal, Federal Reclamation Programs	34,274	40,974	30,774	-3,500	-10,200

1/ FY86 Accounts reflect new budget structure

2/ FY86 Accounts reflect reduction of $2,900 in State Reclamation Program Grants and reduction of $50 from fee compliance, $225 from reclamation program grants, $10 executive direction, $15 from administrative support and $37 from general services.

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
General Administration					
Executive direction 2/	825	825	825	---	---
Administrative support 2/	1,992	1,992	1,992	---	---
General services 2/	2,829	2,829	2,829	---	---
Subtotal, General Administration	5,646	5,646	5,646	---	---
Undistributed reduction 2/	---	---	---	---	---
Pay restoration	---	---	---	---	---
Program offset 2/	---	---	---	---	---
Total, Abandoned Mine Reclamation Fund	190,520	232,720	187,020	-3,500	-45,700
Total, Office of Surface Mining Reclamation and Enforcement	291,400	331,798	283,150	-8,250	-48,648
BUREAU OF INDIAN AFFAIRS					
Operation of Indian Programs					
Education					
School Operations	185,596	186,596	181,661	-3,935	-4,935
Johnson O'Malley Educational Assistance	---	23,500	22,000	+22,000	-1,500
Continuing Education	20,212	23,212	57,559	+37,347	+34,347
Transfer from Department of Education	11,500	---	---	-11,500	---
Subtotal, Education	217,308	233,308	261,220	+43,912	+27,912
Indian Services					
Tribal Government Services	5,604	5,554	31,479	+25,875	+25,925
Social Services	93,103	95,713	109,701	+16,598	+13,988
Law Enforcement	3,101	4,016	49,148	+46,047	+45,132
Self-Determination Services	12,262	12,162	16,986	+4,724	+4,824
Navajo-Hopi Settlement Program	2,931	2,931	2,431	-500	-500
Subtotal, Indian Services	117,001	120,376	209,745	+92,744	+89,369
Economic Development and Employment Programs					
Employment Development	2,593	2,593	26,182	+23,589	+23,589
Business Enterprise Development	11,643	10,643	14,296	+2,653	+3,653
Road Maintenance	314	747	22,949	+22,635	+22,202
Subtotal, Economic Development & Employment	14,550	13,983	63,427	+48,877	+49,444
Natural Resources Development					
Natural Resources, General	1,570	1,570	2,630	+1,060	+1,060
Agriculture	2,819	2,819	22,820	+20,001	+20,001
Forestry	6,061	12,211	32,554	+26,493	+20,343
Water Resources	465	9,465	2,012	+1,547	-7,453
Wildlife & Parks	8,797	10,413	27,977	+19,180	+17,564
Fire Suppression	---	415	20,000	+20,000	+19,585
Minerals and Mining	7,741	8,701	9,459	+1,718	+758
Irrigation and Power	7,587	7,587	7,587	---	---
Subtotal, Natural Resources Development	35,040	53,181	125,039	+89,999	+71,858

2/ FY86 Accounts reflect reduction of $2,900 in State Reclamation Program Grants and reduction of $50 from fee compliance, $225 from reclamation program grants, $10 executive direction, $15 from administrative support and $37 from general services.

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
Trust Responsibilities					
Rights Protection	17,408	11,408	24,515	+7,107	+13,107
Real Estate and Financial Trust Services	12,851	12,351	32,312	+19,461	+19,961
Subtotal, Trust Responsibilities	30,259	23,759	56,827	+26,568	+33,068
Facilities Management	88,597	88,786	89,845	+1,248	+1,059
General Administration					
Management and Administration	31,530	31,480	49,726	+18,196	+18,246
BIP Services	17,551	17,551	17,651	---	+100
Program management	6,148	6,148	5,648	-500	-500
Employee compensation payments	7,538	7,538	7,538	---	---
Consolidated training program	1,350	990	1,000	-350	+10
Subtotal, General Administration	64,217	63,707	81,563	+17,346	+17,856
Tribe/Agency operations	295,088	295,228	---	-295,088	-295,228
Emergency hay relief	---	---	---	---	---
Total, Operation of Indian Programs	862,060	892,328	887,666	+25,606	-4,662
Construction					
Buildings and Utilities	28,960	39,760	31,460	+2,500	-8,300
Irrigation Systems	13,900	23,700	13,885	-15	-9,815
Housing	16,295	22,606	22,606	+6,311	---
Land acquisition	---	---	---	---	---
Program offset	---	---	---	---	---
Total, Construction	59,155	86,066	67,951	+8,796	-18,115
Road Construction					
Base Program	---	2,500	---	---	-2,500
Alaska Native Escrow Account	---	---	---	---	---
White Earth Trust Fund	---	---	6,600	+6,600	+6,600
Trust Funds					
Definite	1,000	1,000	1,000	---	---
Revolving Fund for Loans					
Limitation on direct loans	(16,320)	(16,320)	(16,320)	---	---
Indian Loan Guaranty and Insurance Fund					
Base program	2,485	2,652	2,485	---	-167
Limitation on guaranteed loans	(30,000)	---	---	(-30,000)	---
Total, Bureau of Indian Affairs	924,700	984,546	965,702	+41,002	-18,844

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
TERRITORIAL AFFAIRS					
Administration of Territories					
Guam					
Construction grants	3,500	6,400	5,500	+2,000	-900
American Samoa					
Operations grants	20,776	20,776	19,763	-1,013	-1,013
Construction grants	2,730	4,313	3,730	+1,000	-583
Subtotal, American Samoa	23,506	25,089	23,493	-13	-1,596
Northern Marianas					
Covenant grants	35,344	35,344	35,344	---	---
Construction grants, other	---	---	---	---	---
Subtotal, Northern Marianas	35,344	35,344	35,344	---	---
Virgin Islands					
Loan	---	---	---	---	---
Construction grants	2,900	2,900	2,900	---	---
Subtotal, Virgin Islands	2,900	2,900	2,900	---	---
Territorial Administration					
Office of Territorial Affairs	2,473	2,473	2,473	---	---
Technical Assistance	2,200	4,700	4,700	+2,500	---
Guam Power Authority Loan Assistance	1,606	1,968	1,606	---	-362
Subtotal, Territorial Administration	6,279	9,141	8,779	+2,500	-362
Total, Administration of Territories	71,529	78,874	76,016	+4,487	-2,858
Trust Territory of the Pacific Islands					
Trust Territory operations	2,450	2,740	5,200	+2,750	+2,460
Federated States of Micronesia	---	---	38,763	+38,763	+38,763
Republic of the Marshall Islands	---	---	10,940	+10,940	+10,940
Republic of Palau Operations	10,600	10,600	10,084	-516	-516
Subtotal, Operations	13,050	13,340	64,987	+51,937	+51,647
Construction					
Capital Improvements	---	---	2,000	+2,000	+2,000
Capitol Relocations	---	---	---	---	---
Subtotal, Construction	---	---	2,000	+2,000	+2,000
Enewetak support	---	---	---	---	---
Bikini resettlement	---	1,000	---	---	-1,000
Total, Trust Territory of the Pacific Islands	13,050	14,340	66,987	+53,937	+52,647

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
Compact of Free Association					
Compact of Free Association	27,920	27,320	27,920	---	+600
Enewetak support	---	1,100	---	---	-1,100
Enjebi Trust Fund	---	7,250	---	---	-7,250
Bikini	---	500	---	---	-500
Subtotal, Compact of Free Association	27,920	36,170	27,920	---	-8,250
Total, Territorial Affairs	112,499	129,384	170,923	+58,424	+41,539
DEPARTMENTAL OFFICES					
Office of the Secretary					
Departmental Direction					
Secretary's immediate Office	1,426	1,365	1,776	+350	+411
Executive Secretariat	210	201	374	+164	+173
Cong. & Legis. Affairs	1,093	1,046	1,046	-47	---
Equal Opportunity	1,197	1,197	1,267	+70	+70
Public Affairs	696	666	784	+88	+118
Small & Disadvantaged Business Utilization	398	381	381	-17	---
Subtotal, Departmental Direction	5,020	4,856	5,628	+608	+772
Program Direction and Coordination					
A/S Water and Science	691	691	625	-66	-66
A/S Land and Minerals Management	729	729	840	+111	+111
A/S Fish and Wildlife and Parks	711	564	650	-61	+86
A/S Indian Affairs	686	686	575	-111	-111
A/S Territorial and International Affairs	508	508	508	---	---
A/S Policy, Budget & Administration	733	860	825	+92	+165
Subtotal, Program Direction and Coordination	4,058	3,838	4,023	-35	+185
Administration					
Environmental Project Review	1,404	1,404	1,404	---	---
Acquisition & Property Management	1,264	1,264	1,264	---	---
Office of personnel	1,517	1,817	1,517	---	-100
Administrative Services	1,032	982	1,032	---	+50
Information Resources Management	4,397	4,397	4,397	---	---
Policy Analysis	2,151	2,151	1,901	-250	-250
Office of Budget	1,426	1,426	1,404	-22	-22
Financial management	954	954	954	---	---
Subtotal, Administration	14,145	14,195	13,873	-272	-322
Hearings and Appeals	5,339	5,339	5,200	-139	-139
Aircraft Services	1,814	1,814	1,658	-156	-156
Central Services	12,440	12,440	12,440	---	---
Total, Office of the Secretary	42,816	42,482	42,822	+6	+340
Office of the Solicitor					
Legal Services	17,646	18,301	16,470	-1,176	-1,831
General Administration	3,154	2,954	2,915	-239	-39
Total, Office of the Solicitor	20,800	21,255	19,385	-1,415	-1,870

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
Office of the Inspector General					
Audit	10,916	10,916	10,304	-612	-612
Investigations	2,430	2,430	2,296	-134	-134
Administration	2,954	2,954	2,824	-130	-130
Total, Office of the Inspector General	16,300	16,300	15,424	-876	-876
Construction Management					
Salaries and Expenses	684	684	684	---	---
Special Foreign Currency Program					
Salaries and Expenses	---	---	---	---	---
Total, Secretarial Offices	80,600	80,721	78,315	-2,285	-2,406
Grand Total, Department of the Interior	3,632,514	4,010,119	3,989,798	+357,284	-20,321
TITLE II - RELATED AGENCIES					
DEPARTMENT OF AGRICULTURE					
FOREST SERVICE					
Forest Research					
Fire and atmospheric science	7,546	8,246	7,546	---	-700
Forest insect and disease	20,178	22,178	20,178	---	-2,000
Forest inventory and analysis	14,222	17,222	17,316	+3,094	+94
Renewable resource economics	4,456	4,856	4,370	-86	-486
Trees and timber management	21,339	24,289	21,501	+162	-2,788
Forest watershed managment and rehabilitation	14,858	16,110	15,108	+250	-1,002
Wildlife, range and fish habitat	9,291	11,891	10,672	+1,381	-1,219
Forest recreation	2,077	2,377	2,077	---	-300
Forest products and harvesting	17,514	18,614	18,014	+500	-600
Competitive grants	---	3,400	6,500	+6,500	+3,100
Total, Forest Research	111,481	129,183	123,282	+11,801	-5,901
State and Private Forestry					
Forest Pest Management					
Federal lands	17,995	20,695	20,645	+2,650	-50
Cooperative lands	676	8,776	10,376	+9,700	+1,600
Subtotal, Forest pest management	18,671	29,471	31,021	+12,350	+1,550
Fire protection	3,400	13,600	13,600	+10,200	---
Forest Management and Utilization					
Forest resource management	---	5,200	5,200	+5,200	---
Wood utilization	---	1,000	5,950	+5,950	+4,950
Seedlings, nursery and tree improvement	---	1,800	1,800	+1,800	---
Urban forestry	---	2,000	---	---	-2,000
Subtotal, Forest Management and Utilization	---	10,000	12,950	+12,950	+2,950

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
Special Projects					
Boundary Waters Canoe Area	2,800	3,000	2,800	---	-200
Gifford Pinchot Institute	---	200	---	---	-200
Lake Tahoe	---	1,400	1,400	+1,400	---
Subtotal, Special Projects	2,800	4,600	4,200	+1,400	-400
Total, State and Private Forestry	24,871	57,671	61,771	+36,900	+4,100
National Forest System					
Minerals and General Land Activities					
Minerals	26,025	26,025	26,025	---	---
Real estate management	19,845	19,845	19,845	---	---
Land Line Location	23,011	26,411	23,011	---	-3,400
Maintenance of Facilities	14,735	14,735	14,735	---	---
Subtotal, Minerals & General Land Activities	83,616	87,016	83,616	---	-3,400
Resource Protection and Maintenance					
Fire protection	147,225	151,225	155,991	+8,766	+4,766
Fighting forest fires	1,000	1,000	101,000	+100,000	+100,000
Cooperative law enforcement	2,450	2,450	7,000	+4,550	+4,550
Road maintenance	49,270	61,770	64,270	+15,000	+2,500
Trail maintenance	8,365	12,000	8,365	---	-3,635
Subtotal, Resource Protection & Maintenance	208,310	228,445	336,626	+128,316	+108,181
Timber Sales					
Timber resource inventory	13,280	13,280	13,280	---	---
Silvicultural examination	20,870	20,870	20,870	---	---
Sales preparation and harvest administration	136,942	140,319	172,242	+35,300	+31,923
Subtotal, Timber Sales	171,092	174,469	206,392	+35,300	+31,923
Reforestation and Stand Improvement					
Reforestation	28,393	32,511	51,561	+23,168	+19,050
(Reforestation trust fund)	---	---	---	---	---
Stand improvement	15,938	21,833	29,035	+13,097	+7,202
(Reforestation trust fund)	---	---	---	---	---
Nurseries	13,617	14,203	14,549	+932	+346
Subtotal, Reforestation & Stand Improvement	57,948	68,547	95,145	+37,197	+26,598
Recreation Use					
Recreation management	33,742	93,742	82,090	+48,348	-11,652
Wilderness	8,030	10,030	8,030	---	-2,000
Cultural resources	9,368	9,368	9,368	---	---
Subtotal, Recreation Use	51,140	113,140	99,488	+48,348	-13,652
Wildlife and Fish Habitat Management					
Wildlife and fisheries support	23,360	24,360	23,360	---	-1,000
Habitat improvement	10,420	14,765	16,665	+6,245	+1,900
Subtotal, Wildlife & Fish Habitat Management	33,780	39,125	40,025	+6,245	+900

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
Range Management					
Grazing	25,595	24,238	25,375	-220	+1,137
Range improvements	769	769	769	---	---
Wild horse and burro management	275	275	275	---	---
Noxious weed control	1,180	1,180	1,400	+220	+220
Subtotal, Range Management	27,819	26,462	27,819	---	+1,357
Soil, Water and Air Management					
Soil, water and air administration	22,797	22,797	22,797	---	---
Soil and water resource improvements	1,225	3,125	1,225	---	-1,900
Soil and water resource inventories	4,765	6,565	4,765	---	-1,800
Subtotal, Soil, Water and Air Management	28,787	32,487	28,787	---	-3,700
General Administration	256,996	256,996	256,996	---	---
FS/BLM Interchange	5,000	---	---	-5,000	---
Reforestation trust fund transfer	-30,000	-30,000	-30,000	---	---
Total, National Forest System	894,488	996,687	1,144,894	+250,406	+148,207
Construction					
Facilities	11,736	36,738	15,478	+3,740	-21,260
Roads and trails					
Direct road construction	178,485	148,072	253,923	+75,438	+105,851
Trail construction	4,976	7,601	6,731	+1,755	-870
Subtotal, Construction	195,197	192,409	276,130	+80,933	+83,721
Timber Receipts Transfer (transfer to General Fund)	(-86,815)	(-86,815)	(-86,815)	---	---
Timber Purchaser Credits	(154,321)	---	(154,321)	---	(+154,321)
Total, Construction	195,197	192,409	276,130	+80,933	+83,721
Land Acquisition					
Forest Service					
Acquisitions	---	39,730	31,700	+31,700	-8,030
Acquisition Management	3,206	3,206	3,206	---	---
Total, Land Acquisition	3,206	42,936	34,906	+31,700	-8,030
Youth Conservation Corps					
Base program	---	---	---	---	---
Operation and Maintenance of Recreation Facilities					
Base program	52,000	---	---	-52,000	---
Acquisition of Lands for National Forests, Special Acts					
Base Program	966	966	966	---	---

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
Acquisition of Lands to Complete Land Exchanges					
Base Program	895	895	895	---	---
Range Betterment					
Base program	3,800	3,800	3,800	---	---
Miscellaneous Trust Funds					
Miscellaneous trust fund	90	90	90	---	---
Total, Forest Service	1,286,994	1,424,637	1,646,734	+359,740	+222,097
DEPARTMENT OF THE TREASURY					
Energy Security Reserve (rescission) 1/	---	---	---	---	---
DEPARTMENT OF ENERGY					
Clean Coal Technology Reserve					
Base program FY 1986 2/	---	---	---	---	---
Base program FY 1987 2/	---	---	---	---	---
Base program FY 1988 2/	---	---	---	---	---
Total, Clean Coal Technology Reserve 2/	---	---	---	---	---
Fossil Energy Research and Development					
Coal					
Control Technology and Coal Preparation					
Coal preparation and analysis	6,443	11,932	7,443	+1,000	-4,489
Flue gas cleanup	7,541	12,673	11,541	+4,000	-1,132
Gas stream cleanup	3,839	8,916	12,125	+8,286	+3,209
Waste management technology	324	1,200	324	---	-876
Subtotal, Control Technology & Coal Preparation	18,147	34,721	31,433	+13,286	-3,288
Advanced Research & Technology Development	27,224	31,807	29,724	+2,500	-2,083
Coal Liquefaction					
Advanced research	2,620	5,000	2,620	---	-2,380
Direct Liquefaction	2,996	13,790	4,696	+1,700	-9,094
Indirect liquefaction	2,539	8,100	2,539	---	-5,561
Support studies and engineering evaluations	992	1,392	992	---	-400
Subtotal, Coal Liquefaction	9,147	28,282	10,847	+1,700	-17,435
Combustion Systems					
Atmospheric fluidized beds	1,590	4,008	1,590	---	-2,418
Pressurized fluidized beds	3,686	5,662	5,286	+1,600	-376
Advanced combustion technology	1,882	3,059	2,882	+1,000	-177
Alternate fuel utilization	2,011	4,069	2,011	---	-2,058
Subtotal, Combustion Systems	9,169	16,798	11,769	+2,600	-5,029

1/ FY86 amount is an est. of an indefinite rescission.

2/ Proposed in Energy Security Reserve (Synthetic Fuels Corporation).

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
Fuel Cells					
Phosphoric acid systems	---	19,000	11,900	+11,900	-7,100
Molten carbonate systems	3,400	7,700	7,200	+3,800	-500
Advanced concepts	1,600	6,000	4,600	+3,000	-1,400
Subtotal, Fuel Cells	5,000	32,700	23,700	+18,700	-9,000
Heat engines	7,942	13,900	10,000	+2,058	-3,900
Underground coal gasification	---	4,070	---	---	-4,070
Magnetohydrodynamics	---	30,000	23,500	+23,500	-6,500
Surface Coal Gasification					
Advanced research	968	3,000	2,568	+1,600	-432
Advanced Process Development	1,689	4,577	4,689	+3,000	+112
Systems engineering concepts	1,373	13,537	5,173	+3,800	-8,364
Environmental and engineering analyses	1,131	1,683	1,131	---	-552
Great Plains gasification project	437	437	437	---	---
Subtotal, Surface Coal Gasification	5,598	23,234	13,998	+8,400	-9,236
Subtotal, Coal	82,227	215,512	154,971	+72,744	-60,541
Petroleum					
Advanced Process Technology					
Advanced exploratory research	1,576	3,834	1,576	---	-2,258
Arctic and offshore research	235	500	1,235	+1,000	+735
Subtotal, Advanced Process Technology	1,811	4,334	2,811	+1,000	-1,523
Enhanced Oil Recovery					
Heavy oil	608	2,800	1,900	+1,292	-900
Light oil	3,876	7,100	7,000	+3,124	-100
Tar sands	---	1,650	1,100	+1,100	-550
Subtotal, Enhanced Oil Recovery	4,484	11,550	10,000	+5,516	-1,550
Oil shale	3,595	12,000	7,500	+3,905	-4,500
Subtotal, Petroleum	9,890	27,884	20,311	+10,421	-7,573
Gas					
Unconventional gas recovery	5,252	8,932	6,752	+1,500	-2,180
Equipment not related to construction	---	3,000	---	---	-3,000
Fossil Energy Construction					
General plant projects	---	3,500	---	---	-3,500
Cooperative Agreements					
UNDERC	---	---	5,300	+5,300	+5,300
WRI	---	---	5,751	+5,751	+5,751
Headquarters program direction	11,260	12,575	11,960	+700	-615
Energy Technology Center program direction	28,740	38,447	33,740	+5,000	-4,707
Use of prior year deferrals - OE	-64,812	-2,607	-3,107	+61,705	-500
Advance appropriation made in FY 1984	---	---	---	---	---
By transfer	-2,074	-2,074	-2,074	---	---
Transfer from Energy Security Reserve	-437	-437	-437	---	---
Federal Inspector for the Alaska Gas Pipeline	221	221	221	---	---
Cooperative R&D venture pool	12,500	---	---	-12,500	---
Employment floor costs	---	9,559	9,559	+9,559	---
Total, Fossil Energy Research and Development	82,767	314,512	242,947	+160,180	-71,565

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
Naval Petroleum and Oil Shale Reserves					
Oil Reserves					
Naval petroleum reserves Nos. 1 & 2	130,340	130,340	130,340	---	---
Naval petroleum reserve No. 3	22,614	22,614	22,614	---	---
Program direction (headquarters)	5,374	5,374	5,374	---	---
Subtotal, Oil Reserves	158,328	158,328	158,328	---	---
Shale oil development program					
Shale reserves development	5,241	310	310	-4,931	---
Use of prior year balance	-36,461	-36,461	-36,461	---	---
Total, Naval Petroleum and Oil Shale Reserves	127,108	122,177	122,177	-4,931	---
Energy Conservation					
Buildings & Community Systems					
Building systems	3,500	9,350	6,850	+3,350	-2,500
Community systems	---	2,900	900	+900	-2,000
Technology and consumer products	5,000	10,000	5,000	---	-5,000
Analysis & technology transfer	1,000	2,500	1,000	---	-1,500
Appliance standards	1,200	2,000	1,200	---	-800
Federal energy management program	1,050	1,050	950	-100	-100
Residential conservation service	---	---	---	---	---
Capital equipment	---	1,500	---	---	-1,500
Program direction	2,400	3,650	3,500	+1,100	-150
Subtotal, Buildings & Community Systems	14,150	32,950	19,400	+5,250	-13,550
Industrial					
Waste energy reduction	6,300	12,656	9,200	+2,900	-3,456
Process efficiency	5,479	14,979	10,979	+5,500	-4,000
Cogeneration	1,500	5,000	5,000	+3,500	---
Implementation and deployment	500	2,400	1,900	+1,400	-500
Capital equipment	---	---	---	---	---
Program direction	1,844	2,070	2,070	+226	---
Subtotal, Industrial	15,623	37,105	29,149	+13,526	-7,956
Transportation					
Vehicle Propulsion R&D	6,500	24,000	23,500	+17,000	-500
Alternative fuels utilization	1,260	1,750	1,460	+200	-290
Electric/hybrid vehicle program	4,140	12,475	11,815	+7,675	-660
Transportation systems utilization	---	840	700	+700	-140
Advanced materials development	6,500	13,000	6,500	---	-6,500
High temperature materials lab	---	1,000	---	---	-1,000
Capital equipment	---	---	1,000	+1,000	+1,000
Program direction	1,400	2,195	2,195	+795	---
Subtotal, Transportation	19,800	55,260	47,170	+27,370	-8,090
State/Local Programs					
Energy policy and conservation grants (EPCA)	---	---	---	---	---
Energy extension service	---	---	---	---	---
Schools & hospitals	---	2,250	6,000	+6,000	+3,750
Grant monitoring	---	3,000	---	---	-3,000
Weatherization	---	110,200	110,000	+110,000	-200
Territories assistance	---	---	---	---	---
Program Direction	5,000	10,700	13,500	+8,500	+2,800
Subtotal, State/Local Programs	5,000	126,150	129,500	+124,500	+3,350

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA* Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
Multi Sector					
Energy Conversion and Utilization Technology	15,200	20,808	18,900	+3,700	-1,908
Inventors program	3,300	5,300	5,000	+1,700	-300
National Appropriate Technology Assistance Service	750	1,400	1,400	+650	---
Capital equipment	100	1,000	1,000	+900	---
Program direction	500	546	550	+50	+4
Subtotal, Multi Sector	19,850	29,054	26,850	+7,000	-2,204
Policy and Management					
Policy analysis	---	---	---	---	---
Program direction	1,792	1,862	1,862	+70	---
Subtotal, Policy and Management	1,792	1,862	1,862	+70	---
Facilities	---	10,000	---	---	-10,000
(Use of prior year deferrals)	-36,782	-6,556	-7,518	+29,264	-962
Total, Energy Conservation	39,433	285,825	246,413	+206,980	-39,412
State/Local Programs					
Energy policy and conservation grants (EPCA)	---	---	---	---	---
Energy extension service	---	---	---	---	---
Schools & hospitals	---	2,250	6,000	+6,000	+3,750
Grant monitoring	---	3,000	---	---	-3,000
Weatherization	---	110,200	110,000	+110,000	-200
Territories assistance	---	---	---	---	---
Program Direction	5,000	10,700	13,500	+8,500	+2,800
Subtotal, State/Local Programs	5,000	126,150	129,500	+124,500	+3,350
Multi Sector					
Energy Conversion and Utilization Technology	15,200	20,808	18,900	+3,700	-1,908
Inventors program	3,300	5,300	5,000	+1,700	-300
National Appropriate Technology Assistance Service	750	1,400	1,400	+650	---
Capital equipment	100	1,000	1,000	+900	---
Program direction	500	546	550	+50	+4
Subtotal, Multi Sector	19,850	29,054	26,850	+7,000	-2,204
Policy and Management					
Policy analysis	---	---	---	---	---
Program direction	1,792	1,862	1,862	+70	---
Subtotal, Policy and Management	1,792	1,862	1,862	+70	---
Facilities	---	10,000	---	---	-10,000
(Use of prior year deferrals)	-36,782	-6,556	-7,518	+29,264	-962
Total, Energy Conservation	39,433	285,825	246,413	+206,980	-39,412
Economic Regulation					
Compliance	13,685	13,685	13,685	---	---
Fuels Conversion	---	2,000	2,000	+2,000	---
Natural gas and electricity operations	2,060	2,060	2,060	---	---
Program administration	1,105	655	655	-450	---
Office of Hearings and Appeals	5,000	5,000	5,000	---	---
Total, Economic Regulation	21,850	23,400	23,400	+1,550	---

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INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
Emergency Preparedness					
Emergency preparedness	6,044	6,044	6,044	---	---
Strategic Petroleum Reserve					
Planning	---	---	---	---	---
Storage facilities development	136,521	196,996	134,021	-2,500	-62,975
Management	13,423	15,406	13,412	-11	-1,994
Use of prior year funds	-149,944	-64,969	---	+149,944	+64,969
Total, Strategic Petroleum Reserve	---	147,433	147,433	+147,433	---
SPR Petroleum Account					
Petroleum acquisition and transportation	---	220,000	---	---	-220,000
Energy Information Administration					
National Energy Information System	49,128	49,838	49,128	---	-710
Policy and management	10,523	10,523	10,523	---	---
Total, Energy Information Administration	59,651	60,361	59,651	---	-710
Total, Department of Energy	336,853	1,179,752	848,065	+511,212	-331,687
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
HEALTH RESOURCES AND SERVICES ADMINISTRATION					
Indian Health Services					
Clinical services					
IHS and tribal health delivery					
Hospital and health clinic programs	409,614	466,649	459,807	+50,193	-6,842
Dental health program	25,692	26,099	25,756	+64	-343
Mental health program	11,399	11,462	11,307	-92	-155
Alcoholism program	26,263	27,705	26,405	+142	-1,300
Maintenance and repair	9,025	9,025	9,025	---	---
Contract care	138,000	176,531	183,713	+45,713	+7,182
Subtotal, Clinical services	619,993	717,471	716,013	+96,020	-1,458
Preventive health					
Sanitation	21,334	22,260	22,307	+973	+47
Public health nursing	12,851	12,802	12,887	+36	+85
Health education	3,742	3,792	3,883	+141	+91
Community health representative program	---	26,500	24,000	+24,000	-2,500
Immunization	395	395	395	---	---
Subtotal, Preventative health	38,322	65,749	63,472	+25,150	-2,277
Urban health projects	---	10,000	8,800	+8,800	-1,200
Indian health manpower	5,418	7,018	5,418	---	-1,600
Tribal management	---	2,688	2,688	+2,688	---
Direct operations	56,195	33,410	36,715	-19,480	+3,305
Indian health facilities	2,450	---	---	-2,450	---

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
Medicare/Medicaid Reimbursements					
Hospital and clinic accreditation	(43,860)	(43,860)	(43,860)	---	---
Offset to appropriations	(17,240)	---	---	(-17,240)	---
Subtotal	(61,100)	(43,860)	(43,860)	(-17,240)	---
Total, Indian Health Services	722,378	836,336	833,106	+110,728	-3,230
Indian Health Facilities					
Hospitals					
New and Replacement	---	21,383	34,660	+34,660	+13,277
Modernization and repair	---	2,450	3,950	+3,950	+1,500
Subtotal, Hospitals	---	23,833	38,610	+38,610	+14,777
Outpatient Care Facilities	---	828	850	+850	+22
Sanitation Facilities	---	25,000	15,000	+15,000	-10,000
Hospital and health clinic programs					
Personnel Quarters	---	6,760	6,460	+6,460	-300
Program offset	---	-1,500	---	---	+1,500
Total, Indian Health Facilities	---	54,921	60,920	+60,920	+5,999
Total, Health Services Administration	722,378	891,257	894,026	+171,648	+2,769
DEPARTMENT OF EDUCATION					
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION					
Indian Education					
Part A-Payments to School Districts	---	50,021	46,832	+46,832	-3,189
State Grants	70,323	---	---	-70,323	---
Part B-Special Projects for Indian Students	---	11,809	9,900	+9,900	-1,909
Part C-Special Projects for Indian Adults	2,940	2,940	3,000	+60	+60
Administration	2,466	2,466	2,268	-198	-198
Total, Indian Education	75,729	67,236	62,000	-13,729	-5,236
OTHER RELATED AGENCIES					
NAVAJO/HOPI INDIAN RELOCATION COMMISSION					
Salaries and Expenses					
Operation of the Commission	22,335	22,289	22,335	---	+46

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
SMITHSONIAN INSTITUTION					
Salaries and Expenses					
Science					
Assistant Secretary for Science	497	497	494	-3	-3
National Museum of Natural History	21,888	21,868	21,541	-347	-327
Astrophysical Observatory	9,291	9,441	8,980	-311	-461
Tropical Research Institute	4,243	4,235	3,858	-385	-377
Environmental Research Center	3,614	3,614	3,266	-348	-348
National Air and Space Museum	8,712	8,712	8,635	-77	-77
National Zoological Park	11,747	11,897	12,068	+321	+171
Equipment	---	---	---	---	---
Subtotal, Science	59,992	60,264	58,842	-1,150	-1,422
History and Art					
Assistant Secretary for History and Art	370	370	370	---	---
National Museum of American History	12,357	12,357	12,124	-233	-233
National Museum of American Art	4,959	4,959	4,579	-380	-380
National Portrait Gallery	3,770	3,770	3,359	-411	-411
Hirshhorn Museum and Sculpture Garden	3,233	3,233	3,043	-190	-190
Center for Asian Art	4,106	4,031	3,930	-176	-101
Archives of American Art	931	931	924	-7	-7
Cooper-Hewitt Museum	1,011	986	955	-56	-31
Museum of African Art	3,342	3,336	3,165	-177	-171
Anacostia Neighborhood Museum	910	910	898	-12	-12
Automation	---	---	---	---	---
Subtotal, History and Art	34,989	34,883	33,347	-1,642	-1,536
Public Service					
Assistant Secretary for Public Service	1,257	1,247	1,246	-11	-1
Smithsonian Institution Press	1,147	1,147	1,140	-7	-7
Subtotal, Public Service	2,404	2,394	2,386	-18	-8
Museum Programs					
Assistant Secretary for Museum Programs	748	748	743	-5	-5
Office of the Registrar	102	102	100	-2	-2
Conservation-Analytical Laboratory	2,069	2,069	2,041	-28	-28
Smithsonian Institution Libraries	4,836	4,836	4,760	-76	-76
Office of Exhibits Central	1,774	1,759	1,765	-9	+6
Traveling Exhibition Service	601	601	596	-5	-5
Smithsonian Archives	552	552	549	-3	-3
National Museum Act	772	772	---	-772	-772
Subtotal, Museum Programs	11,454	11,439	10,554	-900	-885
Directorate of International Activities	1,027	927	1,020	-7	+93
Special Programs					
American and Folklife Studies	735	735	722	-13	-13
International Environmental Science Program	752	752	732	-20	-20
Academic and Educational Programs	828	828	823	-5	-5
Collections Management Inventory	1,145	1,145	724	-421	-421
Museum Support Center	6,366	6,366	3,490	-2,876	-2,876
JFK Center Trustee Grant	---	---	---	---	---
Subtotal, Special Programs	9,826	9,826	6,491	-3,335	-3,335
Administration	12,504	12,504	12,396	-108	-108

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
Support Activities					
Office of Design and Construction	2,123	2,123	2,105	-18	-18
Office of Protection Services	19,340	19,340,	19,193	-147	-147
Office of Plant Services	36,402	35,908	35,743	-659	-165
Subtotal, Support Activities	57,865	57,371	57,041	-824	-330
Inflation allowance	---	-290	---	---	+290
Quadrangle operations	---	---	-1,527	-1,527	-1,527
Total, Salaries and Expenses	190,061	189,318	180,550	-9,511	-8,768
Museum Programs and Related Research (SFCP)					
Grant Program	---	---	---	---	---
Construction and Improvements National Zoological Park					
Base Program	4,851	4,851	2,500	-2,351	-2,351
Restoration and Renovation of Buildings					
Base Program	12,828	12,113	12,028	-800	-85
Construction					
South Quadrangle Development	4,000	3,315	2,630	-1,370	-685
Smithsonian Tropical Research Institute	3,500	2,780	3,500	---	+720
Total, Construction	7,500	6,095	6,130	-1,370	+35
Total, Smithsonian Institution	215,240	212,377	201,208	-14,032	-11,169
NATIONAL GALLERY OF ART					
Salaries and Expenses					
Care and Utilization of Art Collections	12,173	12,173	12,173	---	---
Operation and Maintenance of Buildings and Grounds	11,451	11,451	11,451	---	---
Protection of Buildings, Grounds, and Contents	6,638	6,638	6,638	---	---
General Administration	4,345	4,345	4,345	---	---
Total, Salaries and expenses	34,607	34,607	34,607	---	---
Repair, Restoration and Renovation of Buildings					
Base program	2,400	2,400	2,400	---	---
Total, National Gallery of Art	37,007	37,007	37,007	---	---

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS					
Salaries and Expenses					
Fellowship Program	1,316	1,316	1,316	---	---
Scholar Support	294	256	274	-20	+18
Public Services	780	780	759	-21	-21
General Administration	801	656	714	-87	+58
Building Requirements	75	75	75	---	---
Conference Planning	---	300	---	---	-300
Total, Salaries and expenses	3,266	3,383	3,138	-128	-245
Endowment Challenge Fund					
Base program	---	---	300	+300	+300
Total, Woodrow Wilson Center	3,266	3,383	3,438	+172	+55
NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES					
National Endowment for the Arts					
Grants and Administration					
Grants					
Program Grants					
Artists-in-Schools	4,800	5,300	5,400	+600	+100
Educational program	---	---	---	---	---
Dance	7,300	8,847	8,700	+1,400	-147
Design Arts	3,800	4,286	4,000	+200	-286
Expansion Arts	5,450	6,675	5,950	+500	-725
Folk Arts	3,000	2,982	3,100	+100	+118
Inter Arts	3,600	3,935	4,000	+400	+65
Literature	4,600	5,100	5,000	+400	-100
Media Arts	9,050	12,000	11,000	+1,950	-1,000
Museums	9,100	11,400	11,000	+1,900	-400
Music	9,600	12,236	11,500	+1,900	-736
Opera / Musical Theatre	3,100	4,200	4,100	+1,000	-100
Locals Test	2,200	2,100	2,200	---	+100
Theatre	9,200	10,800	10,400	+1,200	-400
Visual Arts	5,500	6,200	5,800	+300	-400
Advancement	200	200	200	---	---
Subtotal, Program Grants	80,500	96,261	92,350	+11,850	-3,911
State Programs	21,500	24,500	24,600	+3,100	+100
Subtotal, Grants	102,000	120,761	116,950	+14,950	-3,811
Administrative Areas					
Policy Planning & Research	1,000	1,000	1,000	---	---
Administration	14,900	14,900	15,000	+100	+100
Subtotal, Administrative Areas	15,900	15,900	16,000	+100	+100
Total, Grants and Administration	117,900	136,661	132,950	+15,050	-3,711

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
Matching Grants					
Matching Grants	9,000	9,000	9,000	---	---
Challenge Grants	18,000	20,000	18,000	---	-2,000
Total, Matching Grants	27,000	29,000	27,000	---	-2,000
Total, Arts	144,900	165,661	159,950	+15,050	-5,711
Arts and Artifacts Indemnity Fund					
Base program	---	---	---	---	---
National Endowment for the Humanities					
Grants and Administration					
Grants					
Program Grants					
Public Programs					
Media Grants	7,000	8,900	8,500	+1,500	-400
Museums and Historical Organizations	5,800	8,780	8,000	+2,200	-780
Humanities programs for youth	---	---	---	---	---
Humanities programs for adults	2,000	2,000	2,000	---	---
Humanities projects in libraries	1,400	2,900	2,000	+600	-900
Subtotal, Public Programs	16,200	22,580	20,500	+4,300	-2,080
Education Programs					
Education programs	15,150	16,400	16,200	+1,050	-200
Fellowships					
Fellowships and seminars	15,460	15,460	16,500	+1,040	+1,040
Research Grants	15,700	16,400	16,300	+600	-100
Subtotal, Program Grants	62,510	70,840	69,500	+6,990	-1,340
State Programs	16,630	21,000	20,000	+3,370	-1,000
Office of Preservation	4,000	4,000	4,000	---	---
Subtotal, Grants	83,140	95,840	93,500	+10,360	-2,340
Administrative Areas					
Administration	14,300	14,301	14,200	-100	-101
Total, Grants and administration	97,440	110,141	107,700	+10,260	-2,441
Matching Grants					
Matching Grants	12,500	12,000	12,500	---	+500
Challenge Grants	16,500	16,500	16,500	---	---
Total, Matching Grants	29,000	28,500	29,000	---	+500
Total, Humanities	126,440	138,641	136,700	+10,260	-1,941
National Capital Arts and Cultural Affairs					
Grants	---	3,500	4,000	+4,000	+500

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
Institute of Museum Services					
Grants to Museums					
Operating Support Grants	---	17,120	15,000	+15,000	-2,120
Conservation Grants	---	3,309	3,000	+3,000	-309
Museum Services Board	---	70	58	+58	-12
Subtotal, Grants to Museums	---	20,499	18,058	+18,058	-2,441
Program Administration	330	895	830	+500	-65
Total, Institute of Museum Services	330	21,394	18,888	+18,558	-2,506
Total, National Foundation on the Arts and Humanities	271,670	329,196	319,538	+47,868	-9,658
COMMISSION OF FINE ARTS					
Salaries and Expenses					
Base Programs	420	420	450	+30	+30
ADVISORY COUNCIL ON HISTORIC PRESERVATION					
Salaries and Expenses					
Advisory Services	1,417	1,533	1,533	+116	---
NATIONAL CAPITAL PLANNING COMMISSION					
Salaries and Expenses					
Base Program	2,684	2,684	2,684	---	---
FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION					
Salaries and Expenses					
Base Program	---	5	5	+5	---
PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION					
Salaries and Expenses					
Salaries and Expenses	2,437	2,342	2,437	---	+95
Public Development					
Public Improvements	3,774	3,869	3,924	+150	+55
Total, Pennsylvania Avenue Development Corporation	6,211	6,211	6,361	+150	+150
UNITED STATES HOLOCAUST MEMORIAL COUNCIL					
Holocaust Memorial Council	2,057	2,040	2,057	---	+17
Total, Title II, Related Agencies	2,984,261	4,180,027	4,047,441	+1,063,180	-132,586

INTERIOR SUPPORT TABLE (IN THOUSANDS OF DOLLARS)

	New BA Estimates F.Y. 87	New BA House F.Y. 87	New BA Senate F.Y. 87	Senate compared to F.Y. 87	Senate compared to House Bill
TITLE I - DEPARTMENT OF THE INTERIOR					
Bureau of Land Management	550,246	555,481	653,066	+102,820	+97,585
Fish and Wildlife Service	295,385	369,483	389,936	+94,551	+20,453
National Park Service	714,184	846,164	760,821	+46,637	-85,343
Geological Survey	395,500	423,220	402,933	+7,433	-20,287
Minerals Management Service	160,900	162,893	153,987	-6,913	-8,906
Bureau of Mines	107,100	126,429	130,965	+23,865	+4,536
Office of Surface Mining Reclamation and Enforcement	291,400	331,798	283,150	-8,250	-48,648
Bureau of Indian Affairs	924,700	984,546	965,702	+41,002	-18,844
Territorial Affairs	112,499	129,384	170,923	+58,424	+41,539
Secretarial Offices	80,600	80,721	78,315	-2,285	-2,406
Total, Title I - Department of the Interior	3,632,514	4,010,119	3,989,798	+357,284	-20,321
TITLE II - RELATED AGENCIES					
Forest Service	1,286,994	1,424,637	1,646,734	+359,740	+222,097
Department of the Treasury	---	---	---	---	---
Department of Energy	(336,853)	(1,179,752)	(848,065)	(+511,212)	(-331,687)
Alternative Fuels Production	---	---	---	---	---
Clean Coal Technology	---	---	---	---	---
(By transfer)	---	---	---	---	---
Fossil Energy	82,767	314,512	242,947	+160,180	-71,565
Naval Petroleum and Oil Shale Reserves	127,108	122,177	122,177	-4,931	---
Energy Conservation	39,433	285,825	246,413	+206,980	-39,412
Economic Regulation	21,850	23,400	23,400	+1,550	---
Emergency Preparedness	6,044	6,044	6,044	---	---
Strategic Petroleum Reserve	---	147,433	147,433	+147,433	---
SPR Petroleum Account	---	220,000	---	---	-220,000
Energy Information Administration	59,651	60,361	59,651	---	-710
Indian Health	722,378	891,257	894,026	+171,648	+2,769
Indian Education	75,729	67,236	62,000	-13,729	-5,236
Navajo and Hopi Indian Relocation Commission	22,335	22,289	22,335	---	+46
Smithsonian	215,240	212,377	201,208	-14,032	-11,169
National Gallery of Art	37,007	37,007	37,007	---	---
Woodrow Wilson International Center for Scholars	3,266	3,383	3,438	+172	+55
National Endowment for the Arts	144,900	165,661	159,950	+15,050	-5,711
Arts and Artifacts Indemnity Fund	---	---	---	---	---
National Endowment for the Humanities	126,440	138,641	136,700	+10,260	-1,941
National Capital Arts and Cultural Affairs	---	3,500	4,000	+4,000	+500
Institute of Museum Services	330	21,394	18,888	+18,558	-2,506
Commission of Fine Arts	420	420	450	+30	+30
Advisory Council on Historic Preservation	1,417	1,533	1,533	+116	---
National Capital Planning Commission	2,684	2,684	2,684	---	---
Franklin Delano Roosevelt Memorial Commission	---	5	5	+5	---
Pennsylvania Avenue Development Corporation	6,211	6,211	6,361	+150	+150
Holocaust Memorial Council	2,057	2,040	2,057	---	+17
Total, Title II - Related Agencies	2,984,261	4,180,027	4,047,441	+1,063,180	-132,586
Grand total	6,616,775	8,190,146	8,037,239	+1,420,464	-152,907
Grand total 1/	6,616,775	8,190,146	8,037,239	+1,420,464	-152,907
FY 1986 (by transfer)	---	---	---	---	---
Advance appropriation-FY 1987 (by transfer)	---	---	---	---	---
Advance appropriation-FY 1988 (by transfer)	---	---	---	---	---

1/ FY 1985 enacted amount excludes $459,190,000 appropriated in FY 1984 Supplemental for FY 1985 SPR program.

Mr. McCLURE. I would also like to point out that the agencies and activities funded by this bill will generate nearly $10 billion in receipts to the Federal Government in fiscal year 1987. With the exception of the funds provided to the Internal Revenue Service, this bill raises more revenue than any other appropriations bill.

With those comments, I would turn the floor over to the distinguished ranking minority member for any opening statements he may have.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. JOHNSTON. Mr. President, I thank my distinguished colleague from Idaho and say once again it has been a pleasure to work on this bill with him.

We are partners in this bill, also on the energy and water bill, and we have worked through the years in great harmony. It is truly a great pleasure to work with him.

Mr. President, as our distinguished chairman pointed out, we are right at our 302(b) limits on both budget authority and outlays. The House, moreover, is some $400 million higher than we are. In order to get to those 302(b) allocations we had to do something which is really very silly, and that is propose the sale of the Elk Hills Oil Reserve. The sale of the Elk Hills Oil Reserve is the wrong thing to do at most any time in my view, and clearly the wrong to do today, because oil is never going to be lower, at least we do not think so, than it is today. It is likely to be much higher in future years.

Moreover, if we sold it under the extreme conditions of today, that is, sold it, in effect, in a fire sale where it was required under the budget to be sold as opposed to having time to negotiate it and having the ability to turn down a reasonable offer, then undoubtedly we would get a much better price for the Elk Hills Oil Reserve.

The point of the matter is, Mr. President, both I and the distinguished chairman strongly believe that that which we have proposed in this bill is the wrong thing to do, that is, to sell the Elk Hills Oil Reserve. If that is so, why in the world did we do it?

Well, because we had to, in effect, Mr. President, because our alternative would have been to go to conference with the House, which is already $400 million higher than we are, and this would have made them $600 million higher than we are. In the meantime, if we got our 302(b) allocation increased, as we think it is absolutely essential and necessary that we do, then we would be dealing only with the House projects and not at all with the Senate projects.

So, in effect, Mr. President, what we have done is used a bit of smoke and mirrors by proposing something that we neither believe nor expect to survive, that is, the sale of the Elk Hills Oil Reserve, in order to give us some ability to put in Senate projects, or should I say to bargain over Senate projects, when we go to the conference committee.

I think most of the Members of the Senate would agree with that.

Let me say, Mr. President, in the final analysis we do not expect to maintain that provision of the sale of the Elk Hills Oil Reserve. We expect to drop that in conference because we do oppose that. I say that in advance so that those Members of the Senate who look at that provision in isolation and who agree that it should not be there would, I hope, be constrained to let us keep it in there until we have reached the conference and take it out there.

If we do not get the ability, Mr. President, to increase our 302(b) allocation, and must, in fact, have to cut an additional $200 million from this budget, it is going to be very difficult. It is going to involve things like closing down some national parks—and I do not mean Yosemite or Yellowstone but perhaps some of our less important ones. It may be, for example, and literally this is true, to perhaps close the Washington Monument a couple of days a week. You say, "That is silly."

Well, look at this budget and look at the extent to which it has already been cut and you will realize why I make such a statement.

In effect, this is a plea, Mr. President, in advance to those who set 302(b) allocations, and, indeed, the whole Senate in that process, to let us have the additional $200 million under 302(b). When that happens, we can at least maintain what we have in the bill right now because surely the Elk Hills sale will be dropped in conference.

With that, I yield the floor, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

Mr. McCLURE. Mr. President, I thank my distinguished colleague from Louisiana. As is usually the case, he stated with great clarity and great force the dilemma which we face and the way in which we have been able to accommodate the real budget requests and demands and still meet the budget restrictions.

It is also absolutely essential to recognize that the bill passed by the other body and action taken in our subcommittee have very, very large differences.

Under the budgetary procedures, to avoid points of order in both bodies, we have to put some maneuvering room into the bill. Otherwise, it would be subject to points of order here and points of order in the House of Representatives and we would end up with a bill that would be nearly half a billion dollars less than the bill before us now.

To the many people who are looking only at the total budget balances and deficit reductions, they would say, "What is bad about that?"

This bill encompasses literally hundreds and hundreds of separate items, and in order to get down to the allocation without something like the naval petroleum reserve sale, to give us room to get to the conference and come out with a reasonable compromise between points of view on individual issues. Otherwise, we would be doing some very irrational things such as the Senator from Louisiana has suggested. Whether it would be that particular one of closing down the operations of the Washington Monument or something else that would be equally dear to someone else's heart, I think it is certainly very, very obvious that we are at the point after several years of budget restraint where this appropriations measure has gotten to the point where we are no longer talking about cutting fat, but we are cutting into the sinew and down to the bone in some areas that the public would simply not tolerate having cut.

Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc, except the committee amendment after the colon on line 2, page 12, through line 5, page 13.

The ACTING PRESIDENT pro tempore. Without objection, the committee amendments, except the committee amendment after the colon on line 2, page 12 through line 5, page 13, are considered and agreed to en bloc.

The excepted committee amendment is as follows:

: *Provided further,* That for expenses necessary to carry out the mission of the National Park Service for a period of time not to extend beyond fiscal year 1987, the Secretary of the Interior is authorized to charge park entrance fees for all units of the National Park System of an amount not to exceed $3.00 for a single visit permit as defined in 36 CFR 71.7(b)(2) and of an amount not to exceed $7.50 for a single visit permit as defined in 36 CFR 71.7(b)(1): *Provided further,* That the cost of a Golden Eagle Passport as defined in 36 CFR 71.5 is increased to a reasonable fee but not to exceed $25.00 until September 30, 1987: *Provided further,* That for units of the National Park System where entrance fees are charged the Secretary shall establish an annual admission permit for each individual park unit for a reasonable fee but not to exceed $15.00, and that purchase of such annual admission permit for a unit of the National Park System shall relieve the requirement for payment of single visit permits as defined in 36 CFR 71.7(b): *Provided further,* That funds derived from increasing National Park Service entrance fees pursuant to this Act shall be credited to the Operation of the National Park System appropriation account and shall be available, without further appropriation, for expenditure as determined by the Director of the National Park Service, first, to defray the

cost of collection; second, for maintenance, interpretation, research, and resources management at collecting unit; and third, for maintenance, interpretation, research, and resources management at all units of the National Park System during fiscal year 1987.

Mr. McCLURE. I ask unanimous consent that the bill as thus amended be regarded as original text for the purpose of amendment provided that no points of order shall be considered to have been waived by reason of agreement to this order.

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

Mr. GORTON addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mr. GORTON. Mr. President, having listened to the opening statements of both the distinguished chairman of the subcommittee and the distinguished ranking minority member, I want to express my sincere gratitude to each of them on this difficult time in which so many appropriations for important projects are being cut, for their thoughtfulness and generosity to me and to the junior Senator from Washington in dealing with specific requests which we have made.

□ 1100

Mr. President, I wish to express my strong support for several specific provisions in the 1987 Interior appropriations bill that pertain to the U.S. Forest Service.

I heartily endorse the committee's inclusion of over $13 million for the Mount St. Helens National Volcanic Monument. The bulk of that money, over $8 million, will be used to improve and reconstruct roads 25, 51, and 30 which provide important visitor access to the monument. Already, the Forest Service has experienced a great deal of visitation to the monument from tourists from every State in America, as well as from around the world. The reconstruction will make the roads safer for larger recreational vehicles and make it easier for tourists to visit Mount St. Helens from other attractions in the State such as Mount Rainier. Two million dollars will go toward the operation and maintenance of the monument. This amount will ensure that the Forest Service will be able to operate the new visitor center at Silver Lake when it opens this fall. The remainder of the funds will provide for the construction of a new headquarters facility, and for trails and recreational facilities. All of these projects have been identified in the comprehensive plan for the monument and are critical components of the monument's development as a tourist facility.

In addition, something which we were not able to succeed in doing last year is included in this bill.

I applaud the committee's inclusion of $1.5 million to combat a severe spruce budworm infestation in the Wenatchee National Forest near Yakima, WA. In just 4 years, this infestation has spread from 12,000 acres to over 100,000 acres. There has been particularly severe damage around Rim Rock Lake, a heavily used recreational area. Spruce budworm infestations cause the health of the forest to decline to a stage where a danger develops from secondary infestations of the Douglas-fir bark beetle and the true fir bark beetle. At that point, usually between the second and fifth year of an infestation, the forest can experience massive defoliation and mortality. It is very important that this money be available to control the insect population in the 2- to 3-week time period in the late spring during which the insect can be sprayed to achieve any success in reducing population levels. An incisive Federal response to this problem is overwhelmingly necessary.

Mr. President, I also strongly support the inclusion of $4.65 million for acquisitions in the Columbia River Gorge. The gorge is an area of outstanding scenic, cultural, historic, and natural resource value. This funding will protect lands that are critically important to preserving and enhancing the scenic and natural resources in these areas. Additionally, I support the committee's inclusion of funds for the Skagit River bald eagle study, spotted owl research, and shake and shingle research, and I support the committee's timber sale program level, which will ensure an adequate timber supply for the timber industries in my State.

I would like to express my strong support for several items in the appropriations for the Department of the Interior in the 1987 Interior appropriations bill. First, I applaud the committee for including $3.3 million for the acquisition of the old growth Western red cedar in the Willapa Bay National Wildlife Refuge by the U.S. Fish and Wildlife Service. These funds will be used to purchase the timber harvesting rights to the remaining portion of the cedar grove, and ensure that these magnificent trees will be forever protected.

This is an important area. There are few like it left anywhere on the Pacific coast, and its acquisition is a great environmental triumph.

This timber was authorized for acquisition as part of a 1983 agreement between the U.S. Fish and Wildlife Service and the Weyerhaeuser Co., the original owners of the land. Weyerhaeuser conveyed all of its land, 1,621 acres, on the island to the U.S. Fish and Wildlife Service. As the Fish and Wildlife Service did not have sufficient assets for an equitable exchange, it was agreed that the Weyerhaeuser Co. would retain the timber harvesting rights to the cedar grove and the Fish and Wildlife Service would have the option to purchase the cutting rights by 1991.

Last year, funding was included to purchase half of the cedar grove. The $3.3 million included in the 1987 bill will be sufficient to conclude the transaction and purchase the remaining portion of the grove. Although the House of Representatives has included $3.9 million in its appropriations bill, the Weyerhaeuser Co. has agreed that the $3.3 million in the Senate bill will be sufficient to complete the purchase. This will result in a savings of $600,000 for the U.S. Government.

The people of the State of Washington have long recognized, as have the Weyerhaeuser Co. and the Fish and Wildlife Service, the importance of this unique stand of old growth cedar to the wildlife refuge. The trees range in age from 950 to 4,000 years old. The grove is the only remnant of the Pacific Northwest maritime old growth red cedar climax forest. Remarkably, this stand has remained free of catastrophic disturbances, such as fire or windstorms, for centuries. This acquisition will culminate 16 years of negotiations to ensure the protection of the cedar grove.

Mr. President, I heartily commend the members of the Appropriations Committee for also recognizing the importance of this old growth cedar by including the funding needed to complete the acquisition of the grove.

I would also like to express my support for the inclusion of the designation of the University of Washington's Cooperative Fisheries Research Unit as a Combined Cooperative Fish and Wildlife Unit. The fisheries research program at the University of Washington has an outstanding reputation as a research institution, and is second in the Nation in terms of total fisheries research dollars. As a combined unit, the University of Washington will focus its research on marine mammals and shorebirds, a relatively unexplored area of wildlife research. Designation as a combined unit will allow the program to expand its excellent program and to make significant contributions to wildlife research.

Mr. President, the appropriations bill also prohibits the National Park Service from spending any money to study or implement any proposal to close the Pacific Northwest regional office in Seattle. This provision is of particular importance to the people of my State. The proposal to close the regional office has very little merit as it is dubious as to whether any real savings could be achieved. The immediate cost of the proposal for the first few years amounts to $4 to $5 million. This includes $270,000 a year that the Park Service would have to pay in penalties

for breaking its recently signed lease for office space into which it has just moved. The real cost of the proposal would be borne by my constituents. The proposal would move the regional office to a distant location, far from the people in the State who care about our magnificent parks. This proposal is not acceptable to the people of Washington, and I support the committee in prohibiting the Park Service from moving forward on the idea.

I know that the chairman of the subcommittee has had great interest in that, as I have. That would be a costly change, which would reduce the value and the immediacy of the services of the National Park Services in the Pacific Northwest.

I also support the committee's inclusion of acquisition funds for the Olympic and the North Cascades National Parks. These funds will purchase properties on a willing seller basis to block up the Park Service's ownership within these parks.

This is very important to a number of people and to the future of the parks.

Part of the funding for the North Cascades National Park will also be used to expand the Field's Point visitor facility on Lake Chelan. This will facilitate the ability of the Park Service to handle the large numbers of tourists who want to explore the North Cascades National Park complex via Lake Chelan.

All in all, Mr. President, the subcommittee, its chairman, and its ranking minority member have been most receptive to our needs in difficult times.

Mr. President, if the manager is ready, I do have a comment to which I would like his answer. One of the subjects of the bill is the budget proposal submitted by the U.S. section of the Pacific Salmon Commission.

I compliment the chairman of the Interior Appropriations Subcommittee for his thoughtful and thorough review of the fiscal year 1987 budget proposal submitted by the U.S. section of the Pacific Salmon Commission. As the chairman knows, the responsibility for completion of specific research programs required by the Salmon Treaty is divided among tribal, State and Federal fishery managers. The programs are integrated and interdependent, and implementation of our international obligations under the treaty requires coordination among tribal, State, and Federal efforts.

It is important that the Senate recommendation of $1.8 million for the Bureau of Indian Affairs' participation in the Pacific Salmon Treaty process be increased in conference to the House level of $2.38 million. This increase reflects the minimum needs of the U.S. section of the Pacific Salmon Commission.

The additional funds will ensure that the Columbia River Inter-Tribal Fish Commission and the Northwest Indian Fisheries Commission carry out their Salmon Treaty obligations. Without the increase in funding important field work vital in determining the productivity of dwindling salmon runs in the Columbia River will be affected. Specifically, studies on the wild summer Chinook salmon runs in Idaho could be severely restricted. Wild salmon stock recovery studies provide information to our salmon resource managers—State, tribal and Federal—regarding the status of our valuable wild runs, and the effectiveness of the conservation efforts implemented under the Salmon Treaty. In addition, the cooperative programs that have been established between the two Indian fishery commissions and the States of Washington, Idaho, and Oregon could potentially be damaged if funding for the Commissions is inadequate.

Furthermore, Mr. President, I would like to urge the chairman to consider increasing funding for the "Boldt Case" hatchery operations and maintenance program. The committee did not include the $347,000 needed to keep all of the Indian salmon and steelhead hatcheries in the Puget Sound area operating at an adequate level. Last year, Congress rejected the administration's attempt to reduce hatchery appropriations by this same amount. This year, the administration's budget request again reflects this funding cut, with the justification that individual hatcheries can absorb the reduction. The tribes in the Pacific Northwest believe that this reduction would be catastrophic. These fishery funds have been clearly identified in the past by Congress and the administration as a defined commitment to meeting trust responsibilities for treaty Indians in Washington State. These funds have been included in the House bill.

Mr. McCLURE. Mr. President, I understand the concerns raised by my colleague from Washington. Before responding to the question on the Salmon Treaty funding, let me comment that the recent action the subcommittee took was in part due to the persuasive nature of the Senator's approach to the committee in asking that these funds be included. We did find room for the several items he has mentioned in a very tight budget because the Senator was persuasive in making the case that these funds were needed.

With respect to the Salmon Treaty, let me state that I certainly understand the concerns raised by my colleague from Washington, but I point out that this does not represent any lack of support for the treaty or any lack of appreciation of the importance of the tribal activities in salmon recovery and in the funding and quality of the salmon runs in the Columbia River system. It represents a 30-percent increase of the funding that was provided for this function last year. While an additional amount is certainly useful, I am not convinced that at this time, it would be catastrophic not to grant the full request of the tribal commissions.

I also point out that not only is it a 30-percent increase over last year's request, it is 30 percent over the budget request. Certainly, it will be in conference with the House. If we are able to accommodate this as we look at all of the priorities that we shall have to try to juggle and balance in the conference, we certainly will do so. I am not, however, in a position to be able to tell the Senator from Washington that I know we can do that. It is going to be a very difficult conference. There will be a great deal of contest over the amount of funding, but we will certainly give it every consideration.

Let me also say just for the record, because perhaps I have not been as clearly convinced in the past, that the activity of the several tribes with the professional management of fish runs has been increasingly helpful in recent years. We have moved away from simple emotional reactions, which are valid but not necessarily helpful, toward a more competent scientific evaluation of the tradeoffs involved in maintaining and enhancing salmon runs of the various varieties and various species in the Columbia River.

I think part of what we have been able to achieve in recent years, comes about from a better understanding of the technical nature of the several problems, and the fact that we have been able to fund the biological studies and the necessary competent personnel for the tribes that are involved. So I am sympathetic to the request. There is nothing that I want to do more than to be able to accommodate them. We will do the very best we can.

Mr. GORTON. I thank the distinguished senior Senator from Idaho for his thoughtfulness and his consideration.

Mr. McCLURE. I thank the Senator.

□ 1110

Mr. FORD. Mr. President, I ask unanimous consent that the pending amendment be set aside.

The ACTING PRESIDENT pro tempore. Is there objection to the request?

Hearing none, the amendment is set aside.

AMENDMENT NO. 2774

(Purpose: To insure State eligibility for all of its Abandoned Mine Reclamation Fund money)

Mr. FORD. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. FORD] proposes an amendment numbered 2774.

Mr. FORD. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

By deleting on page 24, line 24, beginning with the word *"Provided"* and ending on page 25, line 13, ending with the word "agreement".

Mr. FORD. Mr. President, I have discussed this amendment with both the majority and minority managers of the bill, and it appears to be agreed upon.

What this amendment does is make a conferenceable item out of an unrestricted amendment. The Department of the Interior can withhold abandoned mine reclamation fund money, based on some other items where it relates to the program, where the tax has been collected, the money is there, it is needed by various and sundry States. This is a stick without a carrot.

The House language authorizes the Secretary to withhold 50 percent of the State's AML grant when the Secretary disagrees with a State's implementation of its approved program.

As a member of the Senate's Energy and Natural Resources Committee, which developed the Surface Mining Act in the mid-1970's, I take strong exception to placing conditions, unrelated to the proper utilization of AML funds, on a State's receipt of AML grants. These funds are collected on each ton of coal mined within a State and are intended to be returned to the State to eliminate public health and safety and environmental hazards which exist as a result of mining activity prior to 1977. Title IV of the Surface Mining Act is intended to provide a nationwide mechanism for reclamation abondoned mine lands. It was not intended to be used as a club over the States to infringe upon their primacy or to coerce them to take actions which are not otherwise prescribed in the act. OSM possesses ample authority under the other provisions of the act to accomplish the purposes intended by these provisions.

I am additionally concerned because these House provisos substantively amend the requirements of the act and the conditions under which a State receives its allocation of abandoned mine land funds collected on coal produced within its borders. These provisions, which effectively amend the act, have not been reviewed by the Senate Energy Committee, and, as such, it is inappropriate for them to be contained in the bill. If we are to open the act in this manner, let us open the entire act.

The provision allowing the Secretary to unilaterally deny 50 percent of a State's AML grants whenever the Secretary determines that a State is failing to adequately administer the enforcement provisions of the approved State program is of particular concern. Section 521(b) of the act provides an explicit mechanism to be followed whenever the Secretary has reason to believe the State is not fulfilling its responsibilities under the act. It incorporates public notice provisions and an opportunity for all interested parties to present their views prior to Secretary action. The House language basically permits the Secretary to blackmail the State into doing whatever he directs and effectively forces the State to follow that direction or risk not receiving 50 percent of its AML funds. As a consequence, I would recommend that the subcommittee, as it did in the 98th Congress, delete these provisos from the House approved bill and work to assure that they are not included in the bill approved by the conference committee.

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

Mr. McCLURE. Mr. President, there is a problem involved in this area, and I listened very carefully to the persuasive arguments the Senator from Kentucky has made in our private considerations with respect to this particular language. I do not think there is any question that this surface mining reclamation is a contentious and difficult issue. No matter what the Government does at the Federal level, no matter what the State government may do, there are people who are yelling at them from all sides of that issue saying, You are not doing it right."

This language was requested by various groups that succeeded in persuading the chairman of the subcommittee in the House to include the language. It is contentious and I think the amendment of the Senator striking the language, which was House language, leaving it open in conference, is a good amendment and will allow us to thoroughly explore with our House colleagues the reasons for the wisdom or lack of wisdom in this provision.

I support the amendment.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. JOHNSTON addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. JOHNSTON. Mr. President, our distinguished chairman has pointed out that this is a difficult area but that there are problems which this amendment does address by suspending section 521. Under this provision as implemented by regulations and as enforced by the department, it is possible for people to be denied their licenses and money withheld without a public hearing, and so it is a very difficult area, Mr. President. We think it ought to be adjusted, if not by adopting this measure in permanent legislation, at least by bringing this to conference in hopes that we can work it out between here and conference and if not it may be that we will have to adopt this provision as part of the conference report.

So, having said that, Mr. President, we support the adoption of this amendment at this point.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Kentucky.

The amendment (No. 2774) was agreed to.

Mr. FORD. I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

Mr. FORD. Mr. President, I thank my distinguished colleagues, the Senator from Idaho and the Senator from Louisiana, for accepting my amendment, and I look forward to working with them to see if something more amenable cannot be agreed to in conference.

Mr. McCLURE. Mr. President, I might urge those who are listening, who have amendments and colloquies which require their presence on the floor, to come to the floor and we will take care of that business.

Mr. HEINZ. Mr. President, I would like to ask the distinguished chairman of the subcommittee, Senator McCLURE, if he would be willing to engage in a colloquy with myself, the distinguished Senator from Alabama, Senator DENTON, and my friend and colleague from Pennsylvania, Senator SPECTER, regarding fossil energy research and development.

Mr. McCLURE. I am happy to discuss the matter with my friends.

Mr. DENTON. Mr. President, I am grateful to my friend from Idaho for his long interest in the research program which is underway in coal liquefaction. Our Nation remains all too dependent upon liquid fuels for our energy needs, from transportation to electric power generation. The future need for liquid fuels is all too apparent, and the production of the domestic supply of such fuels continues to decline. In the lower 48 States, production of crude oil has already declined by 27 percent from the peak year of 1970. I would like to add that this statistic is a 1985 figure, and does not reflect the tremendous decline in domestic production which has taken place this year. Our demand for petroleum, however, is not declining. We must examine all options to become less de-

pendent upon foreign sources of petroleum.

One option we have is to build up a capacity to liquify our tremendous coal resources. I know the Senator from Idaho is thoroughly familiar with the work in direct liquefaction now in progress at Wilsonville, AL. Wilsonville is the last remaining large-scale direct liquefaction facility in the country. Several processes at Wilsonville are at the point where they could be scaled up. The House of Representatives put $7 million in the Interior and Related Agencies appropriation to retain the Wilsonville pilot project on a cost-shared basis. I am very concerned to note that Wilsonville is not funded in the Senate's version of the bill. I fully understand the constraints which the Senator from Idaho faces, and I applaud him for his continuing work to reduce our Federal deficit.

My question to him is, given the important work being done at Wilsonville and the fact that it can be retained on a cost-shared basis, would he be willing to give the Senator from Alabama some assurance that the project could be retained in the final conference agreement on the Interior and Related Agencies appropriation?

Mr. McCLURE. Let me say to the Senator from Alabama that he has pointed out a serious problem for our energy future. I have stated to him previously the constraints under which this appropriation must operate, and I would certainly like to accommodate his concern. As my colleagues know, the fiscal year 1987 allocation for this bill is $600 million below the fiscal year enacted level. Since the Interior bill is a relatively small appropriations bill there will be many worthwhile projects that simply cannot be funded at this lower level.

I do agree with the need for continued research in the coal liquefaction area. If we receive an increased allocation this is one area I would support adjusting upward in conference.

Mr. DENTON. I thank my friend from Idaho for his statement and I look forward to continuing to work with him on this matter.

Mr. HEINZ. Mr. President, I would just like to commend both Senators for their work on coal liquefaction. The United States, thanks to the work of the Senator from Idaho, is developing a sound knowledge base in the clean and efficient use of coal as a primary energy source. Coal liquids make a lot of sense in light of our rising dependence on foreign oil. This is a technology we need to improve, as we are all painfully aware of the limits on our domestic sources of liquid fuels. I am very grateful to the Senator from Idaho for his willingness to help Senator DENTON and myself in conference with this matter. I believe that it is vital for Wilsonville to receive the House level of funding.

Also in coal liquefaction there is the matter of direct liquefaction coprocessing. This is a technology, like Wilsonville's pilot project, which is ready for scaleup, and I hope the chairman would be able to accept the House level of funding, $2 million, for this program.

Mr. President, I would like to ask the distinguished chairman of the subcommittee if I might continue our colloquy for a moment on some small but related items in the appropriation?

Mr. McCLURE. Please proceed.

Mr. HEINZ. Mr. President, we are all very concerned about the effect of acid rain on the environment and on public health. In the Lewis-Davis report on acid rain, the result of negotiations between Canada and the United States, our Nation is committed to increasing its research effort in acid rain. The Department of Energy's fossil energy research and development activities are critical to the success of our efforts to stem acid rain, while continuing to utilize coal as a primary energy source, and protecting critical jobs in coal-producing States. Senator McCLURE has once again provided important funding to many critical programs such as flue gas cleanup—which includes some very important work on advanced NO_x control—and advanced industrial combustion concepts. I want the chairman to know that I am very grateful for his support in these areas. I believe this kind of research will lead to a cleaner environment. The Senator from Idaho has ordered his priorities in an equitable fashion, and I do not wish to alter those priorities.

I am concerned, however, that coal preparation received $1 million in the House appropriation for ancillary operations including grinding and dewatering that is not in the Senate appropriation. In addition, the House provided $2 million to continue some very important work on industrial, commercial, and residential alternative fuels systems using highly beneficiated coals. Cleaning coal before their use as an energy source, and improved methods for burning coal, are extremely important to our environment and I would like to ask the chairman if he would be able to assist these very worthwhile programs in conference?

Mr. McCLURE. Again, emphasizing to the Senator from Pennsylvania that this is an appropriation which is very lean, I am aware of his concern and will be happy to try and accommodate him if there were to be an increase in the allocation for this subcommittee.

Mr. SPECTER. Mr. President, my colleagues from Alabama and Pennsylvania have raised important points here. As a member of the Appropriations Committee, I know something of the difficult choices the Senator from Idaho faced, and I want to add my voice to those who support what the Senator has done. We have some specific concerns about small programs in liquefaction, advanced combustion, coal preparation, and also oil heat research and development. In the energy conservation activity, the House allowed $650,000 for advanced oil systems. This is a small but important Federal program aimed at conserving energy through more efficient use of oil as a heating source. The energy saved enhances our national independence. It is my hope that the House numbers can be kept in conference for this small program.

Mr. HEINZ. Mr. President, I would just echo my colleague's concern here. Increased energy efficiency is an intelligent long-term investment in our future.

Mr. SPECTER. There is one other matter my colleague from Pennsylvania and I would like to discuss with the distinguished chairman of the subcommittee, and that has to do with mining technology under the jurisdiction of the U.S. Bureau of Mines. The House has provided $1.5 million for proof-of-concept validation to complete surface and underground evaluations of previously developed prototype mining equipment. The House also provided $500,000 for acid mine drainage research to work on the adaptation of the in line system to more difficult water conditions, and $500,000 for mine subsidence. Reductions in these and related program activities would have a severe impact on effect on the Bureau's research centers, and I strongly urge the chairman to recede to the House in these small but important matters.

Mr. HEINZ. I want to associate myself with my colleague's remarks and note that the distinguished Senator from Idaho very generously cited the fine work of the Bureau in the committee report, and I want to express my own appreciation to him for that recognition. I believe that the programs Senator SPECTER has outlined are a part of the Bureau's excellent work and I hope the House levels can be maintained here.

Mr. McCLURE. I appreciate both Senators' interest in the Bureau's work; their concerns will be addressed.

Mr. SPECTER. I very much appreciate the chairman's comments, and would like to add one additional concern for the cleanup systems development and testing at the Waltz Mills gasifier. These activities are part of the surface coal gasification programs. The House has supported such work, and my colleague Senator HEINZ and I both hope that funding can be retained for this important activity.

Mr. HEINZ. The Senator from Idaho has been extremely patient and cooperative with us and I very much appreciate his courtesy.

Mr. SPECTER. I would agree with Senator HEINZ and mention my own strong appreciation for Senator McCLURE's efforts on behalf of our energy future.

Mr. WILSON. Mr. President, I note with interest that the bill before us, H.R. 5234, directs the Secretary of Energy to sell the Elk Hills Naval Petroleum Reserve in California. Of special interest to me is the language that is included on page 63 of the bill that addresses the question of California's claim of entitlement to "school lands."

The school lands at issue are two sections of land in the Elk Hills NPR that should have been granted to the State of California upon its admittance into the Union under the Act of March 3, 1853. These lands grants were intended to be made for the purpose of providing property for the establishment of schools and other public services. The fact that these particular sections were mineralized and later became part of the Elk Hills NPR has complicated their title status. Consequently, California has never benefited from the oil-producing character of these lands and all producing revenues have accrued to the United States at the expense of California.

Now that we are proposing to sell the Elk Hills NPR, I think it highly appropriate that California's legitimate claim finally be addressed. It is my understanding that the language in the bill before us authorizes and directs the Secretary of Energy to settle California's claim and thereby lay this issue to rest.

I would like to confirm with the distinguished chairman of the Appropriations Subcommittee on the Interior that my understanding of the committee's intent on the subject of the settlement of California's claims is in fact the correct understanding.

Mr. McCLURE. I thank my friend from California and would gladly confirm for the record that his understanding of the committee's intent on this matter is correctly stated.

Mr. WILSON. I thank the distinguished chairman and would ask his indulgence on one other point. In the event that the forthcoming House/Senate conference committee on this bill decided to delete the provision of H.R. 5234 that directs the sale of the Elk Hills NPR, would the chairman be agreeable to retaining—at the minimum—the language of the bill that authorizes and directs the Secretary to settle California's Elk Hill school lands claim?

Mr. McCLURE. Let me assure my colleague from California that I will make every effort to retain the California school lands settlement language in the forthcoming House/Senate conference on H.R. 5234.

Mr. JOHNSTON. Mr. President, the fiscal year 1987 Interior appropriations bill, as marked up by the Senate Appropriations Committee, would increase funding for research and development of contaminants that affect wintering waterfowl. Specifically, the committee has recommended an increase of $1 million to address community level problems and $500,000 to develop new methods and techniques for detecting and identifying new generation contaminants that act either as individual or group toxicants in lethal or sublethal doses. The report that accompanies the bill directs the Department to distribute these funds on an appropriate geographical basis, including adequate attention to important habitat on the gulf coast.

Mr. President, I understand that the Department of the Interior has indicated that it will use approximately one-third of this increased funding on contaminant problems along the gulf coast. Given the large number of waterfowl that winter along the gulf, I want to stress the importance of this decision and I want to urge the Department to direct, if possible, even more money to the gulf coast problems.

Mr. President, I believe that the gulf coast deserves its fair share of this money for the following reasons:

First. Habitat loss in recent years is geometrically increasing along the gulf coast. For example, in Louisiana, the habitat loss rate is greater than 50 square miles per year. Loss rates are also high along the Texas, Alabama, and Florida coasts;

Second. Louisiana coastal marshes provide habitat for more than two-thirds of the Mississippi Flyway waterfowl populations. This population consists of 4 to 6 million ducks that winter there, and 450,000 geese;

Third. Ninety percent of Mississippi Flyway pin tails and lesser scaup winter along the Mississippi coast;

Fourth. Eighty percent of the North American redhead population utilizes the Gulf of Mexico from Florida to the Yucatan Peninsula where they prefer shoalgrass beds in sheltered bays and lagoons. These submerged grass beds are changing rapidly, particularly along the Texas coast and the distribution of these birds is changing as well. Midwinter population declines probably indicate a large movement of birds to Mexico;

Fifth. The gulf coast is the habitat for the mottled duck, and like the black duck along the Atlantic coast, it has severely depressed populations;

Sixth. Large shifts in wintering waterfowl distributions have been noted. Refuge managers suspect more waterfowl are migrating across the Gulf of Mexico;

Seventh. Law enforcement agents report larger concentrations of birds are utilizing the dwindling suitable habitat, and the hunting pressure on birds using these lands is increasing; and

Eighth. Research conducted on the breeding grounds at the Northern Prairie Wildlife Research Center confirms that breeding success is directly linked to the nutritional reserve of waterfowl arriving from the wintering grounds. Birds with low reserves of fats and proteins had significantly lower breeding success.

Mr. President, given the large number of wintering waterfowl that utilizes the gulf coast and the changes that have already been noted in the behavior, I cannot overemphasize the need to assure that a substantial portion of these funds are dedicated to the contaminent problems that exist along the gulf coast. I would like to ask the distinguished chairman of the Interior Subcommittee whether he agrees with my assessment of the gulf coast situation and whether the subcommittee intends that the Department dedicate sufficient funds to meet this problem.

Mr. McCLURE. The Senator from Louisiana has accurately described the importance of addressing contaminant problems along the gulf coast and it is the intent of the committee to assure that the Department of the Interior adequately address these problems with the funds appropriated for habitat contaminant problems. At this time, I do not know if one-third or one-half, or more, of the funds provided will go to the gulf coast problem. Staff is currently working with the service to discuss the distribution of the fiscal year 1987 contaminant funding and we will see to it that the Department does provide appropriate attention to the gulf coast.

Mr. SIMON. Mr. Chairman, the Coal Research Center at Southern Illinois University at Carbondale, IL, has a strong history of research in clean coal technology and coal chemistry. The House has acted to include $1.25 million, over a period of 10 months, in their fiscal year 1987 Interior and Related Agencies appropriation for continued work at the center. The Senate bill, as reported by the committee, does not specify that support.

In a similar situation in the fiscal year 1986 appropriation, the Senate accepted the house position on this matter in conference. I would ask the subcommittee chairman, the Senator from Idaho, if he would again give full consideration to the House position on this matter when this bill goes to conference.

Mr. McCLURE. As the Senator from Illinois knows, the allocation for this bill is $600 million below the fiscal year 1986 enacted level. With a reduction that large, many good projects could not be funded.

If the subcommittee receives a larger allocation, or an acceptable offset can

be found, I will give the Southern Illinois University project every consideration.

Mr. SIMON. I thank the chairman for his cooperation.

Mr. SPECTER. When Congress passed the Surface Mining Conservation and Reclamation Act, it recognized the need to solve the Nation's serious abandoned mine problem. The Abandoned Mine Reclamation Fund was established and is supported by a special tax on coal production, so it places no demands on the general revenues of the U.S. Treasury. The unappropriated balance in this fund has grown to nearly $400 million. And, yet, many States, like my own State of Pennsylvania, have large inventories of serious, top-priority abandoned mine hazards that need these funds to be made safe.

The fiscal year 1987 appropriation for the title IV grants-to-States appropriation is $150.6 million in the Senate bill versus the House number of $186.1 million. The Senate number results in my State getting far less than the program they are prepared to carry out and, in fact, had been urged to undertake by administration officials.

Fiscal year 1985 funding had been at $257.7 million while fiscal year 1986 funding was at the $149.4 million level. The fluctuations in funding cause serious difficulties in planning and managing an efficient program.

I am aware that the argument used against increasing the title IV grants to States has been the presence of a large unobligated balance of funds from previous years. However, unobligated funds are not uncommitted funds. Nearly all of the previous years' moneys are committed to projects in design or under construction. Slowing the rate of appropriations will slow the pace of new project starts for projects that are desperately needed.

As the distinguished chairman of the subcommittee knows, these abandoned mines present real dangers to public health and safety. Every year, there are numerous fatalities and injuries in the Nation due to abandoned mine hazards.

I am aware that the chairman has serious problems with available budget authority and outlays for his entire bill. However, the funds expended here come from a dedicated source, the mining industry, and should be expended for the purposes for which they were intended as quickly as practical. Since these funds are from a dedicated source, their use places no demands on the general revenues of the U.S. Treasury.

I request that the distinguished Senator do everything in his power to reach the $186.1 million House figure in conference without obtaining offsets from projects, important to Pennsylvania, that are appropriated in the fiscal year 1987 Interior appropriations bills. The States could use more, but, given his constraints, that figure would be acceptable. The Senator and I have discussed this matter in detail in prior meetings and I appreciate his attention to this issue and his sympathy for the problem.

Mr. McCLURE. What the Senator from Pennsylvania states is a clear definition of the needs of this program, which I support. I greatly appreciate his dedication to this important health and safety issue and will make moving toward and trying to reach the $186.1 million figure a priority in conference if the subcommittee receives an increased allocation or if acceptable offsets in other programs can be found by the conferees since this bill is at its budget authority outlay ceiling.

Mr. SPECTER. I do understand that and am confident that the distinguished chairman will do all that he can to reach the higher number. I thank the Senator.

Mr. HEINZ. I would like to associate myself with the comments of the Senator from Pennsylvania and also urge that Senator McCLURE attempt to reach the House figure in conference. I thank the chairman for his attention to this matter.

Mr. BROYHILL. Mr. President, I rise to engage the chairman in a colloquy for the purpose of clarifying various items of interest and concern.

Mr. McCLURE. I am pleased to oblige the Senator from North Carolina.

Mr. BROYHILL. I appreciate the chairman's indulgence and the opportunity to highlight areas of concern contained in the bill before us. Let me first commend the distinguished chairman and members of the committee on their diligence in delivering this bill in good order.

Mr. McCLURE. I thank the Senator for his kind remarks.

Mr. BROYHILL. Mr. Chairman, I intended to offer an amendment today to restore funding levels for many Federal programs and activities of national importance and of interest to the State of North Carolina. Because funding for many of these items is included in the other body's measure, I have withdrawn my amendment. I will refrain from offering any amendments if the chairman can give me an assurance that the Senate conferees will give serious consideration to acceding to the other body's funding levels for the items I am about to discuss. Is the chairman prepared to offer such an assurance?

Mr. McCLURE. As chairman, I assure the Senator that appropriate consideration will be accorded these items to the extent that budgetary restraints permit and agreement can be reached.

Mr. BROYHILL. Included in the other body's allowance is an appropriation of $55,000 for studies related to the Little Kinnakeet lifesaving station at Cape Hatteras National Seashore. Of that amount, $30,000 would be used to fund a historic furnishing study and $25,000 for a historic grounds study. Among the other body's recommendations, not included in the Senate's bill, is a reprogramming of existing funds totalling $650,000 for the acquisition of an additional 6,000 acre tract at Alligator River National Wildlife Refuge. As such, this would require no new budget authority. This tract would be developed and maintained as a nature conservancy for the protection of the Nation's prime and most extensive remaining stands of mature Atlantic white cedar. The other body's bill also recommended use of Alligator River National Wildlife Refuge as a preferred site for the reintroduction of the Red Wolf and provided an increase of $135,000 to facilitate the recovery of this endangered species. Contained in the other body's report accompanying its bill is language urging the U.S. Fish and Wildlife Service to make available management and technical support to the State of North Carolina and the U.S. Environmental Protection Agency as required to complete the comprehensive research plan for the Albemarle/Pamlico estuary which is of national significance. It is my fervent hope that the Senate conferees will be able to agree to and accept funding levels provided in the other version of the bill when they meet with Members of the other body.

Mr. McCLURE. I will be mindful of these items when the Senate confers with the other body.

Mr. BROYHILL. I thank the chairman. I would also like to express appreciation to the chairman and members of the committee for providing funds necessary to restore the lighthouse district at Cape Hatteras National Seashore Park. In addition, I am grateful to the chairman for the provision of funds necessary to enlarge the Great Dismal Swamp and for recommending funding levels for various items identical to those contained in the other body's bill.

Mr. McCLURE. I thank the Senator. We will endeavor to accommodate the requests he has made.

Mr. DURENBERGER. Mr. President, Minnesota Valley National Wildlife Refuge, situated in the Minneapolis-St. Paul metropolitan area, offers local citizens a wide range of educational and recreational opportunities while providing sanctuary to a large number of migratory waterfowl, fish and other wildlife.

Last year Congress provided $600,000 in planning funds for design of the visitor's center. Preliminary work on utilities, access roads, major landscaping and interstate highway di-

rectional signing is completed. In short the site is ready for construction to begin.

Mr. Chairman, now that the planning is nearly completed, it is vital that construction funds be forthcoming. The House included $3.32 million to begin phase I of the construction. I would appreciate it very much if you would agree to the House language in conference on the fiscal year 1967 Interior appropriations bill.

Mr. McCLURE. I am familiar with this project and appreciate the time the good Senator from Minnesota has devoted to establishing this unique urban wildlife refuge. The educational opportunities the refuge will offer to the citizens of the Twin Cities are outstanding and you can be sure I will give your request every consideration when conferencing with the House.

Mr. DURENBERGER. Mr. Chairman, currently there are 29 States with fish and wildlife or combined cooperative research units. Minnesota, despite their vast fish and wildlife resources, does not have such a unit. While the University of Minnesota and the Minnesota Department of Natural Resources have a solid record of achievement in wildlife research, education or management, the scope of Minnesota's resources makes it difficult to accomplish all that needs to be done.

The University of Minnesota and the Minnesota Department of Natural Resources have put together a program direction statement for a cooperative fish and wildlife research unit in Minnesota. I will ask unanimous consent later that this statement be included in the RECORD.

Mr. Chairman, earlier this year I asked the Subcommittee on Interior Appropriations to review this proposal, and if it had merit to direct the Secretary to fund it out of available funds in fiscal year 1987. Has the Senator had a chance to review this proposal?

Mr. McCLURE. I appreciate the Senator from Minnesota bringing this to my attention. I have reviewed the program direction statement for a cooperative unit in Minnesota and agree to direct the Secretary of Interior to fund the project out of available funds in fiscal year 1987.

Mr. DURENBERGER. I thank the Senator

Mr. President, I ask unanimous consent that the program direction statement be printed in the RECORD.

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

PROGRAM DIRECTION STATEMENT—MINNESOTA COOPERATIVE FISH AND WILDLIFE RESEARCH UNIT

The Cooperative Fishery and Wildlife Units Program was established to facilitate cooperation between the Service, universities, State fish and wildlife agencies and private organizations, and to conduct programs of research and education related to fish and wildlife resource management. The objectives of the Units are to: 1) conduct research directed toward the solution of problems of mutual concern related to fish, wildlife and their habitats; 2) provide academic training toward advanced degrees in the fish and wildlife field; 3) provide technical assistance to federal, state, and other conservation agencies related to fish and wildlife management; 4) provide conservation education through publication, lecture and demonstration. The operations of the Unit are governed by a formal Cooperative Agreement signed by the Service, university, state fish and wildlife agency, and the Wildlife Management Institute.

The Minnesota Unit will emphasize research regarding impacts of human activities on aquatic and terrestrial ecosystems which are of state, regional and national significance. The research program will address not only the biological, but also social and economic aspects of both game and nongame fisheries and wildlife management; hence, the Unit will be in the most advantageous position to provide information for strategic and long-range planning by the Minnesota Department of Natural Resources and U.S. Fish and Wildlife Service.

Minnesota has a vast fishery and wildlife resource and occupies a geographic area that contains aquatic and terrestrial habitats associated with some of the most important regional and national fishery and wildlife research needs. The state is biogeographically unique, with boreal forest, northern coniferous forest, transition zone and prairie, all of which are, in one way or another, under increasing or changing pressures from human activities. Minnesota is an ideal model for research on effects of these activities on fish and wildlife because the vastness of the resource and variation in habitats within regions provide an unusually large selection of research sites for comparative studies.

Biological studies will involve a wide range of applied and basic research projects designed to mitigate or enhance fish and wildlife in habitats with the potential for severe degradation, heavy use, or offering considerable possibilities for enhancement. These habitats include but are not limited to urban fisheries, agricultural lands, peatlands, and the agriculture-forest transition zone where land-use changes are accelerating with human expansion in the area. All of these problem areas in Minnesota are representative of similar concerns regionally and nationally.

The great surge in public interest in nongame species in recent years across the nation consitutes both a challenge and opportunity for resource management agencies and teaching and research institutions. The public now expects agencies to carry out programs specifically for nongame species. As a result, it is opportune and appropriate to have the Unit involved in nongame research.

There is a growing need to incorporate sociological and economic information into fish and wildlife management programs. Public user attitudes, expectations and needs are becoming increasingly important in the formulation of management programs and priorities. Likewise, reliable information on the economic importance of fish and wildlife is becoming an essential ingredient for enlightened planning to help insure that the value of these resources is adequately considered in the formulation of public policy. This is particularly relevant to circumstances in Minnesota where a significant part of the tourist and recreation industry is fish and wildlife oriented. Because public acceptance of fisheries and wildlife management programs is frequently an obstacle to successful implementation, a primary focus of the research will be to examine the economic and social ramifications of proposed management programs and to compare alternatives. This integration of ecological, social and economic research is crucial for decision making regarding fisheries and wildlife policy and planning and yet there are few researchers addressing this issue. The Unit is expected to become a "Center for Excellence" for this integrated research and thereby serve the state and nation as a source of information for public agencies in their development and implementation of fisheries and wildlife management plans.

Mr. McCLURE. Mr. President, I ask unanimous consent that the pending amendment be temporarily set aside.

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

AMENDMENT NO. 2775

Mr. McCLURE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment

The legislative clerk read as follows:

The Senator from Idaho [Mr. McCURE] proposes an amendment numbered 2775.

Mr. McCLURE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 14, lines 7-9, begin linetype with the comma after the word "Fund" and continue the linetype through "290" on line 9.

Mr. McCLURE. Mr. President, the amendment I am proposing will bring the bill into compliance with the committee report adopting H.R. 5234. This language was inadvertently omitted from the bill and would provide a limitation on the amount of purchaser credits that will be available in fiscal year 1987 for timber purchases.

Mr. JOHNSTON. Mr. President, we concur with the amendment.

The PRESIDING OFFICER (Mr. HECHT). The question is on agreeing to the amendment.

The amendment (No. 2775) was agreed to.

Mr. McCLURE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

Mr. McCLURE. Mr. President, it is an appropriate occasion at this particular time to note that the distin-

guished occupant of the Chair, the junior Senator from the State of Nevada, Senator CHIC HECHT, as of 3:30 p.m. on Saturday, August 9, had presided over the Senate for 100 hours. Senator HECHT will join three colleagues, Senators PRESSLER, GORTON, and EVANS, in receiving the golden gavel award for the time he has given the Senate by presiding over the Senate during the 99th Congress. I am very pleased to make this notation for the RECORD.

The PRESIDING OFFICER. The Chair thanks the Senator very much.

Mr. McCLURE. 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. McCLURE. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

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

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Mr. McCLURE. Mr. President, there is a pending committee amendment which deals with Park Service fees, and it was excepted from those that were adopted by unanimous consent.

There is one major amendment and one minor amendment of which I am aware, and there are a variety of colloquies which Members have indicated they wish to undertake with the chairman of the subcommittee. Other than that, we are ready to go to third reading of the bill.

I urge that those who have an interest in these matters or others which they have not yet brought to our attention—I hope there are not such others—will get to the floor and take care of those matters.

Mr. JOHNSTON. Mr. President, I join the distinguished Senator from Idaho in urging Senators to come to the floor at this point and bring up their amendments or their colloquies.

I think we have been contacted personally by only one Senator asking for protection. We have been made aware of others who are interested in amendments, and we will try to protect them.

I know that the distinguished Senator from Idaho is anxious to get the bill over with. So I urge Senators who have amendments to come to the floor right away, because we are ready to deal with them, and we should soon be ready for final passage of the bill. That will not take place until after the caucuses. But I hope that shortly after the caucuses, at 2 o'clock, we will be ready to move to final passage.

Mr. McCLURE. Mr. President, even though the vote may not occur before that time, if we get to third reading of the bill and have only the vote left, we will do that before we recess for the party caucuses.

Mr. JOHNSON. Mr. President, I hope all Senators will take heed of what the distinguished chairman has said, and that is that in the next 40 minutes we want to get this bill wrapped up.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCLURE. 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. WILSON. Mr. President, I would like to compliment the Appropriations Committee for its expeditious action in bringing the Interior appropriations bill to the floor. This bill is always of critical importance to California and consequently one that I have a vital interest in.

Generally, I support the efforts of the committee to curb spending increases. However, it has long been my position that if funds are to be made available for certain kinds of programs—programs like land acquisition funding for our national parks and forests—California should receive its fair share of funds.

With this in mind, I would like to compliment the committee on its decision to include $5 million for land acquisition in the Channel Islands National Park, $7 million for Forest Service acquisitions at Lake Tahoe, and $1.1 million for the Sequoia-Kings Canyon National Park.

The Sequoia-Kings Canyon acquisition is of special significance because moneys we are appropriating here are to be matched by a private organization, the Save the Redwoods League. This matching fund will be used to purchase Giant Sequoia Redwoods. I strongly believe that the Federal Government should take the lead in supporting cost-sharing programs of this nature whenever practicable.

Although I appreciate the committee's attention to these important acquisitions, I am compelled to note that the committee's recommendation falls short of funding several needed California land acquisition projects. Specifically, I think it highly appropriate that moneys should be made available for land acquisition in the Santa Monica Mountains National Recreation Area, and in the Golden Gate National Recreation Area.

We have embarked on a program of acquiring inholdings in these very popular parks and to renege on our commitment now does an injustice not only to the affected landowners who are effectively precluded from selling and developing their property, but also to the literally millions of visitors who use these parks every year.

The House approved appropriations of $8 million for land acquisition priorities in the Santa Monica Mountains National Recreation Area, and it is my sincere hope that this level will prevail in the forthcoming conference committee.

With regard to the Golden Gate National Recreation Area, there is a particularly urgent need for additional parkland acquisition of a ranch known as the Martinelli property. This property has recently been optioned by a developer and development permits appear to be forthcoming. Once developed, this beautiful ranch will be lost forever to the park. Funds that are presently available to the park have been committed elsewhere and new funding is required to acquire this and other important ranchland property. Therefore, I strongly support conference report language to include the House-passed $3.1 million in appropriations to allow the full acquisition process to continue at GGNRA.

I am also disappointed with the committee's failure to include funding for a U.S. Fish and Wildlife Service acquisition in the Sacramento River National Wildlife Refuge. The House has already approved appropriations of $2.2 million for acquisition of a particularly important 217-acre parcel in this refuge known as the Ward property.

This acquisition is especially important in light of the problem of agricultural drain off which has rendered some of the wetlands in the central valley unsuitable for use as refuge for wildlife. The most glaring example of such contamination is in the Kesterson Wildlife Refuge. This 5,900-acre refuge has been closed down because of selenium contamination. Acquisition of the Ward property would help compensate for the loss of Kesterson.

In this same vein, I would like to register my strong support for the committee's recommendation to appropriate $4.5 million to the Fish and Wildlife Service to study and begin cleanup of contaminated refuges wherever they may be.

Turning to the Forest Service appropriations, I would like to compliment the committee on its endorsement of a National Forest Service Timber Sale Program allowing sales of 11.4 billion board feet for fiscal year 1987. This program is a valuable tool in maintaining a viable domestic timber industry, and is a sound investment that produces increased revenues to the U.S. Treasury. Additionally, I support the committee's recommendations for Forest Service road building appropriations as being highly appropriate in light of the timber sale program envisioned by this committee.

Finally, Mr. President, the committee is well aware of my emphatic endorsement of the House Interior appropriations bill language on the Cali-

fornia OCS leasing program. I would once again like to register my support for this compromise language hammered out over a period of many months and would express my fervent hope and expectation that the House language will be adopted in conference.

Mr. President, I thank the Appropriations Committee for its fine efforts and am hopeful that the deficiencies that I have outlined will be rectified in the conference committee.

Mr. DOMENICI. Mr. President, I have an inquiry with respect to the Appropriations Committee recommendations for the enhanced oil recovery activities of the Department of Energy. Senator NICKLES and I are concerned that a balanced distribution of funding among the various enhanced oil recovery activities is achieved. As you will recall, during the full Appropriations Committee markup of the fiscal year 1987 Interior appropriations bill, I raised the issue of the distribution of funding among the heavy oil, light oil, and tar sands activities. I suggested that an appropriate distribution of the $10 million recommended by the Senate for these enhanced oil recovery activities would be $1.9 million for heavy oil, $7 million for light oil, and $1.1 million for tar sands. I offered an amendment to this effect, and the committee agreed to that distribution.

My concern, Mr. President, is that page 75 of the report accompany H.R. 5234, the fiscal year 1987 Interior appropriations bill, does not reflect the distribution I have just outlined. My distribution is more in line with last year's funding distribution and is proportionate to the budget request and the estimated benefit received in each category of enhanced oil recovery activity. Can the chairman explain his understanding as to the distribution of enhanced oil recovery funding agreed upon during the Appropriations Committee markup?

Mr. McCLURE. I would be happy to respond to the question of my good friend, the Senator from New Mexico. As he correctly states, there was an amendment adopted during the full committee markup on the distribution of the $10 million recommended for enhanced oil recovery activities along the lines he has suggested, and that distribution should have been reflected in the committee report. I assure my distinguished colleague from New Mexico that the Appropriations Committee accepted the funding distribution he has outlined within the enhanced oil recovery account, and is correctly displayed in the detail table I have inserted in the RECORD. I will do everything I can in conference to see that these recommendations are included in the final version of this bill.

Mr. DOMENICI. I thank my good friend and the distinguished chairman of the Appropriations Subcommittee for this clarification and his assurance that he will work for this outcome in conference with the House. I also give my sincere thanks to Senator NICKLES for his assistance on this matter.

RECESS UNTIL 2 P.M.

The PRESIDING OFFICER. In accordance with the previous order, the Senate will now stand in recess until 2 p.m.

Therefore, at 12 noon, the Senate recessed until 2 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. HATFIELD).

□ 1400

SENATE RESOLUTION 486—RELATING TO THE ARREST OF U.S. CORRESPONDENT NICHOLAS DANILOFF

SENATE RESOLUTION 487—RELATING TO THE CONDEMNATION OF RECENT ACTS OF TERRORISM IN PAKISTAN AND TURKEY

The PRESIDING OFFICER. Under the previous order, the hour of 2 o'clock having arrived, there will now be 30 minutes' debate equally divided and controlled by the majority and minority leaders or their designees on Senate Resolution 486 and Senate Resolution 487.

The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 486) relating to the arrest of U.S. correspondent Nicholas Daniloff.

A resolution (S. Res. 487) relating to the condemnation of recent acts of terrorism in Pakistan and Turkey.

The PRESIDING OFFICER. The Chair, in his capacity as a Senator from Oregon, suggests the absence of a quorum. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DOLE. Mr. President, let me indicate to my colleagues that the time between now and 2:30 is to be equally divided for debate on the Daniloff resolution and the resolution on terrorism. It is my understanding we may wish to amend the terrorist resolution in view of the events in Beirut since we submitted it yesterday. Each side has 12½ minutes. I understand the distinguished Senator from New York is prepared to use some of the time on that side.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, I ask that I may be permitted to use several moments of the minority leader's time. He is not on the floor.

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

Mr. MOYNIHAN. Mr. President, on the day following the arrest of Nicholas Daniloff, I made a statement, as have other Members of this body, and I spoke as a former Ambassador and as a member for 8 years of the Senate Select Committee on Intelligence.

I made two observations: First, that this is a clumsy effort by the Soviet secret police, the KGB, to provide a counterpart to an arrest by United States authorities of a true agent, Mr. Zakharov, a member of the Secretariat of the United Nations.

I said, second, that it is an absolute and unwavering policy of the U.S. Government not to employ journalists as intelligence agents for any reason whatsoever.

I then went out of my way to say that the Politburo in Moscow had to get control of its secret police and put an end to this.

It did not occur to me then, that this arrest could have happened without the concurrence of the Politburo. However, it seemed appropriate to provide the Soviet authorities with some way of saying, "Well, a mistake has been made. A lower authority has done something clumsy and wrong and it will be rectified."

That is exactly what did not happen. Far from recognizing the gravity of having arrested an American journalist, a completely innocent man carrying out professional work, in response to the arrest of a Soviet spy; far from withdrawing in the face of a letter from the President of the United States, statements by the Secretary of State, statements by Senators; the Soviets chose instead to escalate, to move to the point of announcing that Mr. Daniloff would be prosecuted; and after that, announcing that the prosecution would involve charges more extensive than the immediate investigation of Lenin Hills.

This is inexplicable and under the circumstances, Mr. President, ominous. The Soviets have to understand that they cannot do this and expect our relations to prosper in any way.

They cannot expect a summit meeting.

□ 1410

They cannot expect an arms control agreement.

They cannot expect subsidized wheat and they cannot expect expanded trade.

They cannot expect accommodation of the sort which we do hope for if they persist in this foul, detestable,

and contemptible act of a police state in view of all the world.

And they cannot expect that we will trade one of their spies for Nicholas Daniloff. We do not equate such activities, and we would not in any circumstance submit to the Soviet interpretation which would follow such an exchange: that we had implicitly agreed to Daniloff's guilt. He is guilty of nothing, while the Soviet Union stands at minimum guilty of a profound misunderstanding of the free world and a reckless disregard for the bases of accommodation and peaceful coexistence.

If anything can reach them now, if Mr. Dobrynin is listening, he must surely know that when the Senate unanimously acts, as it will do in 20 minutes' time, the leaders of the Soviet Union are deeply advised to pay attention; and, at what now can only be some cost to themselves, even so reverse their action lest it lead to greater and graver costs by far.

I thank the Chair. Mr. President, I yield the floor.

Mr. PELL. Mr. President.

The PRESIDING OFFICER. Who yields time?

Mr. PELL. I ask for 3 minutes, Mr. President.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Rhode Island is recognized for 3 minutes.

Mr. PELL. I thank the Chair.

Mr. President, today I join with the distinguished majority and minority leaders of the Senate, and with the distinguished chairman of the Foreign Relations Committee, in cosponsoring Senate Resolution 487 condemning the latest tragic incidents in what has become a terrorist assault on civilized values and institutions. The hijacking of Pan Am flight 073, and the killing of 18 of its passengers and the wounding of dozens more, underscores yet again the urgent need for improved airport security measures in all of the major international airports. It also serves to remind us of the constant need for vigilance and cooperation at the international level in the fight against the shadowy, cowardly individuals we call terrorists.

The tragic journey of Pan Am 073 reminds us of the vulnerability of innocents to the monsters of international terrorism. The images of flight 073 are haunting—the tiny blooded shoes scattered on the tarmac, the interviews of victims from their hospital beds, the shrouded corpses—and a stark reminder of man's inhumanity to his fellow man.

As if the ordeal of Pan Am flight 073 were not sufficient reminder to us of the ever present threat posed by terrorism, last Saturday an unknown number of unknown gunmen seized the largest synagogue in Istanbul, Turkey, while worshipers were at prayer and opended fire on them, killing 21 men. The utter repugnance one feels at such a moment, the utter contempt one feels for the base cowards who make innocent civilians, at prayer, the targets of their wrath, or vengeance, or elusive political agenda is inexpressible. The deep felt sadness, and sympathy we all feel for the friends and families who mourn their loss is profound. The anger our citizens feel, and the seeming helplessness they experience in the face of this burgeoning threat, is growing.

Terrorism is a hate that does not respect national boundaries. The murderers on Pan Am 073 were Palestinian; they took control of the plane in Pakistan; the aircraft was American; the victims included two Americans but were mostly Indians. In Istanbul the victims were Jewish-Turkish citizens; the nationality of the killer is not known. In Lebanon, another American has been kidnapped.

Because of terrorism's global reach, combatting this evil will require effective international cooperation. Passing resolutions in the U.S. Congress is an important expression of our country's outrage but it is not sufficient.

We must tighten, once again, airport security, including perimeter security. Airports not meeting vigorous international security standards should be blacklisted and international carriers ought not to risk passenger lives by flying there. We need negotiators skilled in the art of handling hostage situations. We need commando forces with the specialized training and skill to free hostages as the situation warrants.

Most important the cowards who plan and implement terrorist acts must be brought to the bar of justice and if convicted severely punished. We owe it to the lastest innocent victims of terrorism—the dead and wounded from Pan Am 073 and the Istanbul synagogue—to take effective measures to stop the repetition of such acts.

As the world community responds to terrorism, we must be sure to target only the terrorists. As civilized people we have the highest obligation to safeguard all innocent human life. If we let our anger get the better of us and strike back at the wrong people then the terrorists will have won. This we must never allow.

Mr. President, the history of the postwar shows that superpower summits can serve two useful purposes. They can contribute to a promising atmosphere in relations, and they can serve to finalize and commemorate agreements on which the preponderance of work has already been accomplished.

Sadly, neither of these conditions now exists. The Soviet seizure of an innocent American journalist threatens to erode all possibility of amicability in United States-Soviet relations. And by all accounts, the two sides are still far apart on the urgent questions of nuclear arms control.

Secretary Gorbachev has spoken repeatedly and at length about his desire for arms control, and has leveled heavy criticism at the Reagan administration's policies in that area. Tragically, his own Government has now moved the spotlight away from arms control and onto its own outrageous action in framing, incarcerating, and threatening to bring to trial a distinguished American journalist.

Only the opponents of arms control can take comfort in the current situation. If Secretary Gorbachev and his Government are truly interested in progress in United States-Soviet relations, they will act to free Mr. Daniloff immediately. I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. SIMON. Mr. President, I ask unanimous consent that I may have 3 minutes of our time.

The PRESIDING OFFICER. Is there objection? If not, the Senator from Illinois is recognized for 3 minutes.

Mr. SIMON. I simply join my colleagues in expressing their astonishment and displeasure at Nick Daniloff's seizure. I know Nick Daniloff slightly. I had a chance to meet with him briefly when I was in the Soviet Union. One of the things I have learned is that in the Soviet Union they may know great details about some things—for instance, the Philadelphia police bombings. They knew incredible detail about that. Then there are massive misunderstandings. They simply cannot equate a reporter for Izvestia or Pravda, who is an agent of the state, with a reporter from our country who is a free citizen. This small incident—and it is a small incident—is the kind of thing that could do massive harm to relations between our two countries. Never in all of history has it been so important that two nations understand each other and get along.

For the Soviets to let this happen and stand between our nations is just as shortsighted as it could possibly be. I hope the Soviet leaders get the message that we are serious about this. There are things they can do. They can make speeches. They can have editorials in Pravda and so forth. But seizing a free reporter goes beyond anything we have seen since the days of Josef Stalin. This is going to cause great harm if it is not quickly corrected.

Mr. MOYNIHAN. Will the Senator from Illinois yield for a question?

Mr. SIMON. I am pleased to yield to my colleague.

Mr. MOYNIHAN. My friend observed that what has happened in Moscow during the last 2 weeks goes

beyond anything we have seen since the days of Josef Stalin. Would he be aware, as I am sure he is, that the arrest and continued detention of Mr. Daniloff has a close parallel in the Stalin era? I refer to the case of William N. Oatis, a reporter for Associated Press in Prague, who was arrested and imprisoned on trumped-up charges of espionage in 1951 after Stalin's forces seized power there. Mr. Daniloff testified before our Select Committee on Intelligence in 1978 that during the early 1960's, he was frequently arrested by Soviet citizens and authorities who saw him photographing hospitals and engaging in other innocuous professional activities. But the severity of the current charges now leveled against Mr. Daniloff, and his continuing imprisonment, hearken back to the Stalin era.

The PRESIDING OFFICER. The Senator's 3 minutes have expired.

Mr. SIMON. I ask unanimous consent for 1 more minute.

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

Mr. SIMON. The Senator from New York is absolutely correct. This is the first time that you have had people detained overnight. There have been arrests and you had in the case of one Los Angeles Times reporter someone who was taken but he was permitted to go home evenings and that sort of thing. This kind of overnight detention of a free reporter——

Mr. MOYNIHAN. And charging of such a reporter with espionage——

Mr. SIMON. That is correct—is unparalleled since the times of Josepf Stalin. We do not want to return to those days. The Soviets do not. We do not. We do not want to return to those relations between our two countries.

Mr. GLENN. Mr. President, I rise to add my voice to the growing call for the immediate and unconditional release of Nicholas Daniloff. It goes without saying that any nation has the right to expel or otherwise deal appropriately with foreign spies, as the United States has done with respect to Mr. Zakharov, a Soviet U.N. official. However, to detain a distinguished journalist on trumped-up charges of espionage and cynically suggest that he be exchanged for the Soviet agent caught in this country is simply and completely beyond the pale of tolerable behavoir, even from the Soviets. I applaud the administration's announcement that there will be no trade, and admire the courage and integrity of Nick Daniloff in refusing to be a party to any such deal.

I deeply regret that this incident could threaten the thaw in United States-Soviet relations that was so long in coming in this administration. But if that is the fallout from this incident, the Soviets have no one but themselves to blame. I believe the Soviets made a serious miscalculation in grabbing Nick Daniloff. We Americans are devoted to the principle of freedom of the press and absolutely reject the use of innocent hostages as pawns in an international power play. We will not play the Soviet's despicable game, and will settle for nothing less than freedom for Nick Daniloff. The American people, the administration and the Congress are united in this resolve and the Soviets would do well to reconsider their continued pursuit of this ill-advised attempt at blackmail.

I have every confidence that the Senate will send the Soviet Union a strong and clear message by adopting this resolution unanimously.

Mr. DODD. Mr. President, I rise in support of resolution 486 condemning the Soviet Union's unjustified arrest and indictment of American journalist Nicholas Daniloff and demanding his immediate release.

On August 30, Nicholas Daniloff was handed a packet of materials from a Soviet acquaintance. Immediately after, he was arrested, the packet opened, and inside were found several documents marked secret.

Based on what we know, Nicholas Daniloff is not a spy. His arrest is outrageous and his indictment incendiary. Daniloff is a serious professional with a broad reputation as a careful, knowledgeable, and dedicated newsman. His face is widely recognized in both Soviet and American circles and his profound interest in Russian culture is matched only by his passion for professional reporting.

President Reagan has properly expressed his outrage over this incident, and today this Congress joins with him in that expression. I only lament that in international diplomacy, unlike in gradeschool tomfoolery where this sort of maneuver would be more common, there is no "joke's over"—style ending where the exposed can walk away and normalcy is restored with a sembalance of dignity.

The Soviets have led us and themselves into a difficult morass. Not only is it disturbing that the Soviet leadership, whom most experts credit with at least approving, if not ordering, this scam, would abandon the high standards of international behavior with a blatant disregard for civil liberties and a disturbing contempt for international law.

More than that, it is alarming that they would endanger—and there be no misunderstanding, serious harm has already come to the level of trust between our two nations—the chances for an anticipated summit meeting of our leaders planned for later this year. Progress in identifying mutual interests and a common ground for the start of these talks has been slow without the complications of this affair. The creation of another intractable problem is the last thing the Soviet-American relationship needs.

A great deal is at stake in bringing a successful conclusion to this matter, and the Soviet leadership is mistaken if it believes that the American people, their Congress, and their President will strike a dubious bargain in a situation fabricated through skullduggery and chicanery. This behavior cannot be rewarded; normal relations can only be maintained if there is a commitment to honesty and integrity.

It is unfortunate that the Soviets have engaged in a scheme the undoing of which will produce considerable embarassment for them. But they have brought it upon themselves. I urge that my colleagues approve this resolution and demand the immediate release of Nicholas Daniloff. The future of United States-Soviet relations may well hang in the balance.

● Mr. DURENBERGER. Mr. President, I rise to condemn the actions of the Soviet Government in the arrest, detention, and indictment of Nicholas Daniloff. He should be released immediately and without preconditions of any sort.

Mr. Daniloff is a respected journalist and has never been employed in any espionage activities by any part of the U.S. intelligence community. The charge that Daniloff was engaged in espionage is completely without foundation. Over 8 years ago Mr. Daniloff testified before the Senate Select Committee on Intelligence and stated his unequivocal view that journalists should not be involved in any type of intelligence activity. The Soviet frame-up of Nicholas Daniloff is especially objectionable given his long-standing opposition to journalistic involvement in intelligence activities.

The Daniloff case raises profound questions about the sincerity of General Secretary Gorbachev's professed desire for improved relations with the United States. Arbitrary arrest and imprisonment of United States journalists carrying out their duties is not the type of action one would expect if the Soviet Union is truly interested in constructive relations with the United States.

The much heralded openness of the Gorbachev regime is belied by the Stalinist behavior of his KGB. The Daniloff episode underscores the importance of separating style and substance in Soviet policy.

The carefully cultivated appearance of a new, more modern, Soviet leader should not mislead the West. Beneath a veneer of aggressive public relations and propaganda, the kidnaping of Nicholas Daniloff illustrates that Gorbachev practices business as usual Soviet-style. While Gorbachev proclaims his desire for better relations with the United States, his response to President Reagan's personal appeal for Daniloff's release was to indict Daniloff before a military tribunal.

The harsh reality of an American citizen unjustly held in Lefortovo Prison speaks volumes about the true nature of Gorbachev's Soviet Union. If General Secretary Gorbachev expects to be taken seriously by the United States as a national leader and as a statesman, he must release Nicholas Daniloff without delay.

I urge the rapid and unanimous adoption of Senate Resolution 486.●

● Mrs. HAWKINS. Mr. President, as a cosponsor of the two resolutions upon which we are about to vote, I rise to speak in favor of these two measures. I commend the leadership for moving quickly and forcefully to bring these measures before the Senate so that the views of the Senate will be known on these issues.

Mr. President, the recent Soviet actions in arresting and charging American journalist Nicholas Daniloff only reminds us of the Soviet Government's willingness to violate human and civil rights in the pursuit of the interests of the Soviet state. There is not a shred of credible evidence that Mr. Daniloff is guilty of the espionage charge leveled by the Soviet Government. His arrest represents a Soviet attempt to use an individual American as a pawn in order to gain leverage against the United States in its attempt to obtain the release of a Soviet spy arrested here in the United States. There is no connection between these two cases and Mr. Daniloff's release should not be conditional to any Soviet request for special treatment in the United States. Mr. Daniloff is innocent and his release should be swift and unconditional.

I hope the Soviets will come to their senses and realize that they are doing more to damage Soviet-American relations and their interest in a constructive dialog with the United States by the arrest and charging of Mr. Daniloff than they can ever hope to gain by his continued detention. This resolution will help make it clear to the Soviet Union that the continued holding of Mr. Daniloff is a losing proposition. I urge my colleagues to support this resolution unanimously.

Mr. President, following the vote on the Daniloff resolution there will be a vote on the resolution condemning the recent terrorist incidents in Pakistan and Turkey, of which I am also a cosponsor. I urge my colleagues to support this resolution, as well. The incidents in Pakistan and Turkey, as well as today's report of another kidnapping in Lebanon, indicate that we still have a long way to go in the battle against the scourge of terrorism. The resolution before us urges the President to take strong steps to stop acts of international terrorism, including putting the matter on the table in any future summit with the Soviet Union. If there is one area where civilized nations ought to be able to agree it is in this fight against terrorism.

Terrorism ultimately undermines the security of all nations. The nations of the world ought to work together to make sure that the terrorist has no sanctuary, no base of operations, and no expression of support for his activities. As a friend of Pakistan, I would like to express my hope that the Government of Pakistan, as it has pledged, will bring the terrorists who hijacked the Pan Am jet to justice. I commend the resolution before us to condemn the incidents in Pakistan and Turkey and recommend a program for fighting terrorism and urge my colleagues to support this measure.●

● Mr. ROTH. Mr. President, an innocent American journalist, Mr. Nicholas Daniloff, has been seized by the Soviet Government. The Politburo evidently has decided upon this callous, arbitrary action in an effort to secure the release of Mr. Gennadi Zakharov. According to the Federal Bureau of Investigation, Mr. Zakharov is a spy, a professional KGB operative who has been working to steal vital defense secrets from the United States.

Mr. President, the Soviet action is both crude and transparent. The KGB has always sought to maintain the morale of its operatives by assuring them that, in the event of their capture, Moscow will secure their repatriation at any cost. When the British Government arrested the man and wife Kroger spy team in 1961, the Soviet Government quickly responded by arresting a British schoolteacher, Gerald Brooke, who was on a visit to Moscow. Brooke, a supposed "master spy" was then offered to the British Government in trade for the convicted Kroger spy team.

The parallel between the Brooke-Kroger case and our current situation is all too clear. The Soviet Government will stop at nothing to maintain the effectiveness of its ongoing espionage campaign in the United States, Japan, and Western Europe. Clearly, Moscow is willing, if necessary, to endanger a pending summit meeting, a potential arms control agreement, diplomatic relations, and its perception by the Western media in order to obtain the repatriation of Mr. Zakharov. This should tell us something most revealing about the Soviet sense of priorities.

In the event, the British Government, after 8 years, felt obliged to give way to the Soviets, and an innocent schoolteacher was traded for the convicted KGB spies. I would gravely caution this administration and our media against emulating the British action. To give way to Soviet demands would, in effect, constitute declaring open season on American journalists in the Soviet Union. If the KGB can use its seizure of Mr. Daniloff to secure its desired ends, we should expect to see an American journalist arrested and imprisoned every time we arrest a KGB operative. The Soviet espionage campaign in this country is massive and we have only recently begun to come to grips with it. The arrest of Mr. Daniloff represents the first Soviet effort to frighten us away from a viable counterespionage strategy.

Needless to say, the U.S. Government and, I might add, the governments of its European allies, are morally obliged to make every effort to secure the release of Mr. Daniloff. His arrest is a cause of anguish to his family, his friends, and his country. It also constitutes a gross affront to the integrity of the international press. We can deal with that affront only by standing together in a firm and resolute fashion. Backing down to Soviet demands will lead only to a repetition of this deplorable incident.●

Mr. THURMOND. Mr. President, the American people are watching with shock and a growing sense of anger as an unseemly drama is being played out in Moscow. There, American journalist Nicholas Daniloff—respected Moscow correspondent for U.S. News & World Report—is being held in a KGB prison on obviously fabricated spy charges.

His arrest, the result of a KGB setup, again showed the world that the Soviets will stoop to any tactic—no matter how transparent or vicious—to accomplish their aims. In this case, their objective is clear: Mr. Daniloff is being held in an effort to secure the release of Gennadi Zakharov, a Soviet emissary stationed at the United Nations, who was arrested on legitimate charges of espionage.

However, the two cases are grossly dissimilar. Daniloff is a respected journalist, a seasoned correspondent who has covered the Kremlin and the Soviet people for some time. The Soviet being held in this country is a spy, caught redhanded by Federal authorities. Despite the claims of the Soviet Government, Nicholas Daniloff is simply a reporter doing his job, who was targeted by the KGB for a setup.

President Reagan has called upon Soviet leader Gorbachev to release Mr. Daniloff and has repeatedly warned that his continued detention threatens progress on virtually all fronts of Soviet-American relations.

I rise today to join President Reagan in calling for the immediate release of Nicholas Daniloff and to express my anger and dismay at this blatant act of intimidation. Toward that end, I am pleased to join my colleagues in cosponsoring the Senate resolution condemning this act and calling for Mr. Daniloff's immediate release from prison.

This resolution should say to the Soviet Government that the world is watching this scenario and that decent

people everwhere are appalled and disgusted by what they are seeing.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DOLE. Mr. President, at 2:30 under the agreement reached yesterday, we will vote on both the Daniloff and the terrorism resolutions. I would expect that both these resolutions would pass by unanimous or near unanimous vote. I have asked that a number of Senators be added as cosponsors. I have not made the request for Senators THURMOND, D'AMATO, HAWKINS, ABDNOR, SPECTER, SYMMS, MATTINGLY, and MCCONNELL. I would ask unanimous consent that they be listed as cosponsors on both amendments. There may be similar requests on the other side.

Mr. MOYNIHAN. Might the Senator from New York be listed?

Mr. DOLE. And the Senator from New York, the Senator from Illinois [Mr. SIMON], the Senator from Arkansas [Mr. PRYOR], the Senator from Idaho [Mr. MCCLURE], the Senator from Alabama [Mr. DENTON], the Senator from New York [Mr. MOYNIHAN], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Delaware [Mr. ROTH], the Senator from Illinois [Mr. DIXON], the Senator from Tennessee [Mr. SASSER], the Senator from New Hampshire [Mr. RUDMAN], the Senator from Nevada [Mr. HECHT], the Senator from Texas [Mr. GRAMM], and the Senator from California [Mr. WILSON]. We will continue to add names. I would hope that everyone would cosponsor both resolutions.

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

NEW TERRORIST ATTACKS UNDERSCORE IMPORTANCE OF RESOLUTION

Mr. DOLE. In the case of the terrorism resolution, the events of the past 24 hours underscore again that Americans, as well as other innocent people, are under attack around the world, and that our fight against terrorism is still far from won. Yet another American civilian, Frank Herbert Reed, has apparently been kidnaped in Beirut. And there has been another wave of terrorist bombings in Europe, especially the bloody attack on the Paris City Hall.

Yesterday, we agreed that the terrorism resolution would not be open to amendment, but in light of these events I would ask unanimous consent that one amendment dealing with the Beirut kidnaping be in order. And I will offer that amendment following the vote on the Daniloff resolution when Senator BYRD is present. But I think it has been cleared on both sides and that amendment will be offered.

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

Mr. DOLE. I hope that the message is loud and clear. With reference to the Daniloff resolution, I think it does contain a much needed message. I think it is aimed pointblank at the Kremlin leadership. The message can be summed up in one simple word: Enough. Enough of this reckless gamesmanship, which is seriously undermining our bilateral relations at a critical time and threatening the summit; enough playing around with an innocent person's life.

□ 1420

I am certain there are some "Russian Rambos" who think we are bluffing, who tell each other that the Americans are not going to risk the summit or trade or sales of wheat or abiding by the SALT agreement, or whatever it may be, over one American's freedom, but they are mistaken.

So Mr. Gorbachev and his cronies should understand that neither this Senator nor, I think, any other Senator is going to urge the President of the United States to sit down with Mr. Gorbachev while an innocent American is languishing in some Soviet jail.

Mr. President, it seems to me that we have reached the point, and the message is clear—it is bipartisan, and I assume it is nearly unanimous—that we do not take the false imprisonment of one American lightly. If we should, we would set a precedent that would never be overturned.

So I again commend the distinguished minority leader for his assistance, as well as Members on both sides of the aisle. This is a nonpartisan, bipartisan—call it what you will—effort to indicate, in a clear and convincing way, that this does threaten what we hope could be an improving relationship in the coming months and the coming years.

Mr. President, I yield 3 minutes to the Senator from Pennsylvania.

Mr. SPECTER. I thank the distinguished majority leader.

Mr. President, I join in support of this resolution condemning the action of the Soviet Union in the arrest of Mr. Daniloff. The action by the Soviet Union is a direct violation of the Helsinki accords, which provide, in relevant part:

> The participating States reaffirm that the legitimate pursuit of their professional activity will neither render journalists liable to expulsion nor otherwise penalize them.

We talk in the United States about the chilling effect of governmental action on journalists. What the Soviet Union does is to freeze the activities of journalists, and that will be the consequence if the arrest and detention of Mr. Daniloff is permitted to stand.

The journalists of the world perform a very vital function in exposing wrongdoing and bringing to the attention of the public the activities of government. That, of course, is a valued right in the United States, where Jefferson expressed it best of all when he said:

> If I had to choose between newspapers without government or government without newspapers, I would unhesitatingly choose newspapers without government.

We enjoy unparalleled rights in this country, under the first amendment. Journalists like Mr. Nicholas Daniloff, who travel to the Soviet Union, perform a great function for the world. Unless the journalists are to be permitted to gather the news and to report it, we will have no idea as to what goes on in the Soviet Union. That is why it is so important that every ounce of moral suasion be brought to bear on the Soviet Union to release Nicholas Daniloff, and I hope they will hear these very strong words from the United States Senate today.

Mr. DOLE. Mr. President, I yield the remainder of my time to the distinguished Senator from Idaho [Mr. MCCLURE].

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. MCCLURE. I thank the majority leader for yielding this time to me, Mr. President, because I think it is important for us to affirm once again what has been said before—that this is a nonpartisan or bipartisan reaction on the part of the Senate of the United States in both of these resolutions.

Take the issue of Mr. Daniloff, as an example: It is simply an illustration of what many of us know to be true of the Soviet regime, that human life has much less value in their system than in ours. The freedom of a single individual is to be bartered away in tactical gain for themselves, as they view it.

Under our system, individual liberty and individual rights are absolutely protected by the Constitution of the United States; but, beyond that, they are enshrined in the very essence of or society. Individuals have individual rights given to us by our Creator, which again the Soviet Union denies, both in its creation and in the possession of individual rights. There is a total contrast in systems and in values.

With respect to the issue of terrorism, I think that, once again, the terrorism we have seen in the last few days illustrates what is a fact in our world today—a very unpleasant world at times—totally unacceptable means to gain ends which are to them desirable, and to use human life, both its freedom, in the case of the abduction and kidnaping of individuals, and in the extinguishment of life, in the terrorist attacks upon individuals or groups around the world.

Again, there is a contrast in systems, in which we find ourselves in international conflict and in international tensions which are used by other people in ways that are totally unacceptable to the American people. We

must find ways in which to contrast their actions with our own ideals.

It may require us at times to learn to play some of the game by some of their rules in order to deny to them the opportunities to gain advantage, or appear to gain advantage, as a result of the use of terrorism or kidnapping.

I think both of these resolutions are appropriate and absolutely necessary. But I submit, Mr. President, that we still have to learn to take appropriate action—not just talk, but appropriate action—in dealing with international terrorism.

The other question of dealing with the Soviet Union on the imprisonment of a journalist is a much more straightforward issue in the relationship between two nations than is the issue of terrorism, which is an instrument of ideology. It demands a response from the United States, more than simply the passage of a resolution, as much as I support this resolution, as much as I support the necessity of adopting such a resolution.

Mr. President, the United States is being forced to the adoption of affirmative action to deal with the issues of terrorism. We see it cropping up in our own country, as I noticed the attack by tear gas bomb in New York City. If it is acceptable in international terms, then why is not some kind of an attack upon a group of people acceptable in the United States? That inevitably intrudes itself into our civil discourse as well as our international discourse. It is equally unacceptable whether it happens in Istanbul or in New York City. It is equally unacceptable whether it is the taking of human life or the destruction of civil liberties within our own country.

We are going to have to respond to it internationally. We cannot respond to it simply by the passage of resolutions or by dealing with civil disorder in our own country.

Mr. President, I think we have not been challenged with a more difficult task in recent history than the task of knowing how to live up to our own ideals and confronting terrorist tactics.

Mr. President, I urge the adoption of both amendments, and I reserve the remainder of my time.

□ 1430

Mr. BYRD. Mr. President, will the distinguished Senator yield me time?

Mr. MOYNIHAN. I am happy to yield such time as is remaining to my distinguished leader.

Mr. BYRD. I thank the Senator.

The PRESIDING OFFICER. The minority leader is recognized for 1 minute and 21 seconds.

Mr. BYRD. Mr. President, this is an opportunity for the U.S. Senate to send a message not only to the Soviet Union but to the world that we do not stand for, we do not believe in, and we protest most strongly this incarceration of Nicholas Daniloff.

It could have been any other citizen. It could have been a businessman. It could have been any other of many thousands of Americans who from time to time go to the Soviet Union on business or to tour the country—or what parts of the country the Soviets are willing to let them see.

Mr. President, I am ready to go further if need be and support sanctions or whatever. It seems a little bit awkward that we subsidize grain sales to the Soviet Union at the time of the incarceration of Nicholas Daniloff. So we could do something other than offer this resolution.

I would hope that the Senate would unanimously on both sides of the aisle today support this resolution.

I thank the distinguished majority leader for his leadership in offering this resolution and allowing me to be a cosponsor.

I yield whatever time I have remaining to the Senator from California.

Mr. WILSON. Mr. President, I rise to commend all of the speakers.

The PRESIDING OFFICER. The hour of 2:30 having arrived——

Mr. BYRD. Mr. President, I ask unanimous consent that the Senator may have 1 minute.

The PRESIDING OFFICER. The Senator from California is recognized for 1 minute.

Mr. WILSON. I thank the Chair.

I particularly commend the minority leader for the published remarks attributed to him. I think that they and the statements that we have heard on the floor today do not begin really to express the outrage of those speakers and others.

I do not know how we can hope to free innocent millions around the world from the fear of nuclear holocaust if we cannot send individual journalists, or businessmen, or tourists to the Soviet Union without their fearing being framed and becoming innocent pawns in the Soviet game of the big lie. We must not trade an innocent U.S. citizen for a Soviet spy. To do so would be to give credence to that big lie.

We must instead, Mr. President, support the President of the United States, as these speakers on both sides of the aisle have done, refuting that lie and demanding the unconditional release of Nick Daniloff.

Unless and until he is unconditionally released, let all the world be on notice that the much celebrated new openness of the Gorbachev regime is as old and dishonest and seemingly as brutally violative of human rights as the much condemned excesses of the Stalin regime.

The PRESIDING OFFICER. The Senator's time has expired.

Under the previous order, the hour of 2:30 now having arrived, the Senate will vote on Senate Resolution 486.

The question is on agreeing to the resolution. On this question, 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 Missouri [Mr. DANFORTH], the Senator from Utah [Mr. GARN], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Alaska [Mr. MURKOWSKI], the Senator from New Hampshire [Mr. RUDMAN] and the Senator from Idaho [Mr. SYMMS], are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. MURKOWSKI], the Senator from New Hampshire [Mr. RUDMAN] and the Senator from Idaho [Mr. SYMMS] would each vote "Yea."

Mr. CRANSTON. I announce that the Senator from Arkansas [Mr. BUMPERS], is necessarily absent.

I further announce that, if present and voting, the Senator from Arkansas [Mr. BUMPERS], would vote "Yea."

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

The result was announced—93 yeas, 0 nays, as follows:

[Rollcall Vote No. 256 Leg.]

YEAS—93

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

NAYS—0

NOT VOTING—7

Bumpers	Kassebaum	Symms
Danforth	Murkowski	
Garn	Rudman	

So the resolution (S. Res. 486) was agreed to.

The preamble was agreed to.

The resolution (S. Res. 486), with its preamble, reads as follows:

S. RES. 486

(Relating to the arrest of U.S. correspondent Nicholas Daniloff)

I. Whereas the arrest and indictment on trumped up charges by the government of the Soviet Union of Nicholas Daniloff, American correspondent for U.S. News & World Report, is in clear contravention of accepted standards of international law and civil liberties;

II. Whereas the treatment of Mr. Daniloff is an inexcusable denial or the rights of a journalist to engage in the legitimate pursuit of his profession and a violation of Soviet obligations as a signatory of the Final Act of the Helsinki Accords guiding relations between participating states, specifically Basket III, Section 2, Article (c), Principles for the Improvement of Working Conditions for Journalists, which state that ". . . the participating states reaffirm that the legitimate pursuit of their professional activity will neither render journalists liable to expulsion nor otherwise penalize them."

III. Whereas the actions of the Soviet government further violate the spirit and letter of the provisions adopted at the review of the Helsinki accords held in Madrid in March, 1983, specifically Basket III, Cooperation in Humanitarian and other Fields, which affirms that the participating states ". . . will also consider ways and means to assist journalists from other participating states and thus enable them to resolve practical problems they may encounter . . ." and ". . . further increase the possibilities and, when necessary, improve the conditions for journalists from other participating States to establish and maintain personal contacts and communication with their sources;

Now therefore be it resolved by the Senate of the United States that the Senate—

1. condemns the Soviet Union for the unjustifiable arrest and indictment of Nicholas Daniloff and demands his immediate and unconditional release from custody by the Soviet Union.

2. expresses its deep concern that the failure of the Soviet Union to immediately and justly resolve this matter threatens to undermine constructive relations between the United States and the Union of Soviet Socialist Republics and jeopardizes the hopes for Summit Meeting between President Reagan and General Secretary Gorbachev, and

3. urges that all responsible news gathering and news accrediting organizations that provide support, membership or other privileges to Soviet news organizations should consider appropriate actions to underscore the demand for Daniloff's release.

SENATE RESOLUTION 487—RELATING TO THE CONDEMNATION OF RECENT ACTS OF TERRORISM IN PAKISTAN AND TURKEY

The PRESIDING OFFICER. Under the previous order, the Senate will now vote on Senate Resolution 487.

□ 1450

The Senator from Kansas is recognized.

Mr. DOLE. Mr. President, may we have order?

The PRESIDING OFFICER. Senators will please take their seats. Will Senators vacate the well and take their seats?

The Senator from Kansas.

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

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

Will the Senate please be in order? Senators are not in order. The majority leader is seeking recognition. Will Senators please take their seats? Will staff please also take their seats and refrain from discussing matters on the floor?

The majority leader is recognized.

AMENDMENT NO. 2776

Mr. DOLE. Mr. President, I have gotten unanimous consent to make an amendment in order, and I ask unanimous consent that the amendment be made in order.

The PRESIDING OFFICER. Is there objections?

Mr. BYRD. Mr. President, reserving the right to object, there is no objection to this amendment. It has been cleared on this side. I support it also as the chief sponsor of the resolution. It is an amendment to both the title and the body of the resolution.

I have no objection.

Mr. DOLE. Mr. President, let me simply indicate that this incorporates the latest kidnaping in Beirut. It adds the name of Frank Herbert Reed to the resolution.

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

The clerk will report.

The legislation clerk read as follows:

The Senator from Kansas [Mr. DOLE], for himself and Mr. BYRD, proposes an amendment numbered 2776.

Mr. DOLE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

In the first paragraph of the preamble, after the words "and Istanbul, Turkey," insert the following: "and the kidnapping of an American civilian, Frank Herbert Reed, in Beirut, Lebanon,";

In the second paragraph of the preamble, after the words "in an Istanbul Synagogue," insert the following: "and the kidnapping of Frank Herbert Reed, placing the life and well-being of this innocent American civilian in jeopardy,";

In the first paragraph of the resolution, after the words "and Istanbul, Turkey," insert the following: "and the kidnapping of Frank Herbert Reed in Beirut,"; and

At the conclusion of the resolution add the following: "(F) Continue to make the immediate, unconditional and safe release of Frank Herbert Reed and all other Americans held hostage in Lebanon a high priority national goal."

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment of the Senator from Kansas.

The amendment (No. 2776) was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table is agreed to.

Mr. DENTON. Mr. President, I rise in support of the resolution. Clearly, the terrorist incidents to which it refers must be condemned in the strongest possible terms. The actions of the perpetrators are an affront to the values of the civilized world. We recoil in horror at the terrorists' savage disregard for the value and dignity of human life, which we hold so dear.

But even as we condemn these abominations, let our condemnation not be a mere reactionary "lashing out" at the depravity of the episodes. Rather, let us see through our anguish and recognize the lessons to be learned from these terrorist incidents, so that our resolve to deal more effectively with international terrorism may be strengthened.

As painful as they are, there are lessons in these incidents; and, although the facts are still being sorted out, certain familiar patterns are clear.

With respect to the hijacking of Pan American flight 073 in Karachi, we have seen once again an American airliner targeted in a foreign land by elements of a well-financed, international terrorist conspiracy. Although people representing 13 different nationalities were aboard the aircraft, the Americans were the first to be threatened by the extortionists, and an American was, indeed, the first person to be singled out and killed.

The Istanbul synagogue massacre bears the marks of the Abu Nidal faction. While probably most Americans recognize that faction as the principal perpetrator of the Rome and Vienna airport massacres in December of 1985, the Abu Nidal group is, in fact, notorious for past vicious attacks on European synagogues, most notably in Brussels, Vienna and Rome. Also, the methods and weapons used—granades and machinegun fire into a group of innocent targets, killing 21 persons—are part of the modus operandi of Abu Nidal's terrorist faction. As we have seen in the past, Abu Nidal's activities and movements from country to country have been well-financed and facilitated by certain radical nation-states, most notably by Libya.

In hearings held over the past 5 years by the Judiciary Subcommittee on Security and Terrorism, which I chair, volumes of evidence have been amassed documenting the existence of an international terrorist network sup-

ported by certain radical nation-States, including Syria, Libya, Iran, Cuba, and North Korea. These terrorists have, with the ultimate support of the Soviet Union and its client States, attempted to coordinate a worldwide strategy designed to expel U.S. presence from key areas of the world. The United States is targeted because of its leadership position in the Western World, the values of which are considered by the terrorists to be inimical to the Marxist and Muslim values which so many of the terrorists and their sponsor States hold dear. The State of Israel and Jews around the world are also consistently targeted by Muslim and Palestinian terrorists.

The Karachi hijacking clearly illustrates several key dimensions of the strategy of this terrorist network. First, the incident was far removed, geographically, from Europe and the Middle East, where the most highly publicized terrorist incidents have occurred in recent years. This demonstrates the terrorists' strategy of attempting to coordinate terrorist incidents in as many different parts of the world as they can in order to stretch thin U.S. and Western ability to respond effectively to them. Clearly, our vigilance must be worldwide and constant.

Furthermore, although the incident directly affected a U.S. airline rather than the Government, the event was designed, at least in part, to cause Americans to question the costliness of maintaining a business or other presence in far-flung regions of the world.

Also, the incident was perpetrated in an Islamic-oriented country, Pakistan, which has been establishing a friendlier relationship with the United States. One key aspect of the strategy of the international terrorist network has been to intimidate and discourage Third World countries from moving to maintain close ties with the United States.

Ultimately, this radical expulsion strategy in all its aspects enures to the benefit of the Soviet Union in its continuing efforts to impede U.S. and Western access to vital world trade, including, most conspicuously, Mideastern oil and southern African minerals. We in the United States must recognize and understand the strategy and the goals of the terrorist movement if we are to develop effective policies for combating it.

While the incidents in Karachi and Istanbul can be seen as yet additional manifestations of the anti-United States and anti-Israel strategy of international terrorism, they also graphically demonstrate that no one in any country of the world is safe as long as these barbaric acts continue. The victims in Istanbul were Turkish, and among the victims of the hijacking were people from 13 different countries, many of whom were brutally killed or wounded. These were attacks on civilization, not just the Western World or Jewish religion. They have shown that terrorism victimizes all nationalities, races, and religions, alike.

If there can be any positive side to these incidents, let it be that all nations, East and West, will join in the fight against international terrorism. The resolution adopted by the United States and its allies at the Tokyo Economic Summit was a start; let that spirit of cooperation now expand to include all the nations of the civilized world.

Finally, we must also resolve to determine exactly who were sponsors of these terrorist incidents, and just how they facilitated the acts. The sponsors must not only be punished for these specific incidents, but the information we obtain may enable us to prevent such acts in the future.

Let us truly learn from these awful experiences and hasten the development of a U.S. policy which will effectively strike at the sources of international terrorism.

Thank you, Mr. President.

● Mr. DURENBERGER. Mr. President, I rise to deplore the reprehensible terrorist attacks in Istanbul, Turkey, Beirut, Lebanon, and Karachi, Pakistan. These savage acts illustrate once again the unrelenting danger that terrorism poses for the civilized world. I condemn the Istanbul and Karachi massacres in the strongest terms and extend my heartfelt condolences to the victims.

The latest terrorist atrocities unfortunately remind the world that terrorism is a form of warfare that continues to plague international politics. There is no lack of groups or individuals willing to engage in wanton violence in pursuit of political ends. The carnage of the past few days emphasizes the need for strong action in the battle against terrorism.

Terrorism is a phenomenon that spans national boundries; terrorist targets include the territory and citizens of dozens of countries. Due to the transnational nature of terrorism, any lasting solution must necessarily involve multilateral action by those States affected. The United States cannot win the war on terrorism by itself but must work vigorously with its friends and allies around the globe to errect a common front against the ravages of the terrorists and their supporters.

I strongly endorse Senate Resolution 487 and urge its immediate and unanimous passage.

Mr. THURMOND. Mr. President, I am pleased today to cosponsor the Senate resolution condemning the recent acts of terrorism in Karachi, Pakistan and Istanbul, Turkey.

With each new incident of terrorism the sensibilities of peace-loving people around the world are shaken anew. The events in Karachi and Istanbul stand as only the latest tragic reminders of terrorism's countless cost in human lives and misery.

The hijacking of the Pan American World Airways flight, an act which claimed the lives of 19 people—including two American citizens—is an act that deserves the outrage and condemnation of the world. Such is also the case in Istanbul, where 22 synagogue worshipers, including 7 rabbis, were killed when terrorists opened fire on the congregation.

However, the solution to terrorism is a painful one. It does not rest with appeasement of terrorists or bowing to their demands. Instead, the only true solution is to adopt a policy, like that of the Reagan administration, of refusing to accede to the demands of these lunatics, and to punish the Nations and individuals who carry out or sponsor these cruel and insane acts.

Mr. President, terrorism carried out against this Nation and its citizens should be regarded as an act of war—perpetrated by enemies of the United States. Our response must be firm and measured, but it must be firm at all times.

Ours must be a clear and indisputable message to those who practice these acts—a message of absolute intolerance of terrorism coupled with an unshakeable resolve to fight back when attacked.

This Nation's response to Libyan sponsored terrorism has been proven effective. It has shown that terrorism can be combatted effectively, and that as a Nation, our citizens are firmly united behind a policy that provides for the use of force when it is necessary to strike back against international terrorists.

I am pleased to join my colleagues today in cosponsoring this resolution.

The PRESIDING OFFICER. Under the previous order, the Senate will now vote on Senate Resolution 487. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from Missouri [Mr. DANFORTH], the Senator from Utah [Mr. GARN], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Alaska [Mr. MURKOWSKI], the Senator from New Hampshire [Mr. RUDMAN], the Senator from Illinois [Mr. SYMMS] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. MURKOWSKI], the Senator from New Hampshire [Mr. RUDMAN], and the Senator from Idaho [Mr. SYMMS] would each vote "yea."

Mr. CRANSTON the Senator from Arkansas [Mr. BUMPERS] is necessarily absent.

I further announce that, if present and voting, the Senator from Arkansas [Mr. BUMPERS] would vote "yea."

The PRESIDING OFFICER [Mr. ARMSTRONG]. Are there any other Senators in the Chamber who desire to vote?

The result was announced—93 yeas, 0 nays, as follows:

[Rollcall Vote No. 257 Leg.]

YEAS—93

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

NAYS—0

NOT VOTING—7

Bumpers	Kassebaum	Symms
Danforth	Murkowski	
Garn	Rudman	

So the resolution (S. Res. 487) as amended, was agreed to.

The preamble was agreed to.

So the resolution (S. Res. 487), as amended, with its preamble, reads as follows:

S. RES. 487

Whereas, the recent terrorist attacks in Karachi, Pakistan, and Istanbul, Turkey, and the kidnapping of an American civilian, Frank Herbert Reed, in Beirut, Lebanon, demonstrate that international terrorism remains a principal threat to human life and democratic values;

Whereas the hijacking of Pan American Flight 73, which ended in the loss of many lives at Karachi International Airport, and the murder of 22 Turkish Jews as they worshiped in an Instanbul Synagogue, and the kidnapping of Frank Herbert Reed, placing the life and well-being of this innocent American civilian in jeopardy, underscore the continuing need for action against international terrorism and for all civilized nations to redouble their efforts to eradicate this scourge; and

Whereas, the United States should seize the initiative to expand international cooperation and coordination in the campaign against terrorism, and should be supported in that effort by its allies, and by all other responsible nations: Now, therefore, be it

Resolved That, the Senate—

(1) condemns vigorously the most recent terrorist acts in Karachi, Pakistan, and Istanbul, Turkey and the kidnapping of Frank Herbert Reed in Beirut, and offers its deepest sympathies and condolences to the victims of those attacks, and to their families;

(2) declares that international terrorism is a scourge which effects, ultimately, all nations, and that all civilized and responsible nations of the world should expand their efforts to combat this scourge;

(3) urges close international cooperation in the swift prosecution and punishment of those responsible for these crimes; and

(4) urges the President to take the following actions—

(A) place the subject of terrorism and the urgent need for international cooperation, including cooperation between the United States and the Soviet Union, in combatting this scourge on the agenda of any future United States-Soviet summit meeting;

(B) make increased antiterrorism cooperation a high priority subject at every appropriate opportunity he has with the leaders of the allies and friends of the United States;

(C) Redouble efforts to establish an international antiterrorism committee as called for in recently enacted legislation (Public Law 99-399) so that civilized countries may better cooperate in responding to these barbarous acts;

(D) Actively utilize existing rewards-for-information authorities to assist in apprehending and bringing to justice all those responsible for these reprehensible crimes;

(E) Consider taking appropriate constitutional measures against the individual responsible for these heinous crimes;

(F) Continue to make the immediate, unconditional and safe release of Frank Herbert Reed and all other Americans held hostage in Lebanon a high priority national goal.

□ 1510

Mr. DOLE. I move to reconsider the vote by which the resolution was agreed to.

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

The motion to lay on the table was agreed to.

THE DEATH OF DONALD R. FORTIER

Mr. DOLE. Mr. President, during the Labor Day recess there was some bad news from the White House. It was the untimely death of a fine young man whom many of my colleagues had the opportunity to know and to respect. Donald R. Fortier, of the National Security Council, passed away after a courageous battle with cancer. Don worked with the Congress on many issues. He was known particularly for his quiet efficiency, good humor and overall brilliance. Don was a loyal and tireless worker for his country and his President, and will remain a role model for all staffers to follow.

Mr. Fortier was appointed deputy assistant to the President for national security affairs in December 1983. Prior to assuming that position, he served successively at the National Security Council as Director of Western European and NATO Affairs, and special assistant to the President for political-military affairs. Mr. Fortier joined the administration in 1981 as Deputy Director for policy planning at the Department of State.

A memorial service for Don will be held today at 11 a.m., at the Chevy Chase Presbyterian Church.

I know I speak for every Member when I say to his wife, Alison, and his son, Graham: Don will be missed; we will always remember him with fondness and admiration.

GOV. ALF LANDON TURNS NINETY-NINE

Mr. DOLE. Mr. President, today I join my fellow Kansans in wishing one of our greatest Kansans a happy 99th birthday. Today, Alf Landon, the father of our colleague NANCY KASSEBAUM, celebrates another milestone on a long and productive life that continues to be an inspiration to me and countless thousands in our State and throughout America.

He served two terms as Governor of Kansas from 1933 to 1937, and was the Republican nominee for President in 1936.

Governor Landon's political story is well known. He won the Republican nomination in 1936, but ran head-on into a juggernaut named "FDR." However, his influence upon our Republican Party and Government institutions continued. As far as this Senator is concerned, Governor Landon is still a "refreshing voice of common sense" from the heartland of America.

Alf Landon is recognized still as a man who stood fast against Government spending when the revenues did not balance the books. I have no doubt that today he is even questioning who will pay for his birthday cake.

During the Great Depression, while the Federal Government was spending heavily, and piling up huge debts, Governor Landon initiated a "no-frills budget" in Kansas and balanced it. His actions put him ahead of his time, where he remains today.

It was that kind of leadership that not only helped Kansas weather the depression but also endeared Governor Landon and his philosophy to responsible members of both political parties. It is that kind of wisdom and action, frankly, that we could use more of here in Washington.

Next year, I am certain Governor Landon will come to Washington aboard "Air Force One" for his 100th birthday party—taking up an offer made by President Reagan 4 years ago. Perhaps then he would stop by the Capitol, where some of his wisdom could rub off on all of us.

Mr. President, I know the Senate joins Kansas and me in saying "Happy Birthday, Governor" and sending our best wishes to his wonderful wife, Mrs. Theo Landon.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Parlimentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. DOMENICI. What is the Senate's business at this point?

The PRESIDING OFFICER. The pending business is H.R. 5234.

Mr. DOMENICI. Mr. President, I ask unanimous consent that I be permitted to speak for 3 minutes as if in morning business.

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

THE DEATH OF FOUR JEMEZ PUEBLO FIREFIGHTERS

Mr. DOMENICI. Mr. President, New Mexicans have many things of which we are rightfully proud, yet there is nothing we are more proud of then the devotion and selflessness of our people. I grieve, then, to report on the tragic deaths of four brave Jemez Pueblo firefighters while on assignment in Idaho.

These men, Andrew V. Waquie, Benjamin P. Waquie, Allen M. Baca, Jr., and Anthony Pecos, were doing what so many dedicated men and women call a day's work—what most of us would consider a perilous adventure. To our great sorrow, four members of a Jemez Pueblo crew died and five others were hospitalized when their troop carrier over-turned on their way back from the front lines.

These courageous men were killed while in service to their fellowman. Yet, their service is an example of the bravery that has been handed down from generation to generation in their families. Grandfathers, fathers, and sons have shared the fearless dedication of the firefighter tradition at Jemez Pueblo.

The shock from this terrible accident permeates the entire Jemez community, for they are a very tightly knit group. Even though Jemez Pueblo has been sending volunteers to fight fires for more than 80 years, there was no way to be prepared for a loss of such proportions. The Jemez Eagles are well known for their courageous representatives that travel the Western United States helping to control fires and save lives. I believe that these firefighters are among the bravest and best-trained in the country. Their expertise has played a vital role in fighting fires all over the United States as well as in New Mexico.

In the midst of this tragic report, I am glad to be able to relate to my colleagues that the last two of the injured firefighters will be flown home to the Jemez home. I wish them a speedy full recovery and a glad welcome home.

Finally, I invite my colleagues in the Senate, as well as all citizens of the United States, to join me and all New Mexico as we remember these brave men and the courage and fortitude they displayed in the face of constant danger.

□ 1520

Mr. President, I also indicate that one of the deceased was the brother of the current Governor of the Pueblo Indians called the Jemez Indians. We have talked with him. Clearly, this is one of those situations that is shocking to the entire community, not only the Jemez Indians, but all the Indians of New Mexico and, I dare say, the Indians of the United States.

Mr. McCLURE. Mr. President, will the Senator yield?

Mr. DOMENICI. I yield.

Mr. McCLURE. Mr. President, I appreciate the opportunity to add my comments to those of the distinguished senior Senator from New Mexico.

This accident occurred during the recess, while I was home. As a matter of fact, I had been visiting the Boise Interagency Fire Center a few days before this accident, and they were expressing their own pride and their joy in being able to conduct these operations with no injuries, no serious injuries, and certainly no fatalities.

Then, just a few days later, at the Garden Valley fire on Anderson Creek, a portion of a temporary access road, which had been widened to make it possible to get to the fire and out again, failed when this truck was passing. As a result, the truck turned over, and their safety record was tarnished by these unfortunate deaths.

I can attest to the fact that this group of firefighters to whom the Senator refers, from the Pueblo in New Mexico, had enjoyed the reputation, and still do, of being among the best firefighting cadres in the United States. There is a westernwide mobilization for firefighting efforts from Alaska to California, from Maine to California, and there is no group that has a better reputation for skill and professionalism than this group. It is perhaps doubly unfortunate that such a professional group, such a highly trained and competent group, should be the one to suffer this kind of accident.

I assure the Senator from New Mexico that the people of Idaho are very grateful for the effort that was expended in keeping the damage in that forest fire in at least some measure of control at the time these men were there.

Mr. DOMENICI. I thank the senior Senator from Idaho.

It is a coincidence that the Senator from Idaho is on the floor at this time, managing a bill. When I send the Governor a copy of the transcript of this record, I will include Senator McCLURE's remarks.

I am sure they will be pleased to know that the State of Idaho, through you, is fully aware not only of the marvelous efforts of these men, but also, that you extend the sympathies of your State to their families and to the members of the Jemez Indian Pueblo tribe in New Mexico.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS, FISCAL YEAR 1987

The Senate continued with the consideration of H.R. 5234.

Mr. McCLURE. Mr. President, it is my understanding that the pending business is the House bill referred to earlier and the remaining committee amendment thereto.

The PRESIDING OFFICER. The Senator is correct.

Mr. McCLURE. That committee amendment deals with the imposition of fees for the entrance to the national park system, and it was excluded from the unanimous-consent agreement earlier today because of the interest of Senator BRADLEY and perhaps Senator DURENBERGER with reference to that subject matter.

I am happy to yield at this time to the Senator from New Jersey.

Mr. BRADLEY. Mr. President, this amendment came up first a few months ago in the supplemental appropriations bill. At that time, the rationale was given that we needed to increase entrance fees to certain national parks in order to take care of the summer rush. I objected to the amendment being considered at that time because I felt that we needed to have a more thorough evaluation of the need for the entrance fee and how the moneys would be used.

Subsequent to my objection, I had a lengthy meeting with Secretary Hodel and found that on a number of points on which I was concerned, there was a meeting of the minds.

The amendment that is now offered by the distinguished Senator from Idaho, it is my understanding, embodies much of the discussion I had with Secretary Hodel. I should like to ask the Senator specifically a few questions, just to confirm my understanding of the amendment and the intent of the author of the amendment and how it will be interpreted.

The first question I pose to the distinguished chairman is this: Will these entrance fees apply to multiaccess parks or to urban parks?

Mr. McCLURE. Mr. President, it is our intention or expectation that they would apply to multiaccess parks and urban parks of that nature.

The administration had earlier proposed legislation dealing with increases in park entrance fees. In connection with that legislation, we filed with the authorizing committee an application of key development criteria as appendix B to their testimony, and they included with that a list of park units that would be exempted or excluded from entrance fee lists and the reason for that exemption. I make reference to that because it indicates that it would not be their expectation that entrance fees would be attached to such units.

I ask unanimous consent to have that material printed in the RECORD.

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

APPENDIX B

APPLICATION OF THE FEE DEVELOPMENT CRITERIA

The entry fee criteria are based upon the six legislative criteria stated in the Land and Water Conservation Fund, Public Law 88-578. And also articulated in the GAO Report To The Congress entitled "Increasing Entrance Fees—National Park Service". These criteria and their accompanying point-scoring values as determined by the study team's entrance fee rating model are as follows:

1. The direct and indirect cost to the government criterion is based upon the projected FY86 operations budget for the parks.

POINTS AND DETERMINING FACTORS

3—Annual operational budget in excess of $1 million.

2—Annual operational budget between $.5 and $1 million.

1—Annual operational budget less than $.5 million.

Based on fiscal year 1986 budget figures.

2. The visitor benefits criterion is based upon two marketing principles:

a. Depth of experience provided: (1) A single focus park indicates that the park has one major theme or activity use, and is typically used by the visitor for a half day or less. (2) A multi-focus park indicates that the park has a variety of different activities available to the visitor. Visitors typically spend the entire day involved in either a variety of activities or a single type of activity that is so broad or far-reaching in scope that it takes a full day or more to experience.

1—Primarily a single focus park.

2—Multi focus park.

b. Cost per visit is the cost to the government to provide the service on a per-person basis.

POINTS AND DETERMINING FACTORS

−1—Cost per visit less than $2.

0—Cost per visit between $2 and $5.

0—Cost per visit not known.

1—Cost per visit between $5 and $10.

2—Cost per visit over $10.

Based on fiscal year 1986 and fiscal year 1984 visitation figures.

3. The comparable fees charged by nonfederal public agencies criterion is based upon the projected cost of what a vehicle with 3.2 persons (standard number of visitors per vehicle) would expend for a similar experience in the surrounding/representative geographic area. This criterion is similar to the current requirements used in determining campground and park housing fees. For historic sites and recreational areas, in most cases, comparable costs are quite easily derived from surrounding similar state and private sites. For natural areas, the uniqueness of the site was the determining factor in the context of the geographical area. For those areas which have been recognized on an international basis—such as World Heritage Sites and Biosphere Reserves, and areas whose uniqueness draws large numbers of international visitors—the geographical area was determined to be the world. For these parks, comparable costs were determined from commensurate costs for similar experiences on a worldwide basis. Areas of lesser significance were rated accordingly:

POINTS AND DETERMINING FACTORS

−2—Comparables less than $2.

0—Comparables between $2 and $5.

0—No comparability possible.

1—Comparables between $5 and $10.

2—Comparables over $10.

4. The public policy or interest served criterion was the most subjective, philosophically complex, and politically sensitive of all the criteria. It should be, and was applied with the widest possible input of various public officials. In the 103 current or proposed entrance fee parks, this criterion was deemed non-appropriate to use. Examples of where highest level management may wish to exercise this criterion are:

a. Negative points: Symbolically sensitive areas such as: The Statue of Liberty; the White House; and, the Lincoln Memorial.

b. Negative points: Urban recreation areas located in and heavily utilized by very low income visitors.

c. Positive points: Areas where the low cost of operation and high use rate results in a total score, and resultant per visit cost which is less than that currently being charged.

d. Positive points: An area where projected revenue would be five or six times the cost to the government to operate the park.

POINTS AND DETERMINING FACTORS

0 to −7—Based upon estalished norms for the relationship of the park to its place in the National cultural and natural heritage of the Nation.

5. The other pertinent factors criterion is another criterion that should be, and was, used in only extremely unique situations. As opposed to the issues of national policy (criterion 4), this criterion is to be used to offset a total score that has been obviously distorted because of very unusual circumstances. Two examples would be:

a. A park where visitation was extremely low (resulting in a high cost per visit ratio) because of being closed for an extended period due to hurricane or fire damage.

b. A new park unit whose operational budget is high and visitation is low because of the costs of extra staff for land acquisition or historical research.

POINTS AND DETERMINING FACTORS

+2 to −2—Extremely unique situations administratively determined to effectively render the overall criteria as invalid and in need of adjustment.

6. The economic and administrative feasibility of fee collection criterion was utilized in a very straight-forward manner: Either it is feasible to collect entrance fees or it is not. Although the criterion is straightforward, its application may not be. Part of the reason for this confusion is that its application in many cases is based upon the traditional concept that entrance fees can only be collected at an entrance gate. This study categorically rejects this motion. There are literally hundreds of examples of non-federal areas where it is common practice to charge entrance fees and to require patrons to come to a visitor center or other central location to purchase their entrance tickets. Some of these examples are ski areas, several Canadian parks, and numerous historic sites. Other non-entrance fee examples which follow this same philosophy are out-of-state daily fishing permits, our own backcountry camping permits, and lock-box parking areas.

POINTS AND DETERMINING FACTORS

x1—Fee collection economically and administratively feasible.

x0—Fee collection not economically or administratively feasible.

The sub-total of the first five criteria are multiplied by 1 if fee collection is feasible or by 0 if fee collection is not feasible.

EXAMPLES

Park	Criteria 1	Criteria 2	Criteria 3	Criteria 4	Criteria 5	Sub total	Crtr. 6	Total score	Park fee [1]
Yellowstone NP	3	2							
		1	2	0	0	8	×1	8	$10.00
Shenandoah NP	3	2							
		0	1	0	0	6	×1	6	5.00
Colonial NHP	3	1−1	1	0	0	4	×1	4	3.00

[1] Per vehicle.

POINT CONVERSION CHART

Final score for park	Category
Less than 2 points	Non fee area.
2 for 3 points	Standard fee area.
4, 5, or 6 points	Intermediate fee area.
7 or more points	Prime fee area.

A SAMPLE OF PARK ENTRANCE FEE COLLECTION PERCENTAGES AS RELATED TO PARK VISITATION

[Per vehicle parks] [1]

Park	Visitation	Numbers of vehicles	Vehicles [2] collected from	Fee level	Entrance fee revenue	Percentage of collection
Craters/Moon NM	220,800	69,000	13,614	$1.00	$13,614	19
Craters Lake NP	419,800	131,187	71,375	2.00	142,751	54
Bandlier NM	215,500	67,343	30,840	1.00	30,840	45
Fort Davis NHS	69,000	21,562	10,414	1.00	10,414	48
Everglades NP	628,700	196,478	82,766	2.00	165,533	42

A SAMPLE OF PARK ENTRANCE FEE COLLECTION PERCENTAGES AS RELATED TO PARK VISITATION—Continued

[Per vehicle parks] [1]

Park	Visitation	Numbers of vehicles	Vehicles [2] collected from	Fee level	Entrance fee revenue	Percentage of collection
Badlands NP	1,113,700	348,031	111,752	1.00	111,752	32
Yellowstone NP	2,222,000	694,375	289,325	2.00	578,651	41
Shenandoah NP	1,869,300	584,156	334,232	2.00	668,465	57
Yosemite NP	2,738,500	855,781	511,491	3.00	1,534,475	59
Petrified Forest NP	714,800	223,375	122,328	1.00	122,328	55
Total		3,191,288	1,578,137			[3] 49

[1] This chart is a sampling of the revenue collect by per-vehicle entrance fee parks in fiscal year 1984.
[2] To derive the "Vehicles Collected From" figures, it was assumed that: visitation would drop by 20 percent; that a car contains 3.2 persons; and that only 50 percent of all cars are collected from.
[3] Average.

A SAMPLE OF PARK ENTRANCE FEE COLLECTION PERCENTAGES AS RELATED TO PARK VISITATION

[Per person parks] [1]

Park	Visitation	Persons [2] collected from	Fee level	Fee revenue	Percentage of collection
Castillo de SM NHS	692,500	431,886	$0.50	$215,943	62
Pipe Springs NM	28,000	10,272	.50	5,136	37
Edison NHS	40,800	16,698	.50	8,344	41
Adams NHS	23,900	10,574	.50	5,287	44
Sagamore Hill NHS	120,800	48,900	.50	24,450	40
Saint Gaudens NHS	27,100	6,414	.50	3,207	24
Andrew Johnson NHS	84,900	7,000	.50	3,500	8
Thed Roos. BTH NHS	16,400	7,678	.50	3,839	47
Longfellow NHS	15,900	10,168	.50	5,084	64
Statue of Liberty NM	637,200	186,700	.25	46,675	29
Total	1,687,500	736,280			[3] 44

[1] This chart is a sampling of the revenue collect by per-vehicle entrance fee parks in fiscal year 1984.
[2] The same calculation describe on the previous page was performed here. The total was multiplied by 2 as it was assumed that there would be two paying adults in an average car load.
[3] Average.

NPS AREAS EXCLUDED FROM ENTRANCE FEE LIST—BY REASON

EXEMPT BY LAW—42 PARKS

1—Abraham Lincoln Birthplace NHS.
2—All Alaska Areas (23 parks).
25—American Memorial Park.
26—Baltimore-Washington Parkway.
27—Biscayne National Park.
28—Blue Ridge Parkway.
29—Boston African American NHS.
30—Channel Islands NP.
31—Ft. Jefferson NM.
32—Fort Point NHP.
33—George Washington Memorial Pkway.
34—Great Smoky Mountains NP.
35—John D. Rockefeller Parkway.
36—Martin Luther King NHS.
37—Mount Rushmore NMEM.
38—Muir Woods NM.
39—Natchez Trace Parkway.
40—Point Reyes NS.
41—Virgin Islands National Park.
42—War in the Pacific NHP.

UNCONTROLLABLE OR MULTIPLE ACCESS—8 AREAS

1—C & O Canal NHP.
2—Fire Island NS.
3—General Grant NMEM.
4—LBJ Memorial Grove OTP NMEM.
5—National Capital Parks.
6—Redwood NP.
7—Rock Creek Park.
8—Thomas Jefferson Memorial.

AREAS ESTABLISHED FOR URBAN RECREATION—10 AREAS

1—Chamizal NMEM.
2—Chattahoochee River NRA.
3—Chickasaw NRA.
4—Cuyahoga Valley NRA.
5—Gateway NRA.
6—Golden Gate NRA.
7—Greenbelt Park.
8—Indiana Dunes NL.
9—Prince William Forest Park.
10—Santa Monica Mountains NRA.

MORE APPROPRIATE FOR USER FEE—28 AREAS

1—Amistad NRA.
2—Big South Fork N River.
3—Bighorn Canyon NRA.
4—Buffalo NR.
5—Carlsbad Caverns NP.
6—Congaree Swamp NM.
7—Coulee Dam NRA.
8—Curecanti NRA.
9—Delaware Water Gap NRA.
10—Glen Canyon NRA.
11—Jean Lafitte NHP & PRES.
12—Jewel Cave NM.
13—Lake Mead NRA.
14—Lake Meredith NRA.
15—Lehman Caves NM.
16—Mammoth Cave NP.
17—New River Gorge NR.
18—North Cascades NP.
19—Obed Wild and Scenic River.
20—Oregon Caves NM.
21—Ozark NR.
22—Rio Grande NR.
23—Saint Croix NR.
24—San Antonio Missions NHP.
25—Timpanagos Cave NM.
26—Upper Delaware River.
27—Voyageurs NP.
28—Whiskeytown NRA.

LOW VISITATION-LITTLE OR NO DEVELOPMENT—18 AREAS

1—Alibates Flint Quarry NM.
2—Big Cypress NPRES.
3—Big Thicket NPRES.
4—Brices Crossroads NB.
5—Eugene O'Neil NHS.
6—Fort Union Trading Post NHS.
7—Fossil Butte NM.
8—Hovenweep NM.
9—Klondike Gold Rush (Washington).
10—Knive River Indian Village NHS.
11—Maggie L. Walker NHS.
12—Monocacy NB.
13—Ninety-Six NHS.
14—Rainbow Bridge NM.
15—Saint Crois Island NM.
16—Tupelo NB.
17—William Howard Taft NHS.
18—Yucca House NHS.

OTHER (COMPARABILITY, SPECIAL USE, ETC.)—25 PARKS

1—Catoctin Mountain Park.
2—Ellis Island NM.
3—Federal Hall NMEM.
4—Fort Sumter NM.
5—Frederick Douglass Home NHS.
6—Gila Cliff Dwellings NM.
7—Gloria Dei Church NHS.
8—Hamilton Grange NMEM.
9—Historic Camden.
10—Hohokam-Pima NM.
11—Hot Springs NP.
12—Hubbell Trading Post NHS.
13—JFK Center of the Pref. Arts.
14—Johnstown Flood NMEM.
15—Kalaupapa NHS.
16—Kaloko-Honokohau NHP.
17—Navajo NM
18—Oregon NHT.
19—Palo Alto Battlefield.
20—Piscataway Park.
21—Pu'Ukohola Heiau NHS.
22—Thaddeus Kosciuszko NMEM.
23—Theodore Roosevelt Island NMEM.
24—Thomas Stone NHS.
25—Vietnam Veterans Memorial NMEM.
26—White House and President's Park.
27—Wolf Trap Farm Park.
Total excluded 133 areas.

Mr. BRADLEY. It is my understanding that included in those units are Gateway Recreation Area and Delaware Water Gap.

Mr. McCLURE. The Senator is correct.

Mr. BRADLEY. The second question I pose is whether the revenue from the entrance fees is in addition to the appropriated baseline level.

Mr. McCLURE. The Senator is correct.

While the appropriated account is down slightly this year because of budgetary pressure, it is the expecta-

tion of the committee that the fees are in addition to the appropriated accounts and that the increased revenue will be used for the management of these park units. In addition, this is funded by direct appropriation.

Mr. BRADLEY. So that is a slightly different interpretation from that which has been offered by OMB?

□ 1530

Mr. McCLURE. If the Senator will yield, OMB in spread sheets will indicate a decrease in the appropriation as a result of the increase in fees collected. That is not the committee's approach because the committee intends that these fee collections after the costs of administration are deducted are additionally available. They are available in addition to that which is appropriated.

Mr. BRADLEY. One last question. As I understand the entrance fee revenues, they are to be used to argument the services in the park in which the revenues themselves are obtained. However, not all of the entrance fee revenues will be used in the individual park in which they are collected. My concern here is obviously that there are some parks in my own State of New Jersey—for example, Thomas Edison's Home Laboratory is visited by thousands and thousands of students and as to that fee, while it is only 50 cents, most of the people who come there do not pay any fee. I would like to think that some of the revenue that will be derived from the entrance fee will go into the general Park Service account, recognizing that not all of it will, but some of it will.

Mr. McCLURE. If the Senator will yield, it is correct to say that not all of the money generated goes back to the specific park unit in which it is generated. The direction in the language in the bill before us is that the costs of collection are first paid. Then it is applied to the park in which it is collected and the remainder then goes systemwide for those purposes. It does not go into the Park Service funds in the general account, but it does go systemwide so those revenues where they are in excess of the specific park unit would be available for the same kind of services in other park units.

Mr. BRADLEY. It is the understanding from the Senator that there will be excesses from some parks.

Mr. McCLURE. Yes, it is expected that some parks will generate revenues in excess of their needs and it will then be used by the Park Service in other units of the national park system.

Mr. BRADLEY. I thank the Senator, and it is good news for the school students who visit the Thomas Edison Laboratories.

Mr. JOHNSTON. Mr. President, will the Senator yield?

Mr. McCLURE. I am happy to yield to the Senator from Louisiana.

Mr. JOHNSTON. Mr. President, I would simply like to point out to underline what we said earlier this morning about how bad the condition of this budget is, that even after we add some $50 million which is $59 million plus the cost of collecting the fees, that the operations budget of the National Park Service is down from fiscal year 1986 of $610 million to $579 million this year with the fees added. So in effect what we have done is add $50 million of fees and end up with 29 million or 31 million fewer dollars than we had last year. That is not the design of the committee. That is the design of the administration and indeed of the Appropriations Committee in assigning us the 302(b) allocations.

So, I mean it is not anything we are doing in the committee. We need more money for this budget. Indeed, if we do not get additional 302(b) allocation, we are going to do worse things than this to the national parks. We may even have to close some of the national parks literally because we are having to cut so deeply.

Nevertheless, I think it is proper to say that the Park Service, after these fees, is going to have less money than it did last year.

Mr. BRADLEY. If the Senator will yield on that point, this would be further evidence to this fear that indeed without some change in policy there could be closures in some national parks. In Gateway National Recreation Area, which the distinguished chairman and ranking minority member knows is one of the most frequently visited parks in the country, it is in New Jersey and in New York, several times this year had to turn away thousands and thousands of visitors because there was inadequate space, inadequate parking areas.

I would have to say that it would be my hope that the facilities that are needed to accommodate the visitors who want to attend in growing numbers in northeastern part of the United States would be able to be accommodated through recognition that we are part of the Park Service as well.

I know the chairman and the ranking minority member both have the sensitivity, and I thank them very much for their consideration.

Mr. JOHNSTON. Mr. President, will the Senator yield to me to make a correction?

Mr. McCLURE. Yes; I am happy to yield to the Senator from Louisiana.

Mr. JOHNSTON. Mr. President, the figures I just gave of $610 million being the BA enacted figures for fiscal year 1986 are correct and the figure of $579 million being the fiscal year 1987 Senate figures are correct. However, the $579 million is after the $50 million has been backed out. So if you add the $50 million back, in, you will get $629 million, which would be some $19 million more than last year.

So I would like to correct the RECORD to that extent, Mr. President.

It is still very bad news, but it is not as bad as we thought.

Mr. McCLURE. The Senator is correct. The only offset of that statement is it is a net increase; there may be some increased cost of fee collection. That is pretty hard to estimate because if all that is done is an increase in the amount of the fee, it does not necessarily increase the cost of collection of that fee.

So my guess would be that it is nearly all net and therefore the Senator's figures are correct.

Mr. BRADLEY. Mr. President, I would say to the distinguished chairman and ranking minority member under these circumstances I have no objection to the amendment and I appreciate the clarification.

The PRESIDING OFFICER. The question is on the committee amendment.

Mr. McCLURE. Mr. President, there may be an amendment offered to the committee amendment. I am not certain. For that reason I ask unanimous consent that the pending amendment be temporarily laid aside so the Senator from Wisconsin may offer his amendment.

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

The Senator from Wisconsin.

AMENDMENT NO. 2777

Mr. PROXMIRE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

The Senator from Wisconsin [Mr. PROXMIRE] for himself and Mr. HUMPHREY proposes an amendment numbered 2777.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 50 line 22, delete "$276,130,000," and insert in lieu thereof; "$186,130,000," on page 50, line 25, delete "$260,654,000," and insert in lieu thereof; "$170,654,000."

Mr. PROXMIRE. Mr. President, this is an amendment to the Interior appropriation bill that cuts $90 million from the Forest Service roadbuilding program. The reduction comes from two sources.

First, this amendment deletes $66.7 million of the $75 million provided for forest roads above the President's fiscal year 1987 budget. The balance of these funds, which we would not delete that will stay in the bill, goes for specific work at Mount St. Helen's,

Monongalia, WV, and Hells Canyon, which would not be cut.

Second, the amendment cuts a further $23.3 million in forest roads below the President's budget level and represents about one-half the cut made by the House in its bill. Together, these cuts total $90 million and while it is a reduction it is still $22 million above the House level.

Why cut this account now? The answer is simple. This program is way, way over the President's level and so is the entire Interior bill. We've got to make cuts, and big ones, to bring this bill into line. While the Interior bill is notably stingy with parklands, wildlife preservation and other environmentally desirable items, it is positively overflowing with generosity toward the forest roads program even though many timber sales are big losers and timber market is soft.

Forest roads represent a very large percentage of the entire Forest Service budget. Each year the agency spends hundreds of millions of dollars to build new logging roads through the national forests, adding to and reconstructing its expansive and expensive system which already totals over 340,000 miles. I repeat that—340,000 miles of forest roads we have now. What does that mean? That is 14 times the circumference of the Earth. In fact, during the last 5 fiscal years the agency built 2,654 more miles of appropriated roads than its own projections said were necessary to support its timber harvesting program.

For example, in 1981 the Forest Service exceeded its road building target by 96 percent; in 1982 by 65 percent; in 1983 by 23 percent. It went down, and then wait. In 1984 it exceeded its goal by 40 percent.

As if this were not enough, in the next 10 years the agency would like to build about 40,000 more new miles of permanent roads, about the same mileage as in the entire Interstate Highway System.

I wonder how many people realize that? They are proposing to build over the next 10 years and, of course, this appropriation is part of it, about the same amount of miles as the entire Interstate Highway System.

□ 1540

Even worse, road building is cumulative. As the Forest Service continues exceeding its own road projections, each year it widens the gap between planned and excess roads.

Could this program be cut? You bet. According to House figures, even their considerably larger cut, properly targeted need not have a big impact on employment in the forest products industry. They suggest specific cuts in planning and management, preconstruction engineering, construction and reconstruction, all but one of which actually received increases from the administration for fiscal year 1987 over their originally proposed fiscal year 1986 levels.

Keep that in mind, an increase, an increase now. This is supposed to be a time when we are holding the spending down, reducing the spending. We are trying to reduce the spending without a tax increase. There is only one way you can do that, and that is to cut spending.

As I say, in most of these areas, spending would be increased, not cut, would be increased over the 1986 levels.

The forest roads program financed through direct appropriations is just one of a series of programs building roads which increase industry access to timber. This is not the only way we have access to timber. This is just one of several. According to the Congressional Research Service the Forest Service could reduce the impacts on timber sales and forest products employment by resorting to these other programs.

The Congressional Research Service suggests three options which might be used to reduce employment effects. The agency could concentrate its efforts on purchaser credit construction, where roads are built by the timber industry at their own expense, and paid for in kind by national forest timber. The agency could concentrate on reselling roaded timber from contracts bought back by the Forest Service under the Timber Buyout Act. Finally, the agency could concentrate its new sales on already roaded areas.

While these are all short-term solutions, they detail alternatives which could mitigate employment losses due to road construction cutbacks. Yet the Forest Service declines to follow this sensible path, choosing instead to make cuts in support for purchaser credit roads instead of in their own forest roads program. What is worse, purchaser roads are usually much cheaper for the U.S. Government than Forest Service efforts.

Now, Mr. President, the reason this is opposed by virtually every environmental group in the country that has taken any position at all is because roadbuilding is also environmentally damaging. According to the Congressional Research Service, road construction is the most environmentally damaging aspect of the timber program. In general, roads and road construction cause more erosion and sedimentation than logging or forest fires.

Roads can destroy fish and wildlife habitat, disturb migration routes and degrade water quality while yielding little of the multiple-use benefits claimed by the Forest Service. For example, while 94 percent of roads are constructed for timber access just 1 percent are for recreation purposes according to the agency's own explanatory budget notes.

Mr. President, for this reason my amendment is supported by 10 major environmental groups. Consider who they are: The Defenders of Wildlife, the Environmental Policy Institute, the National Audubon Society, the National Wildlife Federation, the Sierra Club, the Environmental Defense Fund, the Izaak Walton League, the National Parks and Conservation Association, the National Resources Defense Council, and the Wilderness Society.

Finally, Mr. President, the timber sales served by these roads are often big, big, money losers for the taxpayers. A substantial volume of U.S. timber is sold below cost without recovering the expenses of growing and providing access to the trees offered for sale. The Office of Management and Budget reported in its 1987 budget summary that "Forest Service costs for timber and mineral activities exceeded the Federal share of receipts by $621 million in 1985." In other words, the cost of this program is far more than the income. To anybody who says this is a program that brings in money, the answer, of course, is given by the Office of Management and Budget when they said it cost $621 million more. According to the OMB, almost all of the loss was attributable to logging activities.

Does it make sense for the Congress to lavish excessive sums on forest roads which provide access to money-losing sales? Our largess may be driving us deeper and deeper into the hole.

Mr. President, earlier today, my good friend, that outstanding Senator from Louisiana, Senator JOHNSTON, states that without the credit for sale of the Elk Hills Naval Petroleum Reserve this bill would be over budget. Yet the distinguished Senator also stated that the Elk Hills provision would not survive conference. In other words, without budgetary flim-flam, this bill is over the 302(b) allocation and needs cutting. Where better than in an account so munificent, so grand, so over-stuffed that the Forest Service used it to build 2,500 more roads than they said they needed.

According to the committee report by the House Interior Subcommittee, "The Forest Service continues to exceed its planned and funded goals for road construction and reconstruction, despite funding reductions, as it has in each of the past 5 years." If the Forest Service does so well with what we give them, let us give them less. They will make do and handsomely.

Imagine if the Department of Defense ordered twice as many tanks each year as it said it needed. Pretty soon we would be overrun with tanks. I hope someone would notice this overabundance, scale back tank production and save some money. Roads do not disappear each year. They accumulate.

And we have more roads than projected need. So let us scale back this program the same way, save money, and use the roads we have.

After all, my amendment will not affect the amount budgeted under the Forest Road Program in support of the Purchaser Construction Program nor will it affect the fiscal year 1987 Timber Sales Program. It will also allow such ongoing activities as management of existing contracts, forest land planning, provision of rights-of-way, and reconstruction of multipurpose and recreation roads to continue at the budgeted level.

And roadbuilding cuts should not fall unequally on some areas of the country! In past years, the Forest Service used scare tactics to discourage cuts in its roadbuilding budget. Instead of applying cuts across the board, or in areas without road needs, the Forest Service has continually presented a "worst case" scenario claiming irreparable harm from roadbuilding decreases in areas such as the Pacific Northwest, our most profitable timber region. It is highly ironic that the Forest Service can make precise and catastrophic predictions of impacts of budget decreases while steadfastly maintaining that it cannot provide U.S. Senators with a list of the roads it hopes to construct with its hundreds of millions of taxpayer dollars.

That is right, Mr. President, any Member of the Senate could ask the Chief of the Forest Service where his agency will build the 808 miles of new hard-money roads that the President's budget says are necessary to support the Timber Program. The answer would be that: "No such list exists." Or, sorry, that information is "not available."

For 2 years, Mr. President, Representative, SIDNEY YATES, chairman of the House Interior Appropriations Subcommittee, has made that simple request: "Where are you going to build the roads?" And, the answer, Mr. President, is always: "We can't tell you."

Come on, Mr. President, how can the Forest Service determine the number of miles of roads it needs without knowing where the roads are and how much timber the roads access? But the Forest Service, incredibly, maintains that such information does not exist. Under thse circumstances, it is imperative that we view any Forest Service claims of drastic effects in regional timber production stemming from road money reductions with great skepticism. If we can't know what we are buying, how can we know the effect of buying less? The answer is simply, Mr. President, the Forest Service numbers are soft—the agency can simply make up any horror story it deems necessary and there is no standard to judge its claims. The difficulty is complicated by the fact that the agency is very willing to engage in such tactics.

Road construction cutbacks will not have an adverse regional impact. In fact, indications are that excess road construction during the "Age of Excess"—1981 to 1985—occurred throughout the National Forest System. That is, more roads were constructed or reconstructed in excess of planned and funded goals in all regions.

This is right, Mr. President, every region enjoyed part of the surplus in road construction. So, Forest Service claims of undue burdens on any region are gross exaggerations. We designed this amendment to distribute the spending reductions proportionately. We do not intend to single out any region and our amendment will not do so. Rather, we intend to be fair. Our amendment protects the purchaser credit road portion of the Forest Road Program, sparing its productive and more cost-effective elements.

Mr. President, I cannot overstate the importance of one aspect of the Forest Road Program. Just as roads accumulate every year, the transformation of the landscape of our national forests is a cumulative process. Development dominates more and more areas through road construction paid for with taxpayer dollars. Meanwhile, the Forest Service cuts back wildlife programs and closes campgrounds, and the silent shift in personnel within the agency begins to favor still more road construction and less conservation. Over the years, the Forest Service lost more and more wildlife biologists and recreation specialists, but it maintained high personnel levels of engineers and foresters. Mr. President, this cumulative impact has changed the makeup of the Forest Service and contributed materially to its devotion to roadbuilding.

Mr. President, the choice is clear. I hope the Senate will support the Proxmire-Humphrey amendment and fight Government waste, protect the environment, and restore honest budgeting.

I ask unanimous consent that the distinguished Senator from New Hampshire, Senator HUMPHREY, be added as a cosponsor.

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

Mr. PROXMIRE. Mr. President, while I see the distinguished Senator from Florida on the floor I would like to call his attention to editorials with which he may be familiar in two distinguished Florida papers. One is by the St. Petersburg Times of August 2, and let me read it. The headline of the editorial in the St. Petersburg Times is "Freeloading in the Federal Forests."

During the past five and a half years, the Reagan administration has spent more than a billion dollars on a road-building binge in our pristine national forests—so that private companies can haul out the timber at cut-rate costs. It's a bargain for the lumber industry, an assault on the environment and a ripoff of U.S. taxpayers.

Now the Tampa Tribune, May 7, of last year. The title of the editorial is "Roads and Green Mansions." And the first sentence reads:

Congress can do taxpayers and the environment a favor by putting a stop sign in front of the U.S. Forest Service's road builders.

I ask unanimous consent that these two editorials be printed in the RECORD.

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

[From the St. Petersburg Times, Aug. 2, 1986]

FREELOADING IN THE FEDERAL FORESTS

During the past five and a half years, the Reagan administration has spent more than a billion dollars on a road-building binge in our pristine national forests—so that private companies can haul out the timber at cut-rate costs. It's a bargain for the lumber industry, an assault on the environment and a ripoff of U.S. taxpayers.

The network of logging roads in the national forests already totals 342,000 miles—eight times more than the entire Interstate Highway System. But that has not deterred the administration's program of turning over the public resources on federal lands to private industry's exploitation.

The taxpayers' burden—indeed, subsidy to the timber industry—is that the Forest Service spends more to grow trees and sell them than it gets back in timber receipts. Mr. Reagan's Office of Management and Budget estimates that the Forest Service's discount timber program lost about $600 million for this fiscal year.

The biggest dollar cost in the timber sales program is building the logging roads. The higher and inestimable cost is that slashing roads through the silent forests causes extensive and avoidable environmental damage—disrupting whole ecosystems, driving out wildlife, causing erosion and degrading water quality.

Yet the Reagan administration's mismanagement of the Forest Service continues with a requested $348 million for forest road construction in fiscal year 1987. All that, despite burgeoning deficits and a Forest Service report to Congress that its roadbuilding is ahead of schedule and no new primary access roads will be needed in fiscal 1987.

The Congress' recent budget resolution calls for cuts in the forest roads budget during the next three fiscal years and aims for a $240 million deficit reduction.

On Tuesday, the Senate Appropriations subcommittee on the Interior Department is scheduled to vote on the appropriations bill which contains funds for the Forest Service. Unnecessary forest roadbuilding ought to get the ax by at least the $67.6 million reduction urged by the Wilderness Society, which is calling for a one-year moratorium on new permanent roads in the national forests.

The cutback would not affect maintenance of existing roads or reduce the timber harvest next year because the roads into areas to be logged already have been built.

We hope the subcommittee will cut the road program and give some better balance

to the Forest Service budget. While asking the huge sum for roads to serve private industry, the Reagan administration seeks only $13.3 million for recreational trail construction and maintenance in the majestic forests. A bare $10.4 million is sought for programs to improve fish and wildlife habitat.

That illustrates the administration's lopsided philosophy—enrich industry, soak the taxpayers, bloat the deficit and sacrifice the forests.

Sen. Lawton Chiles, D-Fla., is a member of the Appropriations Committee. When the Forest Service budget reaches the committee and the Senate floors, Chiles should join other responsible members in voting to cut the roads program, protect the forests and reduce the Reagan deficit.

[From the Tampa Tribune, May 7, 1985]

ROADS AND GREEN MANSIONS

Congress can do taxpayers and the environment a favor by putting up a stop sign in front of the U.S. Forest Service's road builders.

Road construction in the nation's 155 national forests is important. Obviously, trees can't be harvested without roads on which to transport them. But it appears roads are becoming a Forest Service obsession. In the past 10 years, the agency has built 91,000 miles of thoroughfares. By comparison, during that same period only 41,000 miles of the Interstate Highway System were constructed.

And many of the national forest roads are not economically justified. Frequently it cost the service more to build roads and oversee timber sales than it cost the timber company to conduct its operations. A Wilderness Society study found that the sale of the nation's trees over the past five years has cost taxpayers nearly $2.5 billion. Forest officials contest those figures, but it is obvious that during a period when the housing industry was volatile and timber demand in decline, the Forest Service push for roads was financially unsound.

Yet that has not diminished the agency's zeal. It is requesting a total of $450 million for roads from this year's Congress, almost a quarter of the Forest Service's proposed budget.

Such a request not only brings into question the Forest Service's economics, but also makes its environmental commitment suspect—and the service is charged with overseeing wildlife and recreational concerns, as well as timbering needs.

Conservationists say that thousands of miles of unneeded roads have been built to disqualify undeveloped woodlands from inclusion in the National Wilderness Preservation System, which permanently bans development in virgin forests. The argument gives a compelling explanation for the service's willingness to undertake road construction costs that will not be offset by timber sales.

It also gives a troubling explanation for the Reagan administration insistence that difficulty of access, rather than wealth of flora and fauna, be used as a restriction for areas to be proposed for the wilderness designation, which must be approved by Congress.

Such a strategy begins to make more sense when one recognizes that eliminating a forest's chances for the wilderness system not only benefits timber companies, but also mining interests.

The Forest Service chief, R. Max Peterson, has estimated that in the next 10 years between 35,000 and 45,000 miles of roads will be built in undeveloped national forests.

That's far too many. The Forest Service's responsibility is not solely to serve timber and mining interests, but also taxpayers, who want a fair return for their dollar and who, polls consistently show, have a high regard for conservation measures.

It would be irresponsible to use the wilderness designation as a ruse to prevent all mining and logging operations. But it is equally irresponsible to bulldoze roadways through virgin timber stands so that the merits of the wilderness designation can never be considered.

Congress should give the Forest Service a forceful jolt of public responsibility by cutting road construction funding to the barest minimum.

Mr. PROXMIRE. Mr. President, I would like to read from three other editorials briefly. One is from the Milwaukee Journal of April 16 of last year which is labeled "A Forest is More than Timber" and the last sentence in that says:

So what's the rush? The federal foresters should keep the bulldozers at bay and pay more attention to preserving the unique beauty of one of Wisconsin's born-again treasures. The value of national forests should not be measured in board feet alone.

The Minneapolis Star and Tribune, in an editorial on July 2, said the following:

Congress should refuse appropriations for roadbuilding in areas that now are roadless. It should stipulate that timber-program funds cannot be used for below-cost timber sales unless the Forest Service can justify the sale on other grounds, such as enhancing an area's recreational potential. And it should press the Forest Service to develop data that allow comparison of timber-program receipts and expenditures. In the national forests, sound free-market economics and sound environmental policies coincide. Congress can embrace both by acting to restrain the administration's timber-cutting zeal.

Mr. President, I have another editorial here from the Harrisburg (PA) Patriot. That editorial reads, August 1 of this year:

Roadbuilding is expensive and, in one way or another, the entire cost is borne by the Forest Service. Consequently, the timber-sales program actually costs the government money and is expected to lose $600 million this fiscal year alone. The administration seems oblivious to this rupture of red ink while haranguing Congress for not doing enough to reduce the federal deficit.

I am almost through. But I would like to read briefly from letters from several conservation organizations. The League of Conservation Voters, one of the most respected environmental organizations in this country, said in a letter dated September 9, and I will read it:

Many of the roads constructed by the Forest Service with taxpayer dollars are built in remote, environmentally fragile areas, where the government's costs of accessing and harvesting the trees are not recovered. Depending on how one interprets the Administration's accounting figures, the Forest Service timber program resulted in a net loss to the Federal Treasury of between $250 and $600 million in 1985 alone.

Now, from the National Wildlife Federation. The letter is dated September 9, which is just today. The letter reads as follows:

The National Wildlife Federation believes that it is high time we rein in this expensive, needless, and environmentally destructive program. Our National Forests already contain over 340,000 miles of roads—more than one mile of road for every square mile of forest.

Think of that. More than one mile of road for every square mile of forest.

Given the Forest Service's current surplus of roads, we simply do not need to continue this wasteful program at the level approved by the Senate Appropriations Committee.

And from the Sierra Club, in a letter also dated today:

Above and beyond the overfunding of Forest Service roadbuilding, the Committee bill also contains non-germane legislative language waiving all federal laws which might conflict with old, outdated national forest plans. (Title II, page 50, lines 12-18). This means that in national forests where new plans are not in place, old plans—which predate the National Forest Management Act, NEPA or RARE II—are immune from compliance with those laws or the Clean Water Act, the Endangered Species Act, even recently passed wilderness laws. This language could actually encourage development interests to attempt to delay or block new plans which may be more sensitive to multiple use values than the outdated plans.

The overfunding of the Forest Service roadbuilding program coupled with the federal laws which would mitigate the environmental damage represent a radical departure from even the current development-oriented policies of the Forest Service.

Mr. President, just one more letter which I would like to read from a group of environmental organizations. I will read one paragraph and then give you the organizations.

When this issue is debated on the Senate floor in September, we hope you will support the timber road budget reduction as passed by the House. Doing so will reduce the budget deficit and reduce environmental damage without adversely affecting planned timber activities.

That is signed by the president of the Defenders of Wildlife, the executive director of the Environmental Defense Fund, the president of the Environmental Policy Institute, the executive director of the Izaak Walton League of America, the president of the National Audubon Society, the president of the National Parks and Conservation Association, the executive vice president of the National Wildlife Federation, the executive director of the Natural Resources Defense Council, the executive director of the Sierra Club, and the president of the Wilderness Society.

Mr. President, I see my distinguished colleague, who is also sponsoring that amendment, with me on the floor.

I yield the floor.

Mr. HUMPHREY addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. HUMPHREY. Mr. President, I am a supporter of the amendment by the Senator from Wisconsin as usual on matters of spending, particularly wasteful spending. The Senator from Wisconsin is right on target. I heard over the intercom that he cited figures of some 343,000 miles of roads within our national forests. I would embellish that only pointing out that the length of mileage is sufficient to encircle the Earth some 14 times. We have enough roads in our national forests such that their total length could circle the circumference of the Earth 14 times.

Every now and then you run into an agency that has its thing. The thing in the U.S. Forest Service is building roads. They love building roads. It is their thing. They go far beyond the legitimate needs when they build excessive lengths of roads through the national forests.

Mr. President, it constitutes a subsidy of the lumber industry. The Senator from Wisconsin has correctly cited, and it is further well known that these lumbering operations are a net loss to the taxpayer.

□ 1600

Therefore, they constitute a subsidy of the lumbering industry, and that is wrong.

It is wrong to build more roads than we need in the sense that it damages the environment unnecessarily.

It is wrong to waste the money of the taxpayers, particularly at a time when there is such a dire need for us to cut spending.

Mr. President, the amendment offered by the Senator from Wisconsin comprise a reasonable compromise between the environmental quality, fiscal responsibility and legitimate needs of forest users. Therefore, Mr. President, I encourage my colleagues to support this very wise and prudent amendment.

Mr. PROXMIRE. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER (Mr. McCONNELL). Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER The Senator from Idaho.

Mr. McCLURE. Mr. President, I rise in very strong opposition to the pending amendment. I will try to summarize the arguments without going into detail because it is a complex issue which demands an understanding that the proponents of the amendment have not arrived at with respect to the tradeoffs and balances in public land management.

Some of the statements that have been made are partially true. Some of the statements are correct. And some of the statements are, frankly, incorrect, both in technical detail and in substance.

I think some points need to be made in rebuttal of the arguments that have been presented in support of the amendment. That is that the Forest Service is overbuilding.

The Forest Service actual road construction levels as compared to their plan after the enactment of appropriations bills does not show the matter that has been suggested here in the debate on the floor.

As a matter of fact, if you look at the planned or actual construction of forest roads as compared to the total of roads constructed, you will see a consistency of pattern of road construction.

The Department has been asked to make an analysis of the charge that the Forest Service is on a roadbuilding binge. They have been asked to respond to the rather broad and general statement that somehow these roads were costing the taxpayers rather than yielding revenues to the taxpayers.

Just in rather general terms, let me say to my friends and sponsors of this amendment that they say this is wasteful of money to spend on road construction. But road construction yields timber harvest and timber harvest yields revenue, and the net on balance is positive to the taxpayers and the budget.

If this amendment is adopted and we maintain a stable management policy over several years at the reduced levels of sales preparation, engineering appropriated roadbuilding and purchaser creditbuilding, preparation of sales of timber harvest from national forestlands, and we spread that into a program that does not distort it 1 year but has an even flow of timber from those lands over the next several years, this would actually cost the Treasury money because the $90 million would translate into outlays next year of $50 million, which would generate revenues of $85 million next year.

So if you adopt this amendment, on balance you lose $35 million.

I can detail exactly why that is so. I indicated it is a relatively technical question, and I do not want to get into too much of that because you have to understand that forest highway construction is partly the result of direct appropriations of moneys to build roads and, second, the authorization for the construction of roads to be built by the purchaser of timber. Either way, the total dollar account is the same. It does not determine whether it is an appropriated account up front or whether it is a reduction of revenues or an offset against sales at the end. But the aggregate expense is precisely the same, one way or the other.

It was stated a moment ago, erroneously, that purchaser credit roads cost less than appropriated account roads. That is simply not true unless all you are doing is dividing total roads by total dollars, recognizing that some of the more expensive roads are built by appropriated account because they are multipurpose roads, they are arterial, they are more important ones, they are more integral to the overall system than are purchaser credit roads, though not all of the purchaser credit roads. You might get a little less.

A purchaser credit road is built to precisely the same standards as required for an appropriated account role. They are engineered by the Forest Service in both instances. They are built to the same standards. They are contracted out and they cost the same per mile of equivalent road. There is no difference.

I might respond to the question of whether or not the Forest Service is actually overbuilding, on a binge of roadbuilding. Let me refer to last year's report that responded to the same charge.

I refer to page 69 of last year's report:

According to the House Appropriations Committee survey and investigative staff report of April 1985, a review of miles of new roads constructed in the past 6 years from 1979 to 1984 and to be constructed in the next decade, 1986 to 1995, including the number of miles to be constructed into roadless areas, did not support the allegations made. On the contrary, the data from the 1979-84 period show a rather constant level of new road construction. With the average annual miles of roads constructed for 1979-84, which is 3,981 miles, compared to the average annual number of miles planned for the next decade, 3,960, the difference is a decrease of 21 miles per year. The decrease in mileage does not support the allegations of a roadbuilding binge.

The same observation can be made for the new roads planned for roadless areas in the next decade. About 20 percent of the 3,960 average miles of new roads planned for each of the years in the next decade would be built into these areas. These roads would be built into roadless areas released by the Congress for development or recommended for development but for which Congress failed to enact legislation. Considering the opportunities for public participation and input into Forest Service activities, the public nature of the forest plans and RPA documents and congressional oversight, it is difficult to support the implication that the Forest Service has a secret plan to increase road construction into roadless areas. The total miles of roads constructed and reconstructed by the Forest Service has decreased steadily since 1980. In 1980, a total of 10,485 miles of roads were built or rebuilt. In 1986, the Forest Service plans to build or rebuild 7,682 miles of roads, a decrease of 2,803 miles, or 27 percent less than in 1980.

The budgetary data also do not support the allegation that the Forest Service is on a roadbuilding binge.

□ 1610

Again, that is reporting the House staff results rather than anything of our own.

Second, there was a charge made that somehow these roads were costing far too much, and they looked at a rather broad and general statement. Some of the criticism derives from an OBM account that says in effect that "the Forest Service cost for timber and mineral activities exceeded the Federal share of receipts by $621 million in 1985, and some sales did not cover costs."

Mr. President, we have an analysis of that particular question. I ask unanimous consent that that analysis be placed in the RECORD at this point.

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

AN ANALYSIS OF REVENUES AND COSTS

A great deal of public attention has been focused on the profitability of the Forest Service timber sales program. In 1984, several cash-flow analyses were released which indicated that a significant portion of the timber sales sold by the National Forests cost more to prepare and administer than they returned to the Treasury. Estimated annual losses from these studies for the 1982 timber sales program ranged from $92 to $900 million. While the validity of the processes and conclusions of each study has been questioned, one thing became abundantly clear—there is no agreed-upon method for accounting for the benefits and costs of the timber sales program. To this end, this Subcommittee appropriated $400,000 to the Forest Service in FY 1985 to develop a better timber sales accounting system.

THE ADMINISTRATION IS CONFUSED ABOUT THE COSTS OF THE TIMBER SALES PROGRAM

That a standardized timber sale accounting system is needed can be seen in the President's Budget for FY 1987. Timber sales costs and revenues are discussed in three places: (1) the Forest Service explanatory notes; (2) the Department of Agriculture Budget Summary; and (3) the President's major policy initiatives. There is wide disagreement about timber sale costs and revenues in these three sources.

A. The Forest Service view

The Forest Service's explanatory notes provide the most detailed breakdown of timber sales costs and revenues. Table 1 uses data from the explanatory notes to compare the costs of the timber sales program (page 150), with timber sales receipts.

TABLE 1.—COSTS AND REVENUES OF THE TIMBER SALES PROGRAM: FOREST SERVICE FISCAL YEAR 1987 BUDGET EXPLANATORY NOTES

[In thousands of dollars]

	1985	1986 estimate	1987 budget
Timber sales receipts:			
Timber sales	498,547	802,548	715,700
K–V deposits	186,107	150,000	160,000
Brush disposal deposits	53,734	64,000	64,000
Salvage sales	15,232	25,000	27,000
Co-op deposits	39,878	38,991	42,600
Total, timber sales receipts	793,498	1,080,539	1,009,300
Total receipts	1,024,789	1,321,553	1,284,964

TABLE 1.—COSTS AND REVENUES OF THE TIMBER SALES PROGRAM: FOREST SERVICE FISCAL YEAR 1987 BUDGET EXPLANATORY NOTES—Continued

[In thousands of dollars]

	1985	1986 estimate	1987 budget
Timber sales costs:			
Timber sales program	184,494	174,988	161,634
Timber sales support	53,784	49,224	39,793
Road construction	234,818	184,096	159,251
Brush disposal	41,822	48,026	47,835
Salvage fund	16,055	24,000	20,713
Other	47,049	47,818	42,254
Total, timber sales costs	578,022	528,152	471,480

This simplistic comparison, of course, incorporates some of the problems found in any cash-flow analysis. For example, joint costs are not allocated between timber and other resources. In addition, some costs, most notably General Administration, are not included. The magnitude of the difference between costs and revenues, however, is evidence that the overall program provides a net positive return to the Treasury and tends to confirm the Forest Service's statements that the timber sales program has returned a net of $1.4 billion to the Treasury over the last six years.

B. The Department of Agriculture view

The Department of Agriculture has a different view concerning the costs and receipts of the timber sale program. Table 2 comes from page 25 of the Department of Agriculture Budget Summary.

Comparing Tables 1 and 2 shows that the Forest Service and the Department paint quite a different picture of the costs of the Forest Service timber program. The Forest Service figures are for timber sales, whereas the Department's figures include costs for other parts of the timber management program. (It is interesting to note that the Department's figures for total receipts are about 10% below the Forest Service figures). The Department does not separate out timber sales receipts from total receipts. If the Forest Service timber sales receipt data are compared to the Department's timber related costs, however, the timber program still looks profitable, although less so than under the Forest Service view.

TABLE 2.—COSTS AND REVENUES USDA FISCAL YEAR 1987 BUDGET SUMMARY

[In thousands of dollars]

	1985	1986 estimate	1987 budget
Timber sales administration and management	194,700	173,700	171,100
Permanent appropriations and trust funds related to timber	192,700	181,000	172,300
Reforestation and stand improvement	299,400	217,200	213,100
Road construction	228,900	180,100	178,500
Road maintenance	65,400	61,900	49,300
Land line location	29,100	27,400	23,000
Total, timber related costs	1,010,200	841,300	807,200
Total receipts	943,000	1,204,000	1,159,400

C. The OMB view

The FY 1987 budget includes a proposal to change the formula for calculating payments to states and counties from gross receipts to net receipts. In support of this proposal, OMB claims "Forest Service costs for timber and mineral activities exceeded the Federal share of receipts by $621 million in 1985, and some timber sales did not cover costs."

OMB's calculations are detailed in Appendix A. OMB makes four critical errors in its calculation of net returns:

(1) Some timber receipts were ignored.

(2) All of the payments to counties and states were subtracted from timber and minerals receipts. Only 25% of timber and mineral receipts should have been subtracted for OMB purposes.

(3) Joint costs were allocated entirely to timber. The fact that past management, fire management, and other management activities are designed to benefit other resources is ignored.

(4) General Administration costs were allocated against the timber account. By definition, these costs cannot be allocated against any programs.

OMB's calculations incorporate the same kind of misconceptions and accounting errors that environmental community critics of the Forest Service timber sales program have made. The Forest Service has often spoken out against this same kind of misconstrued cash-flow accounting. Attached is a more detailed analysis outlining the shortcomings of OMB's approach.

The environmental community's criticisms of the economics of the National Forest timber sale program are clouded by its wilderness agenda. The motivation behind OMB's use of the same kind of erroneous accounting techniques is clearly to make a case for changing the county receipt formula.

Despite specious claims to the contrary, we believe that the cash-flow for the Forest Service timber sales program has been positive for most years. Generating a precise estimate at this time would require the use of accounting techniques which are not yet available. The magnitude of the difference between timber sales costs and revenues in Table 1, however, suggests that the program has a positive net income.

RECENT CONTRACT MODIFICATIONS WILL IMPROVE CASH-FLOW

In 1982, the Forest Service began to implement an aggressive program of new contractual conditions that were designed to ". . . encourage a regular flow into the marketplace of products manufactured from national forest timber, to provide a corresponding flow of timber sale receipts to the United States and local governments, to help insure financial responsibility of bidders, to encourage purchasers of Forest Service timber sales to harvest timber early in the contract term, and to reduce the need for extensions of future timber sale contracts."

The new conditions addressed cash downpayments, mid-point payments for sales over three years in length, bonding requirements, discounts for early harvest, stumpage rate adjustment, and stringent liabilities for defaulting contracts. While most of these provisions are designed to improve cash-flow to the Treasury, the cash downpayment and mid-point payment policies are the most effective in achieving that end. Since the policy was put into effect in 1982, both of these elements have been modified to bring about an even greater flow of early receipts to the Treasury. The cash downpayment rule, for example, has been increased from 5% of total bid price to 10% of total bid price. In addition, the cash deposit can be used to pay for timber only after 25% of the sale volume has been cut, removed, and paid for. Thus, the government has the use of the downpayment for as much as one

year before the purchaser can apply it to his stumpage payments.

In Fiscal Year 1985, the average stumpage price for all national forest timber was $51.59 per MBF. The total harvest for that year was 10.9 billion board feet. Thus, the cash downpayment received by the government was over $56 million—twice the amount that would have been received prior to the implementation of the new contract procedures.

The mid-point payment policy has recently been modified to be included in all sales over one year in length. Furthermore, the Forest Service is now developing a periodic payment rule for all contracts. This rule would likely require that payments for timber be made to the government at periodic intervals regardless of whether timber has been harvested.

In addition to these contractual provisions, the average contract length has been reduced. This change results in a faster return of receipts to the Treasury. For example, on the Westside of Region 6 (Oregon and Washington) the average sale length went from 56 months in 1976 to 36 months in 1985. This change, when coupled with the cash downpayment and periodic payment requirements described above has a marked effect on the cash-flow to the government from national forest timber sales.

CONCLUSION

Despite claims to the contrary, we think that the overall forest timber sales program is a profit-making venture for the government. We agree that the Federal deficit must be reduced. Gus Kuehne spoke about the impacts of the deficit on our industry—those impacts are repeated throughout the economy. The Congress has only two tools for reducing the deficit: (1) cutting spending; and (2) increasing revenues. When someone says increase revenues, we often think of increasing taxes. There are some government programs, however, which generate revenues other than through taxes. The Forest Service timber sales program is such a revenue generating program. We urge you to strengthen and build programs such as the timber sales program. Such action will help meet the Forest Service's land management objectives and bring about positive returns to the Treasury.

APPENDIX A: OMB'S CALCULATION OF THE NET REVENUE FOR THE TIMBER SALES PROGRAM

Among the policy initiatives contained in the President's Budget for 1987 is a proposal to change the formula for payments to counties. Under current law, each county receives 25% of gross receipts generated on National Forests within its boundaries. The Administration proposes to change the basis for calculation from gross receipts to net receipts. In support of this proposal, the document states that:

"Forest Service costs for timber and mineral activities exceeded the Federal share of receipts by $621 million in 1985, and some timber sales did not cover costs."

Our understanding of the figures employed by OMB is as follows:

1985 receipts:	*Thousands*
Timber	$498,546
Minerals	77,522
Land uses	2,869
Other	439
Total receipts	579,376
Payments to counties	236,000
Net receipts	343,376
1985 costs:	
Timber sales	194,702
Tongas	49,970
Salvage	15,232
BD	53,734
Road construction	206,023
Purchaser elect	33,898
Purchaser credit	107,949
Reforestation and TSI	104,664
KV	90,090
Minerals	26,572
Real estate	20,836
Fire	156,591
Pest management	20,079
General administration	181,191
Total	1,261,531
Purchaser credit receipts	−107,949
KV receipts	−186,107
Net costs	967,475
Net return to the Treasury	[1] −624,099

[1] Apparently, OMB came up with −$621,000,000 due to rounding off.

This analysis of the costs and revenues of the timber sale program incorporates all of the problems of the previous cash-flow analyses, as well as some unique and novel inconsistencies and inaccuracies.

A. THE OMB ANALYSIS DOES NOT AVOID THE MISTAKES OF PREVIOUS CASH FLOW ANALYSES

Since early 1984, several groups have undertaken cash-flow analyses of the Forest Service timber sale program. Unfortunately, each of these studies have encountered the problem that, under the Forest Service Multiple-Use Mandate, the timber sale program provides multiple benefits and the costs of the program are influenced by non-timber costs. As a result, cash-flow studies overestimate the timber sale costs and underestimate the benefits. A proper analysis would account for:

(1) Joint costs: Many timber sale activities provide non-timber resource benefits. Allocating all of the joint costs to timber overestimates the true costs.

(2) Mitigation costs: Costs for mitigating the impacts of timber harvest can be properly allocated to either the resource protected or the resource produced. Allocating all the costs to timber paints a picture of certainty where none exists.

(3) Revenues foregone: National Forest timber sales are designed to enhance or protect non-timber benefits, often at a cost to the purchaser. These provisions result in bid rates which are lower than they would have been without the provisions. These foregone revenues should be, but have not been, incorporated into an accounting of the timber sale program.

(4) Road costs: These costs represent investment in a capital improvement. These should be, but usually are not, depreciated over time and shared with adjacent and future harvests.

The OMB analysis did not solve these problems any better than the previous studies. The costs of the timber sales program, therefore, are overestimated.

B. THE OMB ANALYSIS MAKES UNIQUE ACCOUNTING ERRORS

In addition to the more general problems above, the OMB analysis made significant original errors in deciding which costs and revenues to use:

(1) The analysis ignored the following receipts from the timber and mineral programs, while including the corresponding costs:

	Receipts
Brush disposal	$53,734,000
Salvage	15,232,000
Mineral receipts from public domain	82,421,000
O&C receipts	16,056,000
Total	167,443,000

Salvage sale and brush disposal are not receipts associated with the 25% payment, but they are offsetting receipts, nevertheless.

Since costs for minerals on public domain lands and timber from O&C lands managed by the Forest Service were counted, those receipts should have been included as well.

(2) Seventy percent of the National Forest System General Administration costs was allocated to the timber and minerals program. By definition, however, General Administration cannot be assigned to any program.

(3) The entire reforestation program costs were included. While most of the reforestation funds are expended after timber harvest, some expenditures are designed to protect watersheds and other resources.

(4) Forest pest management and fire protection expenditures are often made to protect or provide for non-timber resources. The timber account should not bear the full burden of these costs.

(5) The Forest Service makes payments to counties on almost all of the receipts collected. In 1985, the Forest Service collected a total of $1,024 million and paid approximately $236 million to states and counties. OMB's calculations, however, counted the $236 million in payments against only the timber and mineral receipts. The net effect is a 60% overstatement of payments to counties charged against the timber and minerals accounts.

(6) Even if the correct payment to states figure had been used, we believe that these are transfer payments from the federal to local governments. They are not costs for activities associated with growing or selling timber.

OMB's calculation of the profitability of the timber sales program does not support the notion that the timber sales program loses money. The analysis is clouded by the desire to support a proposal to change the formula for making transfer payments.

Mr. McCLURE. To summarize it, what they had done in arriving at that conclusion was include the costs of such matters as brush disposal, salvage, mineral receipts from public domain, O & C receipts. They had included those as costs but they had not included the receipts as offsets. And when you take the joint costs, mitigation costs, revenues forgone, road costs, and apply that to the statement that was made, it becomes obvious that the OMB statement is not supported by analysis of the figures. OMB had made that statement because they wished to support an argument that the timber receipts should not be divided with the counties as provided by law, 25 percent of the gross revenues. They wished to change it to 25 percent of the net revenues, and they were trying to make the point that indeed

there were no net revenues to share and therefore the Government was losing money when they complied with the current provisions of law. It was in that context that the statement was made, and it is not supported by the facts. Any thoughtful student of the issue will, after analyzing the figures, have to conclude that indeed OMB misstated—not overstated but misstated—their case.

Historic levels of road construction costs are not rising in spite of the rhetoric. If you look at the historic levels of road construction costs, from 1982 through 1986, there is a very consistent pattern that is slightly less than $200 million per year in timber roads if you exclude the other road categories. And the Senator from Wisconsin made reference to a couple of them. For example, you certainly cannot charge the recreation and viewing access to the Mount St. Helens disaster as a timber cost. There is no timber to be harvested. People are going there to look at the holocaust that leveled the forest for miles around as Mount St. Helens exploded. It is quite a sight to behold and thousands of visitors wish to go view that landscape. It is not because of the timber. The road construction and the viewpoints have absolutely nothing to do with the Timber Harvest Program.

It seems to me, Mr. President, if you look at all of the facts that are involved, it is not appropriate to indicate this amendment would save money, and I wish to end where I started. The amendment would cost the Treasury money because the expenditure of money will yield more in gross and net revenues than it will cost. And if you are going to have consistent timber management on the public lands that are set aside for timber harvest among other multiple uses, you must have roads to the appropriate lands upon which timber grows and should be harvested. Without those roads, you cannot maintain a stable housing industry at reasonable costs of lumber for a longer period of time. You cannot maintain stable economic conditions in the counties in which forest timber harvest is so important, and you cannot appropriately manage the multiple uses of the Forest Service lands without appropriate harvest of timber upon areas that are designated for timber harvest.

For those and a multitude of other reasons I will not take the time to belabor tonight, this amendment ought to be defeated. We ought to return to the stable program that this committee has funded over the last several years that yields net revenues, not costing the Government anything.

Mr. PROXMIRE addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. PROXMIRE. In response to my good friend from Idaho—and I have great admiration for his ability and his knowledge, particularly in this area where he is really an expert—the Senator challenged the figures I used. He said part of what I said was incorrect. He did not say exactly what part. He was very kind about it. But, Mr. President, where do my figures come from? The come from the report of the Forest Service. They did not come out of my head. The overbuilding figures came directly from the earlier reports of the Forest Service. The Forest Service planning process in 1980 estimated the number of roads to support timber harvest and necessary road mileage was based on that number. The roads built above that level are largely our fault. We gave the agency money above the budget request.

Now, what the distinguished Senator from Idaho, who is a real magician, would suggest we can do by spending $70 million more than the administration requested is to save money. We are going to save money. Now, that is unusual. He disagrees with OMB. He disagrees with the administration. He seems to feel that the way to save money is to go far beyond what they request.

Mr. McCLURE. Will the Senator yield at that point?

Mr. PROXMIRE. Yes.

Mr. McCLURE. Because I do not want to mislead anyone. I want the Senator to understand exactly what I said. First of all, the Senator is comparing this appropriation for road building with the budget request of the administration, not with what the Congress has done. In the Senator's second sentence, he agreed that that was the case, because we have consistently added more money to the annual timber harvest than the administration has requested.

We have done that because it is good management in the first place. And second, it also harvests timber and places it upon the market in order to keep lumber prices at reasonable levels for home builders across the country. And third, it is not a question of saving money in order to spend money. You invest the money in a timber sales program that yields revenues. And if the investment of that money yields revenues greater than the cost of that money, it seems to me that is not a savings of money; it is making money.

Mr. PROXMIRE. I think the Senator would have a very, very good case, if we had been sparing and Scrooge-like in providing roads in the past. When we build roads, as I said before, that would circumnavigate the Earth 14 times, when we build roads that in the next 10 years are going to be far bigger than the entire Federal Interstate Highway System, obviously you can overdo anything and we are overdoing it here.

Mr. President, let me point out that the Congressional Research Service, certainly not a biased organization, in a report that they made on June 25 rebutted much of what my good friend said, and I am going to read briefly from what they provided.

The Forest Service impact statement implies that the reduction would be applied directly to the direct construction program representing a 70 percent reduction in direct construction.

Now, here is what they say could be done instead:

It might be possible to substitute purchaser credit for funding many of the roads which would have been built with direct appropriations. Typically, appropriations are used for the more heavily traveled roads (most arterial and some collector roads), while purchaser credits are used for the more localized roads (some collector and most local roads). The Forest Service has been reluctant to require purchasers to build arterial roads, and the 1964 National Forest Roads and Trails Act states that timber purchasers shall not be required to bear the additional costs necessary to meet higher road standards. However, it could be possible for the Forest Service to use purchaser credits, augmented with appropriations, to build many of the roads which would have been built directly with appropriations. It is, however, questionable whether the appropriations are sufficient to augment purchaser credits for the arterial roads. For the longer term, Congress may wish to consider the cost effectiveness and the impact on other resources if purchaser credits, augmented with appropriations, were to replace to direct road construction appropriations.

That is one alternative. The second alternative:

Concentrate on Reselling Returned Contracts: Another possibility for minimizing the impact of short-term reduction in road construction would be to hasten the resale of timber contracts returned under the timber contract buyout programs. The roads built with appropriations for these sales have generally been completed, and thus the returned contracts could probably be resold without road direct construction appropriations. In fact, the volume of returned contracts, estimated by the Forest Service at 10-12 BBF, would nearly offset the 3.8 BBF to be resold in FY86 and the estimated 8 BBF reduction in FY87 and FY88. Concentrating on reselling the returned contracts is also consistent with the act that authorized the buyout program; section 2(a)(5)(A) of the Federal Timber Contract Payment Modification Act states that "Timber from returned or defaulted contracts shall be given preference in the Forest Service timber sales programs."

It also says:

Concentrating on reselling returned contracts is not free from potential problems. The greatest difficulties likely to be encountered are the impacts on Forest Service employees.

The final point:

Concentrate Sales in Roaded Areas: A third possibility is to concentrate timber sales in areas where most of the roads have

already been built. This possibility may be limited by the 4-5 years generally required to prepare timber sales, although this time restriction could be compressed on some sales. In addition, the Forest Service has concentrated timber sales in roaded areas for several years, pending congressional resolution of RARE II and the wilderness controversy. Continued concentration of timber sales in roaded areas could harm the other resources and uses of these roaded areas.

Mr. President, finally, I want to quote from a House report which was made on this bill.

Mr. McCLURE. Mr. President, will the Senator yield on that point, before he refers to the House report?

Mr. PROXMIRE. I yield.

Mr. McCLURE. I want to make a response on the CRS report, because they make two or three very good points.

One is that you shall have the opportunity to make a choice between purchaser credit and appropriated accounts. I referred to that earlier.

The net effect at the end of all of this, whether you appropriate the money up front or subtract it from the receipts from the sale of timber, is the same on the Treasury and over a period of time. You could change it between fiscal years, but you do not change it over time. It is precisely the same.

Mr. PROXMIRE. We are worried about the fiscal year.

Mr. McCLURE. I am worried about 1988, and I am sure the Senator from Wisconsin is, also. We look at what is going to happen in 1987, and that is done.

Mr. PROXMIRE. Another way would be to say we would take it from the enormous amount of overbuilding since 1981, which broke all records.

Mr. McCLURE. That is not correct, because, as I pointed out, there has been a consistent record of road building over a long period of time, and it is projected to remain. There is no big bulge occurring.

The second point the Senator made was that CRS had said that you could save some money in the short term by taking the timber contracts returned under that controversial legislation passed by Congress earlier, and the Senator is correct—CRS is correct. You can do that, and it has largely been done already.

That is not a two-time savings; it is a one-time savings. It is a temporary expedient which, in the main, has already been applied and is not available to us anymore, and that particular suggestion is no longer an appropriate alternative.

The third point was with respect to the sale of roadless areas. The Senator is correct, and CRS is correct, if you do not enter the roadless areas that are now identified for multiple-use management. The wilderness issue has been settled in all States except mine and Montana, and by legislation which I supported and which has been passed by the Congress of the United States and signed into law. But if you cannot enter the areas that were previously roadless, then you must, in order to keep the timber harvest up, overharvest on the areas that are currently roaded and have been harvested intensively for the last 10 years while going through RARE I, II, III, or whatever that number may be.

Mr. PROXMIRE. When you have this enormous number of miles, enough to circumnavigate the Earth 14 times, you have plenty of area where you could forest without depleting the forest excessively.

Finally, Mr. President, I refer to one sentence in the House report which says:

The committee notes that the Forest Service continues to exceed its planned and funded goals for road construction and reconstruction, despite the funding reductions, as it has in each of the past five years.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DOMENICI. Mr. President, will the Senator yield? I will not take long. I was here for a while, or I would not impose.

Mr. MELCHER. I yield.

Mr. DOMENICI. Mr. President, I have a table that compares the Interior appropriations bill with the subcommittee's 302(b) allocation of budget authority and outlays as submitted by the Budget Committee and adopted by the Appropriations Committee.

Mr. President, I support the Department of the Interior and related agencies appropriations bill as reported by the Appropriations Committee.

I commend the distinguished chairman of the subcommittee, the Senator from Idaho, and the distinguished chairman of the full committee, the Senator from Oregon, for bringing this bill to the floor in accordance with the budget resolution for both budget authority and outlays.

Mr. President, H.R. 5234 as reported provides $7.9 billion in budget authority and $5.5 billion in outlays for fiscal year 1987 for the Department of the Interior, the Forest Service, selected Department of Energy programs, and other miscellaneous programs.

Taking into account outlays from prior-year budget authority and other adjustments, the bill is $0.1 billion in budget authority and less than $50 million in outlays under the subcommittee's section 302(b) allocation under the fiscal year 1987 budget resolution. The bill's credit activity, comprising a total of less than $50 million in direct loans and loan guarantees, is also consistent with the subcommittee's 302(b) allocation.

Mr. President, I note that this bill mandates the sale of the naval petroleum reserve [NPR]. Let me indicate that the bill assumes receipts of about $200 million from this sale in fiscal year 1987, which would suggest further receipts of possibly $2.0 billion in fiscal year 1988. I want it to be clear that while I do not object to this provision, I do believe that we may have to revisit the matter of this sale as the month proceeds, and we are looking for ways to avoid the Gramm-Rudman-Hollings sequester on October 1.

I urge the adoption of the bill as reported, and I urge my colleagues to oppose any amendments that will significantly increase the outlays associated with this bill.

Mr. President, I ask unanimous consent that tables showing the relationship of the reported bill to the section 302(b) allocation, the House-passed bill, and the President's budget request, and a summary of total appropriations action to date, be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1).

Mr. DOMENICI. Mr. President, this bill is within the allocated amounts—technically called the crosswalk. I admit that they have difficulty getting there, and they provided for some of this allocation through $200 million received from the sale of the naval petroleum reserve.

Mr. President, if there is any indication on the floor that this particular bill and the allocation of that portion of the Federal budget to this subcommittee is one that is fat—somebody used that kind of language—that it is a budget buster, that is nonsense. As a matter of fact, this particular group of appropriated accounts of our National Government has the second largest cut of any of the appropriated accounts that we will consider on the floor (see exhibit 2).

If you would like to know the ones that go up, it is pretty interesting. The 302(b) allocation for the Congress of the United States—is up. As a matter of fact, it is up on the real plus side. It is even over current services level, a level that equals last year's appropriation plus inflation. As you look across many of the appropriated accounts of our country and the bills they are producing in the appropriations process, many programs are funded at the current services level, and a few are over current services. This bill, even in these difficult times, is essentially a freeze.

It is pretty hard to maintain the activities of the Bureau of Land Management, the U.S. Bureau of Mines, and all the Indian programs of our Nation at a freeze level. If there ever were

programs where we have a need for more money, where the people are suffering immensely, it is the programs of the Bureau of Indian Affairs, trying to take care of our Indian people under our trust relationship.

These and many more programs are all in this bill, and we gave them the target of essentially living this year just about the way they lived last year. Everybody ought to know that the last year that I am referring to is the year when we had an across-the-board sequester.

So I commend the Subcommittee on Appropriations and the full committee for living within their totals; they are about $50 million under in outlays, and I think they have done a good job.

Having said that, I really cannot believe that the U.S. House of Representatives in their appropriations bill intends that we live within their number for forest road construction. I believe that it is so low that clearly they intended the U.S. Senate to take care of the forest road problem for the United States.

In 1982 we were spending $200 million on this overall roadway system that we are talking about here today so that we can get into the forests, take care of the timberlands, and harvest them so we can indeed use that resource for the American people, for businessmen and women, and in some way compete with the enormous Canadian competition in terms of trade.

It was $200 million in 1982. It went down to $159 million in 1986, and the House comes along and appropriates $100 million. I really do not think that is serious. I think they clearly intend the good Senator from Idaho and the good Senator from Louisiana to go to conference with them and take care of the minimal forest road needs.

I hope someone will answer the continued use by the distinguished Senator from Wisconisn of the many miles of forest roads. It might be interesting to know how many miles of roads exist in each of the sovereign States. You might pick out 30 or 40 of them and you might be surprised there are more roads in each of those States than his statement about the forest system roads that would circle the world 10 times, roads that are needed for the kind of things we are doing everyday. I do not think it is a terribly relevant number.

Basically, I believe we ought to support the appropriators on this. They have to go to conference on this issue.

In addition, in just plain budget talk, if you take the $90 million out in the manner that they suggest, truly you do not save any money because the receipts to the Federal Government are less than what you saved in outlays. If you want to do it, because maybe someone here on the floor or maybe some groups who do not like what we are doing know how to manage the forest roads, then we ought to manage it right here, and vote for it on that score. But if we are talking about its impact on the budget, to take money out will actually reduce the amount of receipts that will come in, and the net effect will be more of a deficit rather than less.

The Senator from New Mexico is not saying this amendment will not reduce expenditures. Obviously, if you start literally getting rid of the Forest Service Road Program and do not expect us to do anything by way of timber cutting, especially by way of roadways that we have to build with taxpayer dollars, then obviously you can reduce expenditures. However, you will also lose receipts to the Federal Government from timber sales.

For those Senators who are wondering whether the Proxmire-Humphrey amendment contributes to deficit reduction, or whether it adds to the deficit, I am here to tell you that it adds to the deficit, because the receipts will be that much restrained over the amount which will be forthcoming if you go along with the appropriators in their estimate of need.

I ask unanimous consent that a table which I have prepared comparing the various allocations to the subcommittees to the baseline assumptions be printed in the RECORD.

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

(See exhibit 2.)

Mr. DOMENICI. Mr. President, this table furnishes evidence that this particular bill has been held down by the Budget Committee and by the Appropriations Committee in their allocation by far more than anything else except foreign aid and perhaps one other bill. I believe they have done a reasonably good job under those circumstances.

They do not have programs that have great appeal. Who cares about the Bureau of Mines, other than those who know it is the premier organization in the world that furnishes a great service to all of those who are concerned with mining and minerals? Who cares much about the Bureau of Indian Affairs unless you are out there where we need hospitals and roads for the Indian people and Indian education. Those are not the kind of issues that compete with the National Institutes of Health, or some of those other programs that are in the other appropriations bills which have been permitted to grow in real terms rather than be anything close to the freeze we have imposed on this bill.

I yield the floor.

[EXHIBIT 1]

SPENDING TOTALS—SENATE-REPORTED

[In billions of dollars]

	Fiscal year 1987	
	Budget authority	Outlay
Outlays from prior-year budget authority and other actions completed	+(1)	3.3
H.R. 5234, as reported by the Senate	7.9	5.5
Adjustment to conform mandatory programs to budget resolution assumptions	−0.1	−(1)
Subcommittee total	7.7	8.8
Senate subcommittee 302(b) allocation	7.8	8.8
President's request	6.7	8.2
House-passed bill	8.2	9.1
Subcommittee total compared to:		
Senate subcommittee 302(b) allocation	−0.1	−(1)
President's request	+1.1	+0.6
House-passed bill	−0.5	−0.3

[1] Less than $50 million.

Note.—Details may not add to totals due to rounding.

STATUS OF APPROPRIATION BILLS IN THE SENATE

[In billions of dollars]

Subcommittee	Appropriations Committee's 302(b) allocation		Adjusted bill totals [2]		Bill compared to allocation		Bill status
	Budget authority	Outlay	Budget authority	Outlay	Budget authority	Outlay	
Agriculture	31.3	24.1					
Commerce-Justice	12.1	12.3	11.7	12.3	−0.4	−(1)	Reported.
Defense	277.1	264.5					
Deficiencies and supplementals	08	0.1					
District of Columbia	0.6	0.6	0.6	0.6	−(*)	−(1)	Reported.
Energy-Water	14.5	14.9					
Foreign Operations	13.0	10.8					
HUD-Independent	54.3	56.4					
Interior	7.8	8.8	7.7	8.8	−0.1	−(1)	Reported.
Labor-HHS	114.0	118.0	113.4	118.0	−0.6	+(1)	Reported.
Legislative branch	1.7	1.7	1.6	1.6	−0.1	−0.1	Conference.
Military construction	8.2	7.9	8.2	7.9	+(*)	+(1)	Passed.
Transportation	10.6	26.9	10.2	26.9	−0.4	−(1)	Reported.
Treasury-Postal Service	13.3	13.4	13.3	13.4	−(*)	+(1)	Reported.

STATUS OF APPROPRIATION BILLS IN THE SENATE—Continued

[In billions of dollars]

Subcommittee	Appropriations Committee's 302(b) allocation		Adjusted bill totals [2]		Bill compared to allocation		Bill status
	Budget authority	Outlay	Budget authority	Outlay	Budget authority	Outlay	
Total, Appropriations Committee	559.3	560.4	166.7	189.5	−1.6	−0.1	

[1] Less than $50 million.
[2] In addition to the bill, includes outlays from budget authority enacted in prior years, possible later requirements, adjustments to conform mandatory items to budget resolution level, and other adjustments.
Note.—Details may not add to totals due to rounding.
Source: Prepared by Senate Budget Committee staff.

[EXHIBIT 2]

BUDGET RESOLUTION FOR FISCAL YEAR 1987: 302(B) ASSUMPTIONS, RESOLUTION LEVEL COMPARED TO SBC BASELINE [1]

[Dollars in millions]

Subcommittee	Resolution 302(B) assumption		SBC baseline 302(B) assumption		Resolution compared to baseline	
	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays
Agriculture	31,268	24,106	31,435	25,668	−167	−1,562
Commerce-Justice	12,089	12,292	12,108	12,471	−19	−179
Defense	277,072	264,477	285,238	268,928	−8,166	−4,451
District of Columbia	565	565	565	565		
Energy and Water	14,531	14,891	15,150	15,255	−619	−364
Foreign Operations	13,030	10,832	15,511	11,934	−2,481	−1,102
HUD-Independent	54,301	56,426	56,633	57,005	−2,332	−579
Interior	7,819	8,769	8,238	9,034	−419	−265
Labor-HHS	114,036	118,045	112,239	118,004	1,797	41
Legislative Branch	1,698	1,698	1,605	1,602	93	96
Military Construction	8,222	7,859	8,359	7,895	−137	−36
Transportation	10,554	26,887	10,455	26,818	99	69
Treasury-Postal	13,304	13,391	12,984	13,089	320	302
Not assigned	811	202	786	822	25	−620
Total, Appropriations Committee	559,299	560,440	571,306	569,090	−12,006	−8,650

[1] Adjusted for Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA).
Note.—Details may not add to totals due to rounding.
Source: Prepared by Senate Budget Committee Staff.

Mr. MELCHER. Mr. President, I ask unanimous consent that I may yield to the distinguished Democratic leader for such time as he needs without losing my right to the floor.

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

Mr. BYRD. Mr. President, I thank the distinguished Senator from Montana [Mr. MELCHER] for his kindness and his characteristic courtesy.

I have indicated to the distinguished Senator from Louisiana [Mr. JOHNSTON] and to the distinguished chairman, Mr. MCCLURE, that I was going to ask consent that I might proceed as in morning business for the introduction of a bill. So, I have taken the floor for that purpose.

I make that unanimous-consent request.

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

COMPREHENSIVE NARCOTICS CONTROL ACT OF 1986

Mr. BYRD. Mr. President, as I have also indicated to both Mr. MCCLURE and Mr. JOHNSTON that I would seek to trigger rule XIV, which I can do at any time during morning business.

Mr. President, I introduce this bill on behalf of Mr. CHILES, Mr. BIDEN, Mr. MOYNIHAN, Mr. MITCHELL, Mr. ROCKEFELLER, Mr. DODD, Mr. DECONCINI, Mr. SASSER, Mr. CRANSTON, Mr. LEAHY, Mr. NUNN, and myself.

This measure has been drawn by a task force of Democratic Senators whom I recently appointed for the purpose of developing legislation to deal with the drug problem in this country.

The task force has worked very diligently and long and hard over the past several weeks in developing this bill. It is the Comprehensive Narcotics Control Act of 1986. I applaud the members of the task force, under the leadership of Senator CHILES and Senator BIDEN, for the work that has been done. I thank them. I thank the various staffs of these Senators.

The task force brought the matter before the Democratic conference this afternoon. It was unanimously supported there by all 41 Democratic Senators who were present.

I also welcome the support, as I am sure the other task force members will, of our friends on the other side of the aisle. This is a bipartisan problem. It requires a bipartisan solution.

The President and Mrs. Reagan have been very interested, very active, very concerned about the matter, and the House of Representatives has already been working on the measure for some time.

I understand that the House will have its measure up for floor action perhaps tomorrow, and the task force on this side, the Democratic side, in the Senate has to a considerable extent tracked the House bill, but each member of the task force has made a distinct contribution to this bill.

There are provisions on education, rehabilitation, eradication, interdiction, law enforcement—among others—and each member contributed some part to the bill. Several of these provisions have been introduced heretofore, but they have not been able to get much committee attention, but coming together as the task force did, it has been able to weld and merge these various proposals, and has, I think, brought forth a very comprehensive bill to deal in a comprehensive, coordinated way at the Federal level with this terrible problem that afflicts this whole country.

The American people expect the drug pushers who wheel and deal in drugs that bring death to our young people and sorrow to all people who partake to any extent to be arrested, convicted and punished. There are those who may have a question about the costs. I say what will it cost if effective action is not taken quickly? What will then be the costs? We already see the costs in billions of dollars and in ruined lives—lives of our young people snatched away.

Mr. President, I compliment the task force and welcome the support of all Senators on both sides of the aisle and hope that the administration will also be supportive of this legislation. It is a common problem affecting our country and, much like a cancer, must be eradicated.

Mr. President, I introduce the bill and ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title.

The assistant legislative clerk reads as follows:

A bill (S. 2798) to establish and implement a comprehensive policy to combat drug abuse in the United States.

Mr. BYRD. Mr. President, I ask for the second reading of the bill. In order that it might, through the process of rule 14, be placed on the calendar, a Member is required to object to the second reading. I can object to my own request if no other Senator wishes to object.

Mr. PROXMIRE. Will it be convenient for the leader if I objected?

Mr. BYRD. I yield the floor for any objection from any Senator.

The PRESIDING OFFICER. Is there objection to the second reading?

Mr. PROXMIRE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BYRD. I thank the Chair and the senior Senator from Wisconsin and the manager of the bill and ranking manager, and all members of the task force and I again thank the Senator from Montana for yielding.

The PRESIDING OFFICER. The bill will be read the second time on the second legislative day.

● Mr. CHILES. Mr. President, on behalf of myself and Mr. BIDEN, we are pleased to join with our Democratic colleagues today in introducing a comprehensive drug package which creates major new programs to address demand and treatment for drug abuse and substantially expands enforcement efforts across the board.

As cochairman of the Senate Democratic Working Group on Substance and Narcotics Abuse which drafted the legislation, we believe that this package is a positive commitment by the Democrats to fight drugs with substantial dollars and new or expanded programs. We have heard the public outcry and taken heed of the polls which show that they are willing to support such programs.

We have listened to our law enforcement officials nationwide and know that they are overwhelmed by increasing availability of drugs and growing crime rates in urban as well as rural areas.

We have taken heed of reports from our armed services and drug enforcement agencies that drug traffickers outman our efforts and outclass our high-tech communications systems, radar systems and intelligence networks with their sophisticated technologies.

We have received pleas for help from school administrators and teachers who know that "crack" is replacing marijuana as the drug of choice amongst many youth and they are frightened of its potent and addictive nature. They need information and they need tools.

We have requests from State and local officials, from companies, from churches, from parents, and from drug addicts who need treatment for their citizens, their employees, their congregations, their children and themselves. If they are lucky enough to find a bed, many cannot afford the exorbitant cost of drug rehabilitation.

Our package addresses the compounded needs associated with drug trafficking and abuse. The package authorizes $1.65 billion in enforcement, interdiction, eradication, research, treatment and education programs.

With mandatory sentences up to life imprisonment and fines up to $10 million for drug syndicates, the Democratic bill toughens laws against drug traffickers with the most stringent penalties and fines aimed at large volume traffickers and drug syndicates with their huge financial assets. The bill recognizes the dangerous effects of newer street drugs like "crack" and designer drugs by listing them under the Controlled Substances Act and decreasing the amounts necessary for enhanced penalties and fines.

The bill provides for double penalties for those who employ children in illegal drug enterprises and manufacture narcotics within 1,000 feet of schools.

A new criminal offense is authorized for those who launder funds with penalties up to 20 years and fines as high as $250,000 or twice the amount of the transaction.

To strengthen the legal system enforcing these penalties, the bill adds $1.3 billion for additional Federal prisons over the next 3 years and provides for $125 million to State and local law enforcement agencies for drug enforcement activities. In addition, the legislation directs the President to provide for five military sites which can be used to detain felons, especially those who are a Federal resonsibility such as illegal alien felons and major drug traffickers.

The Democrats double the amount of Federal dollars for interdiction programs by the Customs Service, Coast Guard and other armed services. Included in the expanded efforts are a new United States-Bahamian Drug Task Force, an all source intelligence center to provide information to all drug enforcement agencies, support under DOD for two long-range surveillance aircraft in the Caribbean and authority for DOD to loan equipment to drug enforcement agencies.

The State Department's International Narcotics Matter Bureau is provided with additional funds for eradication and a new buffer fund of $35 million for use in narcotics control upon submission of a plan by the President. In addition, the bill tightens immigration processing of suspected drug traffickers and requires a information system for U.S. Embassies to use in denying visas to such persons.

The bill recognizes the inadequacies of the existing $3 million program in drug education and commits $150 million for new education programs with a $125 million grant program for States and local districts which develop a K-12 comprehensive drug program and $25 million for five regional centers to provide necessary training and education of school administrators and teachers. The Secretary of Education is directed to provide all school districts by October 6 withy information on drug abuse with a special emphasis on crack and its lethal nature and potential harm for children whom drug dealers prey on as customers and dealers. October 6 has been designated as National Drug Abuse Education Day based on a resolution authored by the Senate Democratic Drug Task Force and passed by the Congress.

Noting the most obvious gap in current drug policy, the Democratic package provides for $394 million for drug abuse prevention, treatment and rehabilitation grants to States. In addition, the legislation directs more emphasis within the Department of Health and Human Services and the National Institute on Drug Abuse to conduct extended research on drug abuse and treatment methods and provide more information to practitioners as well as the public on specific drugs and their impacts and treatments.

Finally, realizing the need to better coordinate and implement Federal efforts in drug programs, the bill creates a new cabinet level official to be responsible for overseeing all drug programs and developing a long range strategy for both domestic and international drug policy.

Mr. President, we feel that this package is a firm statement of support from the Democratic membership of the Senate to act responsibly and efficiently to effectively address drug trafficking and abuse in this country. We stand ready to work with our Republican colleagues, the House and the President toward a final comprehensive program. We urge our congressional colleagues and the administration to join us in securing passage of a new and expanded drug policy.●

● Mr. BIDEN. Mr. President, I join with Senator CHILES and the other members of the Democratic Working

Group on Narcotics and Substance Abuse in introducing the Comprehensive Narcotics Control Act of 1986. This legislation fulfills the mandate that the working group established which was to develop a comprehensive legislative initiative that addresses the major components that need to be included in any effective response to the issue of drug abuse in America. This bill provides comprehensive strategies in each of these areas, including the necessary resources to accomplish the goals. In addition, this bill includes the necessary framework to coordinate the many diverse agencies and programs that must be included if we are to attack the drug problem on every possible front.

First, this bill addresses the need to stop the cultivation of drugs in source countries; $52 million in additional funds is provided for foreign assistance programs to help countries eradicate drugs within their borders, including funds for countries who request help similar to the assistance we recently provided to Bolivia. For countries that do not cooperate with us in stemming drug production, the bill mandates that the U.S. vote against loans to such countries from the Multilateral Development Banks. In addition, this bill authorizes the President to deny tariff benefits to drug producing countries. This component of the strategy provides both the carrot and the stick necessary to stem the production of drugs in foreign countries.

Second, we must stem the flow of drugs into our borders. This bill approximately doubles the current level of funding for interdiction at the border, including increased funding for Coast Guard and Customs Service personnel. Moreover, this bill assigns Coast Guard law enforcement teams to Navy ships to bring the Department of Defense more actively into the fight against drug trafficking.

Third, we must rigorously enforce domestic drug control laws. This legislation increases penalties for most drug-related offenses, including a mandatory minimum penalty of 10 years imprisonment, and up to life, for the highest level of drug kingpins, which reflects the responsibility of the Federal Government to pursue and prosecute major narcotics syndicates. This bill also creates new offenses and increases penalties for drug offenses involving children, and fines are increased to strike at the financial underpinnings of drug organizations. This bill also recognizes the need for more law enforcement personnel, at both the Federal and State level. Increased funding is provided for more DEA agents, more prosecutors and for prison construction, to insure that drug traffickers are caught, sentenced, and stay in jail for their full sentences. Finally, the bill provided $125 million in grant money to State and local agencies to assist them in their drug law enforcement efforts.

Fourth, we reduce the demand for drugs by educating our youth about the perils of drug use. Though the President has stressed the need to reduce the demand for drugs, the Federal Government spends only $3 million nationwide for drug education. This bill provides $100 million in grant money to State and local school districts for drug abuse education, and creates an Office of Drug and Alcohol Abuse Education and Policy within the Department of Education to commit the Federal Government to a long-term campaign. The purpose of this section is to insure that every child in this Nation, in both public and private schools, receives objective and credible information about the consequences and dangers of drug use.

Fifth, we must treat those persons who have already fallen prey to the lure of drug abuse. While we as a society must begin to realize that drug users, like drug traffickers, are coconspirators in drug crimes, we must also realize that drug addicts prey upon innocent victims to finance their habits. We must find an appropriate mix between condemnation and compassion in our approach. Despite this administration's rhetoric about treating drug abusers, they have actually decreased the funding for drug abuse treatment in the last 4 years. These cuts have resulted in waiting lists of up to 6 months long for drug users who recognize their problem and who seek help in rebuilding their ability to seek employment and lead constructive lives. This bill provides $300 million to State and local treatment programs, both public and private, to help provide essential services to drug abusers who want help.

Though I have outlined the five essential components that must be addressed in any attack on the drug problem, we must also develop a more effective framework from which to pursue our goals. What we need is leadership. Right now, the Attorney General and the Vice President and the White House drug abuse adviser are all leading the Federal effort, of in different directions. The question remains, who is in charge of this Nation's drug control effort? Frankly, there is no clear answer, and that illustrates the problem.

This bill would place the responsibility for coordinating and implementing our drug control effort, both law enforcement and demand reduction, with one Cabinet-level official who would report directly to the President. This person would have the clout needed to end the bureaucratic infighting and petty turf battles that have consistently undermined our national effort. Moreover, Congress and the American people could look to this person as the leader, to tell us of our victories, to tell us still of our failures, and to continue to move this country toward a long-term effort to reduce drug abuse in America.

In conclusion, I would like to thank my colleagues on the working group for their active participation and cooperation in developing what I think is a comprehensive, well considered legislative proposal to address the drug problem in America. As a Senator who has been working on this issue for almost a decade, I am pleased to join in introducing this bill on behalf of the Senate Democrats. Coupled with the House action this week on a similar bill, I am hopeful that with Republican support we can pass this legislation and get it to the President's desk this Congress.●

● Mr. DODD. Mr. President, today we urge our colleagues in the Senate to take a giant step forward in the battle to prevent and treat drug and alcohol abuse in this country. By introducing the Comprehensive Narcotics Control Act of 1986, we are setting out both short- and long-term strategies to strengthen drug abuse prevention, education, treatment, enforcement, and interdiction efforts in this country. I commend the distinguished minority leader for appointing the task force on the problem of drug abuse and applaud my colleagues on this task force for joining me in sponsoring the Comprehensive Narcotics Control Act of 1986.

Due to the death of several well-known athletes, drug abuse has been at the forefront of public concern over the past several months. No one needs to remind the parents, peers, teachers, or neighbors of young people who have died or been crippled by drug abuse of the need for prevention and treatment efforts.

Despite the public outcry, the problem of childhood drug abuse appears to be getting worse. A 5-year decrease in drug use among high school seniors has stalled. The latest survey of 132 high schools across the country sponsored by the National Institute of Drug Abuse, for example, shows that the use of marijuana, tranquilizers, barbiturates, alcohol, and cigarettes has stopped falling. There has been an increase in the use of PCP and opiates other than heroin. And, there has been a big jump in the use of cocaine, the highest in the 11 years that the NIDA survey has been conducted. Although 80 to 85 percent of high school seniors surveyed acknowledged the harmful effects of using cocaine regularly, only one-third saw much danger in experimenting.

Last month, this task force introduced an emergency package to control the spread of such pure forms of cocaine as "crack." Several important measures in that legislation have become public law. To channel public

concern over "crack" and all other forms of substance abuse into action, I had introduced a provision calling on the President to proclaim October 6, 1986, as "National Drug Abuse Education Day" in all schools from Connecticut to California. It will allow every school, from kindergarten through university, to focus the day's curriculum on the dangers of substance abuse. That provision passed the Senate and the House and has been signed into law by the President. So, on October 6, students, parents, teachers, law enforcment officials, and community leaders will be able to collaborate and educate each other as to the deadly risks posed by "crack" and many other drugs, including some that are socially acceptable such as alcohol.

None of us, however, has any illusions that one day of drug awareness education will solve the myriad of problems posed by substance abuse. For alcohol and drug abuse does not occur in a vacuum. And until we tackle some of the underlying problems, we will not make great strides forward. For this reason, I have sponsored a provision in the package being introduced today to target high risk youth for prevention and treatment programs. Under my provision, $50 million will be provided for model, public and private community-based programs which address the underlying causes of drug and alcohol abuse.

We know that during adolescence, a significant number of young people are the victims of physical, sexual, or psychological abuse, drop out of school, become pregnant, fail to get a job, commit violent or delinquent acts, experience mental health problems, and attempt suicide. Such young people are also at great risk of abusing drugs and alchohol.

Model programs are needed to prevent drug and alcohol abuse among high risk youth, including the operation of afterschool care programs, child abuse prevention and intervention programs, and programs designed to prevent students from dropping out of school, becoming teen parents, and remaining unemployed. And multidisciplinary programs which address the underlying causes of drug and alcohol abuse among high risk youth can serve to curb it and are necessary to prevent further abuse. By authorizing HHS to distribute $25 million for innovative prevention models and $25 million for multidisciplinary treatment and intervention models, we will be targeting those youth in most need of services.

In addition to placing a priority on programs for high risk youth, the Comprehensive Narcotics Control Act of 1986 emphasizes a full range of education, prevention, and treatment efforts in communities across the Nation. To encourage all communities to make substance abuse treatment and rehabilitation services a priority, HHS is directed to distribute $300 million by formula grants to all States from Connecticut to California. I commend the distinguished senior Senator from New York for making this contribution to the task force package. Likewise, I commend my distinguished colleage from Arizona, Mr. DECONCINI, for provisions in this package to address the special treatment, intervention and rehabilitation needs of American Indians.

Provisions directing the National Institute of Drug Abuse to develop and disseminate public service announcements on the dangers of drug abuse and to pursue additional research on effective prevention, treatment and rehabilitation programs have been carried over from the Crack Emergency Protection Act introduced last month. In the same manner, we have included the previously introduced measure requiring the Secretary of Health and Human Services, in conjunction with the Centers for Disease Control and the National Institute of Drug Abuse, to prepare an emergency action plan for intervention in the recent epidemic of crack abuse in this country.

The Narcotics Control Act of 1986 also provides for a wide range of educational measures on the dangers of drug abuse designed to reach children from kindergarten through university. In conjunction with my resolution declaring October 6, 1986, as "National Drug Abuse Education Day," the Secretary of Education is required to provide local schools across the Nation with emergency information packs on the dangers of alcohol and drug abuse, with a special emphasis on "crack."

I commend my distinguished colleague from West Virginia, Mr. ROCKEFELLER, for his work on developing a $125 million formula grant program encouraging schools and communities from Connecticut to California to establish statewide drug abuse education strategies. Funds will be available to develop and replicate model curricula and to train teachers, parents, law enforcement officials, and health professionals to work with students. I would also like to applaud the fine efforts of the distinguished senior Senator from Florida, for his work on providing $25 million to expand the Department of Education's existing regional training centers. Such centers will be able to assist States and local communities to establish long range, comprehensive drug abuse education programs.

In addition to making education, prevention, treatment, and rehabilitation efforts a No. 1 priority, the package being introduced today strengthens enforcement by stiffening penalties for major drug traffickers and for any traffickers who use children to distribute drugs. It creates new offenses for money laundering and adds the so-called designer drugs to the list of controlled substances. It provides $125 million on a matching basis to States and local agencies specifically for law enforcement activities.

The Comprehensive Narcotics Control Act of 1986 allocates $35 million for international efforts dependent upon a Presidential plan. It increases funding for the Bureau of International Narcotics matters at the State Department by some $17 million to strengthen their efforts. And it further provides $646 million to stop drug smuggling at the borders, thereby doubling the resources of the Coast Guard, Customs Service, the Justice Department, and the Department of Defense for interdiction activities. I would like to commend the fine work of my distinguished colleagues from Florida, Mr. CHILES; from Delaware, Mr. BIDEN; from Arizona, Mr. DECONCINI; from Georgia, Mr. NUNN; from New York, Mr. MOYNIHAN; and from Tennessee, Mr. SASSER; on the enforcement, interdiction, and international narcotic control sections.

Last but not least, the package being introduced today provides for coordination and leadership at the top levels of Government of all efforts to combat drug abuse. And it provides that all funds seized and forfeited by drug traffickers be used to pay for Federal, and local drug control programs, from enforcement and treatment to prevention and education.

In closing, I urge all our colleagues in the Senate and the President to join with us in taking serious, concerted, and comprehensive steps to combat drug abuse by younger and older Americans. I urge my colleagues to join this task force in sponsoring the Comprehensive Narcotics Control Act of 1986.●

● Mr. MITCHELL. Mr. President, I am pleased to join in introducing the Comprehensive Narcotics Control Act of 1986.

The bill we are introducing today is a major piece of legislation which addresses the issue of drug abuse in our Nation—an issue which has been brought to the attention of nearly every American in recent weeks.

Drug abuse has reached epidemic proportions in this country. No longer is drug abuse an issue of concern only to those living in our inner cities. No longer is drug abuse confined to those who are poor and uneducated.

The use and abuse of controlled substances has reached every corner of our Nation and every level of our society.

In my home State of Maine we are seeing increased numbers of people who have become addicted to cocaine and crack. Young people who live not only in our cities, but in the most remote parts of our rural State have become involved with the use of illegal drugs.

The cost of drug abuse is high. We as a nation cannot afford the loss in economic terms—or in human terms. Every teenager who becomes hooked on drugs and does not complete high school represents not only lost wages and taxes to the Government but a greater loss of human potential to the future of this country.

Every pregnant woman who jeopardizes the health of her unborn child because of drug abuse robs the child of a fair chance of living a healthy, productive life—and increases the likelihood that society will need to provide special support for that child.

Each person who abuses narcotics not only damages his own life but also jeopardizes the lives of those around him and society as a whole.

This Nation must develop programs which will eradicate drug abuse among our citizens.

The Comprehensive Narcotics Control Act of 1986 establishes new and expanded programs which address prevention and treatment of drug abuse, as well as improve the coordination and enforcement of drug laws.

The bill also includes provisions which increase our drug enforcement capabilities and provide assistance to ongoing programs developed by State and local agencies.

The bill is comprehensive and addresses many weaknesses in existing law. I am particularly pleased that this legislation includes a provision to add a new air support branch for the U.S. Customs Service which would be based in the Northeast region of the country.

The bill's treatment and rehabilitation section includes funding for a much needed model program directed specifically for at risk youth. We need to design programs which treat children and adolescents separately, as their problems and involvement with drugs are intimately tied to their physical and emotional development.

This legislation is an important first step in the war on drugs. I urge my colleagues in the Senate to support our efforts to prevent drug abuse, to successfully treat those who are addicted, and to severely punish those who would profit by the sale of illegal narcotics in our Nation.●

● Mr. SASSER. Mr. President, over the past few weeks we've seen a dramatic heating up of the ongoing debate on the drug issue. Every tabloid, periodical, and politician has been speaking out against drugs. Citizens groups are galvanizing for action. Yet we have not seen a coordinated program to attack the various aspects of this critical problem.

We are united in our objectives. We all want drug free schools. We all want a drug free workplace. The plain truth is that desire alone will not achieve these goals. We must buckle down and begin the trench work if we are to win the war on drugs. The bill we introduce today starts us on this path.

Our bill is a coordinated package to meet the drug problem. We have learned from past experience that a piecemeal approach to drugs just won't work. Despite several years of intense effort in the Gulf of Mexico, drugs are still flooding into this country in record amounts.

We can't abandon interdiction efforts, but neither can we kid ourselves that in and of itself it will cure the problem. Our bill recognizes that. Our legislation includes increased penalties for drug offenses—particularly for major traffickers. It included funding for education and treatment. And it includes increased resources to Federal agencies for drug enforcement and interdiction.

Our legislation increases penalties for drug trafficking. It creates a new level of penalties for the most serious offenders—the kingpins of the drug trade.

Under current law, it is no more serious to possess 500 kilos of cocaine than it is to possess 1 kilo. That is ridiculous. Our bill says if you possess a large amount of an illegal drug you are a major dealer and you are going to pay the price: 10 years to life for the first offense, 20 years to life for a repeat offense—no suspended sentences, no probation, no parole.

Drug dealers must know that if they pump this poison into our society, they are going to prison—do drugs and you do time.

Next we take what are now the severest penalties in law and make them more effective. We lower from 1 kilo to one-half kilo the amount needed to charge individuals as serious traffickers. A half a kilo is about a pound. If you have a pound of a dangerous drug—such as cocaine—in your possession you're dealing drugs. Our bill says try it and you're gone: 5 to 25 years for the first offense, 10 to 40 years for a repeat offense. No suspended sentences, no probation, no parole. We also add crack to schedule 1 of the Controlled Substances Act. Schedule 1 drugs are those that have no medical value. That is where crack belongs. It is as dangerous as any drug on the street and more addictive than almost any of them. Then we say that if you possess 50 grams you are a major trafficker—10 years to life for the first offense. If you have even 5 grams in your possession, it's 5 to 25 years.

Next, we take the other enforcement provisions of S. 2715 that 47 of us introduced on August 7—creating a separate crime for employing minors in drug operations and for manufacturing drugs near a school.

I believe we have to come down on drug dealers and come down on them hard for the use of minors in their drug operations. It brings youngsters into the seamy underworld of crime and exposes them to drugs—usually resulting in their own addiction.

Our bill also recognizes that the way to end the drug epidemic is to reduce demand. We simply must convince our people—especially our young people—to avoid drugs.

Statistics show that one of every six teenagers will have experimented with cocaine before they graduate from high school. That is a truly frightening statistic. And the picture is getting worse. Surveys show that 61 percent of all high school seniors have tried an illegal drug at least once. The simple fact is that students are use to the presence of drugs in their lives. That has to change.

We provide $150 million for drug education. The bill authorizes $125 million in grants to State and local education agencies for drug abuse education. Eighty percent of that money would go to local education agencies. The money would be available for training personnel, teaching materials, counseling and referral of at risk youth, and acquiring professional assistance to develop and implement programs.

The States and local districts receiving these funds would be required to ensure broad involvement in developing their programs.

The people I have talked to in Tennessee—those most closely involved with the problem—have constantly stressed the need to have the entire community involved if a drug prevention program is going to have any hope of success. As we've developed this package, I've worked to make community involvement an important part of both the education and treatment sections of the bill.

The bill also provides $394 million for drug treatment. Of that, $300 million goes directly to the States on a formula basis. Funds could be used to expand community involvement, improve coordination among services to ensure treatment of all the factors involved in drug abuse, reduce waiting lists, and generally rehabilitate drug users.

During the August break, I toured drug treatment centers in Nashville. As anyone who has done it knows, it is a moving experience. I talked with patients, parents, and counselors. One thing they impressed upon me is the tremendous unmet need for treatment. For instance, MeHarry Hospital, in Nashville, is virtually the only public drug treatment facility in middle Tennessee. It has 16 available beds for young people. It serves 40 counties. We must do better than that.

Finally, we make important reforms in the Federal Government's Forfeiture Program. That problem is, let's face it, a shambles. Federal agencies don't even know what they have. Valuable properties—ships, planes, and ve-

hicles—are left to rust and rot until they are virtually worthless. We're telling Justice and Customs to straighten that mess out. Liquidate those assets and put the proceeds to work battling drugs.

The forfeiture funds are in such disarray that GAO can't even give us a figure on the potential gain from efficient administration of those funds. What we do know is that it's in the millions of dollars, maybe hundreds of millions. We're directing that the money to be gained from efficient administration of the funds be used to fund the initiatives we are proposing today. Let the drug dealers pay for the havoc they are causing.

So those are the highlights of our bill. Beating the drug problem will not come cheap and it will not come easy. But I believe we have no choice. And I believe the American people think so too.●

● Mr. MOYNIHAN. Mr. President, I rise today to join my colleagues in introducing the Comprehensive Narcotics Control Act of 1986 to provide desperately needed funds and programs to combat the drug abuse crisis in this country.

That the issue of drug abuse is one of great concern to the people in this country is no surprise. A New York Times survey conducted last month revealed that 13 percent of those interviewed named drugs as the Nation's most important problem, more than those cited unemployment, fear of war, or other economic difficulties. To illustrate the degree to which this issue has intensified in the minds of the American public, in an April survey, only 2 percent selected drugs as the country's most important problem.

Irving Kaufman, Chairman of the President's Commission on Organized Crime, has called for "persistent and unyielding assaults on both supply and demand." I agree—we can only make progress by addressing both parts of the drug equation. And we must make such assaults effective by providing adequate assistance to those Federal, State, and local authorities who face the difficult task of stamping out drug use in this country.

That is exactly what the Comprehensive Narcotics Control Act of 1986 seeks to do: Provide additional resources to reduce demand for illegal drugs and to limit their supply.

This $1.65 billion proposal includes $425 million for State and local assistance programs which were provided for in the bill, I introduced on the 1st day of the 99th Congress, S. 15, the State and Local Narcotics Control Assistance Act, which 22 of my colleagues on both sides of this aisle cosponsored.

Of the $425 million, $300 million is provided for the Secretary of Health and Human Services to make grants to States for prevention, treatment, and rehabilitation programs aimed at keeping people off drugs, or rehabilitating drug users for productive employment and drug free lives.

The remaining $125 million is for the U.S. Attorney General to make grants to the States to aid in State and local law enforcement. Grants are to be used for increased apprehension, prosecution, and adjudication of criminal defendants, additional correctional facilities, and illicit crop eradication programs in States.

Our total package offers a multipronged attack against illegal drugs. Specifically, it creates a Cabinet-level office to coordinate the Federal drug effort, increases enforcement funding for Federal agencies, including Customs and the Drug Enforcement Administration, provides funds for the purchase of aircraft for drug interdiction, calls for tariff penalties against uncooperative source countries, and increases international narcotics control, including calling for loans through multilateral development banks for crop eradication and substitution.

We have an obligation to take active measures such as this in the war against drugs, before it is too late. Drug, related deaths, and injuries—particularly from cocaine abuse—have become all too commonplace. Injuries due to cocaine smoking rose from 600 to 1,100 between 1984 and 1985; an 83 percent increase.

The most disturbing statistics deal with our Nation's youth. In 1985, the New York State Division of Substance Abuse Services released the results of a survey on drug use among secondary school students in New York. The survey estimated that an astounding 60 percent of our secondary schoolchildren, more than 900,000 students, reported having tried illegal drugs. Even more disturbing was the estimate that 31 percent of all seventh grade students had tried illegal drugs while in elementary school. Children all, some of whom were only 12 years old. And they are likely to continue to use drugs, with increasing frequency and dependence.

Equally tragic is the phenomenon of "crack babies," children born with an addiction to crack because their mothers were hooked on the drug. During a recent visit to Harlem Hospital, I saw 1 pound babies writhing with horrible withdrawal pains. A civilized society cannot ignore these cries for help. Stopping cocaine and crack addiction must become a priority. Therefore, we must focus on finding narcotic antagonists for cocaine and heroin addiction. This bill directs the National Institute on Drug Abuse to do just that.

Drug problems throughout the country all stem, in part, from the huge supply of illegal drugs into this country. Federal agencies, State officials and local authorities currently do not have the resources to cope with the flood of drugs on their streets.

This is not the first drug epidemic which I have witnessed in my years of public service. I faced a similar crisis in 1969, when I was a Special Assistant for Urban Affairs for President Nixon. While today the crisis involves crack, then it involved heroin, a narcotic derived from the poppy plant just as cocaine is derived from the coca plant. At that time, poppy plants were grown primarily in Turkey, processed into heroin in Marseilles, and then smuggled into New York.

In order to cut off the supply of heroin, I persuaded the President to provide financial assistance to help Turkish farmers make the transition from a poppy-based agriculture to a more general agricultural economy. With our help, the program to eradicate illicit poppy production succeeded and the French Connection collapsed, creating a severe shortage of heroin in every major drug center in the country.

It comes as no surprise to me, then, that our focus has now turned to countries like Bolivia, Peru, and Colombia as they provide the raw materials for some of the world's most powerful drug traffickers. I support the efforts of our Government and the Bolivian authorities in trying to reduce the supply of cocaine from those countries through programs of crop eradication and substitution. The Comprehensive Narcotics Control Act calls for loans to such countries through multilateral development banks for crop eradication and substitution.

But stopping importation is only one area in which we must address drug abuse. Once these drugs are here, there are vast numbers of high, middle, and low level dealers who support themselves through the sale of these drugs. These dealers must be apprehended and to do that, we need more officers on the streets. This act also provides the necessary funds to supplement local authorities in these efforts to catch drug dealers so that no section of their police force would have to be understaffed.

Some might say that we can't afford to allocate more money to the fight against illegal drugs. But I say we can't afford not to. The costs of drug abuse to our society are enormous. According to a study commissioned by the Alcohol, Drug Abuse, and Mental Health Administration, in 1984, drug abuse costs society a total of $60 billion every year. This includes $20 billion spent to prosecute and imprison criminals convicted of drug dealing and related crimes. It also includes the $2 billion we spend each year to treat and rehabilitate drug abusers. Clearly, there is too great a disparity between

the cost of drug abuse and the amount of money we spend to prevent it.

The time has come to provide sufficient ammunition to the Federal, State, and local officials who are on the front lines of the fight against drug abuse. The Comprehensive Narcotics Control Act of 1986 is that ammunition, and I urge each of my colleagues to support this bill when the Senate considers this measure. You can't win a war without beans, bullets, and black oil. Without more money and resources we may never win the war against drugs.●

□ 1640

DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS, FISCAL YEAR 1987

The Senate resumed consideration of the bill.

AMENDMENT NO. 2777

Mr. MELCHER. Mr. President, returning to the amendment offered by the Senator from Wisconsin dealing with the funds for roadbuilding in our national forests, the argument that is propounded by the Senator from Wisconsin, and by others who have looked at this matter, is: "Well, let's cut down on roadbuilding in the forest and so let's save some money."

Mr. President, I believe that is a very attractive issue. What can be a more attractive issue facing this Congress than an amendment that would save $70 to $90 million or more?

But that argument about saving money is just a question of what are the procedures of operating in our national forests, and by law require that before any timber sale is offered the Forest Service has to plan for constructing a road and do all that engineering work and all that planning to see what type of road would be built so the timber sales can be offered. Now that is law. That is law that is well founded and whether it is wise or not cannot be or should not be argued on this appropriations bill.

But then, the question really is, Is there any cost savings? That is the real question. And the answer to that is, no, there is no cost savings. These moneys are recovered by the timber sales. Well, you have to wait for the money. It might take a couple of years, 3 or 4 years, before you ever get the money back. So we could save that.

Again, we get right down to the nitty-gritty. Well, what does the law require the Forest Service to do? It does not give them that option to say, "Well, we are going to let you have the timber sale, but we have to go across the road. We have not done all that preliminary work, so you do it."

The law does not permit that. Whether that is wise or not is not the argument. Indeed, I think if we did have the argument, we would find that is wise and the best way to do it. But the money is recovered. That is the bottom line.

I think perhaps sometimes we fall into this other side of the issue. There are two points to this issue when you make this kind of an amendment. You have the cost—that is a plus for the amendment—then you also have the environmental question. And what side of the environmental question would you be on? Well, you would want to be on the positive side. You would want to protect the environment. So the amendment actually has two pluses.

Yet I find it necessary, Mr. President, to ask for the floor and to seek the floor on my own behalf to argue against this amendment. So I am arguing against some pretty strong medicine. Well, let me tell you where I come from and why I must take the position opposing the amendment.

I was reminded just a few days ago while driving across Montana in the western part of the State of how much I object, abhor, feel bad about looking at national forest lands and seeing substantial acres clearcut or seeing on the slopes a criss-cross every few hundred feet of old logging roads to harvest the timber. You cannot enjoy that kind of a setting. And if you fly over it, as I did a few days ago, over parts of it where you can really get a good view from up on high and look down on it, you know it would be a lot prettier if those trees were there.

Then you get beyond that and your mind wonders to what happens on the slope. Does that not create erosion? Does it not mean something to the watershed? Then, finally, the aesthetics of it is all one way. You know that an ordinary person really does not like it, cannot help but dislike it.

And if that were all there was to it, perhaps I would join with my friend from Wisconsin in this amendment. But that really is not all there is to it.

Here are the limiting factors for now. In 1976, we adopted the Forest Management Act, which was a very far-reaching act. It requires forest plans for every segment of the national forest. And that planning process—which is open to the public and public involvement all the way through it, has several stages—takes several years to get a forest plan for any of our national forests. Indeed it does because we passed that law, we passed a bill making the law in 1976 calling for all these forest plans.

And here it is 1986 and right now the first round of those forest plans are being finally scrutinized, I mean the final stages of approval. It takes that long. It sets in motion this 10-year cycle of the new planning, 10 years, always with the same public involvement, the same criticism, the same objectives to make sure that our forests are now more aesthetic, that they are more conservation oriented, that there is less in the way of watershed damage, and there cannot be any question on the conservation side of erosion. Erosion must be controlled.

Are these plans going to work? Well, you know it is pretty difficult for us to be sure, but as far as I can tell now, I can conscientiously tell you that, yes, I think they will work. It is a very laborious process and it is very well locked into law, and it is very well scrutinized, but it takes a long time to get the first set of plans approved. But that is right at the stage we are at.

You can appeal these plans. Many of these various forest plans have been appealed. So the public involvement and the public insistance that all of these conservation-oriented facets of the forest plan be enforced is held right there to keep the Forest Service nose to the grindstone, keep them constantly under review.

□ 1650

What has all of this to do with the amendment? It has an awful lot to do with the amendment.

Anybody who wishes to look at any particular forest plan, or any portion of a forest plan, can check out which roadbuilding is planned in this 10-year cycle, 20 years from now, 30 years from now, and on down the road.

The facts are that as you look at those plans, they are really not going to be too much in roadbuilding. That would seem to say, well, then, the Senator from Wisconsin has made a good point. Those forest plans really do not indicate there is going to be too much roadbuilding during the next 10 years; why appropriate so much money? Well, the fact is no matter what State it is in, or what particular national forest in which State, in any of the individual States, or which area that is involved of a particular national forest, that planning process triggers the beginning of the need for having those funds available. It is that simple. Will it cost more or less? It will probably cost less. But whether it costs less or not does not depend upon how we restrict in this bill the funds that are available because it is not going to be determined. The amount of money that will be spent on the roads will not be triggered by the amount appropriated. It will be triggered by the forest plans themselves. Those forest plans that are approved will set in motion the triggering mechanism for whatever roadbuilding money is necessary.

But it will not be triggered until the forest plan itself is approved.

I find while that may be a cumbersome way, taking 10 years to develop these forest plans and they are still not finalized in most national forests yet, while they may be a cumbersome

way of doing business and may require the Forest Service to do an excessive amount of planning, I find comfort, and I find assurance in the whole mechanism, and in the whole process. And why? It goes back to the environment issue, and to the esthetics. We do not want rapid runoff. We do not want cutting of trees on steep slopes because there will be rapid runoff, which will lead to a cause of environmental degradation, erosion, and loss of quality of the watershed.

We do not want timber harvested close to streambeds for the same reasons. There will be loss of protection for those streambeds and loss of water quality if erosion would result. So we forbid that. We forbid it in the law.

And in order for the public to be sure that the law is followed in these forest plans, by necessity they are long drawn out processes, which it is true is a cumbersome process, but one which I favor and which I believe the public favors.

I want to say this: The amendment, as attractive as it may be, is simply a bad amendment. It should be turned down. It should be automatically defeated because we have the process unfolding now in these forest plans which I believe is the only correct way to manage our national forests, which is the only reassuring way to the public that they are being managed properly and which assures the public the opportunity to envision and examine for themselves whether what we want for prudent management of these forest lands will be followed in the present and in the future.

As a result, we will not have large clearcuts. That is good. Twenty-eight acres, as a matter of fact, is the limitation now required in the law, and nothing larger than that. As a result, we will not have steep slope harvesting, which is good, both from the standpoint of conservation and from the standpoint of esthetics. We will not have streambank erosion, which is good to maintain water quality. It is good for the fish, it is good for the enjoyment of the public, and it is good for the esthetics.

The amendment will not accomplish these things. It is the plans themselves that accomplish these restrictions, these protections, and these fine things we want for environmental protection.

I ask for the defeat of the amendment. But I ask for it in the confidence that we have the process to accomplish what the public of the United States wants, and that is clean, well-managed forests that are attractive, that are good for the people, good for the wildlife, good for the habitat of fish, good for clear water, and good for water protection.

I might point out that the Senator from Idaho, the distinguished chairman of the Subcommittee on Appropriations handling this bill on Interior, and also the chairman of the Energy and Natural Resources Committee, comes from the very State that has contributed very generously and very constructively in the Forest Management Act in the person of the distinguished Senator himself and his colleague, the junior colleague, and also by the late Senator Frank Church, former distinguished colleague of all of us.

All of these distinguished Senators have contributed mightily in fashioning the Forest Act of 1976. Indeed, it is the Church guidelines that protect the environment and the conservation efforts of all of us in our national forests that was made statutory. The Church guidelines were just regulations of the national forests for the Forest Service in operating the national forest. They were just regulations adopted by the Forest Service at the request and at the behest of the distinguished Senator, former Senator from Idaho, the late Frank Church, which were made statutory in 1976 act.

On the question of road standards, there is none that have taken the most forthright and strongest stand on what the road standard should be in our national forests regarding timber harvesting than the distinguished Senator now managing the bill as the subcommittee chairman, Senator McCLURE.

I am pleased that he has been successful. I have tried to be helpful in my own way to get those standards to a level that was environmentally more satisfactory, and also carries with it a lower cost.

I think those efforts have been successful. So from the standpoint of both costs and environmentally acceptable standards, the road standards that are now used by the Forest Service are better, and should be good enough to assure the Senator from Wisconsin that not only the Forest Service but Congress itself has been instrumental in trying to pursue the very two key points of this amendment today; that is, cost reduction, and environmental protection.

□ 1700

One final word.

If we want to be confusing, we could adopt the amendment. But I hope it is not adopted. I think that the cost factor is very much self-limiting because of the planning requirements of the Forest Service under the law, the 1976 act, in managing the national forest itself. I think that is obvious if the forest plan is not approved—and it cannot be approved without the scrutiny of the public and the insistence on the practicality and the necessity and conservation-oriented public on when we can or cannot build a forest logging road. That is good.

On the second point, obviously, if it is self-limiting because of the forest plan itself, the money simply will not be spent unless the projected growth, the planned growth, has climbed all these high walls, jumped over all the hurdles, and made the satisfactory answers to the questions of the cost and the environmental protection.

For those reasons, I hope the amendment is defeated and we get on with the rest of the bill.

Mr. President, I yield the floor.

Mr. McCLURE addressed the chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. McCLURE. Mr. President, I will take very little time to respond to the arguments.

The Senator from Wisconsin, the primary sponsor of this amendment, several times made reference to the total number of miles of roads on national forest lands.

Let us put that figure into two different kinds of perspective. What are those roads?

Of the 343,300 miles of roads to which he has made reference, 65,227 miles have been closed. That is over one-fourth of the total mileage which has already been closed.

Of the remaining 278,000 miles of roads, 171,000 are maintained only for high clearance vehicles. They are not regular roads. They are not open to general vehicular traffic.

Only 106,000 miles are maintained for passenger cars, and out of that only 51,000 miles are fully maintained and 55,000 miles are partially maintained.

So you do not really have a road system of the kind that people from the flatlands of this country would consider to be roads. There are not 343,000 miles of roads that everybody can go out from town and drive over the weekend on. They are not available for passenger vehicular traffic.

Let us contrast that for a moment, lest we think that that 55,000 miles is still a lot. Let us look at what is maintained in other States. I am not going to read the entire list, but I have obtained from the Bureau of Public Roads a list of Federal aid highway systems and mileage now on Federal-aid systems in the 50 States.

I will start with Alabama which has 87,560 miles of roads; Wyoming, 38,000. And I cannot help but note Wisconsin 108,000, double the mileage of roads available for passenger car traffic on a fully maintained basis in national forest lands. Contrast Wisconsin, 1 State out of 50, with one-third of our Nation's area in public lands, a large portion of which is the national forest lands.

I think from that standpoint neither comparison would indicate excessive roadbuilding.

I thought it necessary to point out that in the 50 States there are 2,891,781 miles of roads as contrasted to the 55,000 miles of fully maintained roads for passenger cars or even the total of 343,000 within the total forest system which is less than one-tenth of the total in the United States.

Mr. President, I ask unanimous consent that a table which has that information fully for all 50 States be printed in the RECORD at this point.

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

BUREAU OF PUBLIC ROADS—EXISTING PUBLIC ROAD AND STREET MILEAGE, 1984, CLASSIFIED BY FEDERAL-AID SYSTEM AND JURISDICTION

[Mileage as of Dec. 31, 1984, completed from reports of State authorities]

State	Federal-aid highway systems—rural and urban							Mileage not on Federal-aid systems							Total Federal-aid and non-Federal-aid mileage
	Under State control	Under local control				Under Federal control [2]	Total	Under State control	Under local control				Under Federal control [2]	Total	
		County roads	Town and township roads	Other local roads [1]	Total				County roads	Town and township roads	Other local roads [1]	Total			
Alabama	10,675	8,123		2,479	10,602	32	21,309	1,013	49,763		15,200	64,963	275	66,251	87,560
Alaska [3]	4,141			28	28		4,169	7,382						7,382	11,551
Arizona	5,873	2,234		1,301	3,535		9,408	246	23,482		7,555	31,037	35,446	66,729	76,137
Arkansas [3]	10,403	2,699		706	3,405	42	13,850	5,708	47,155		8,934	56,089	1,398	63,195	77,045
California	15,069	13,065		12,774	25,839	187	41,095	3,145	56,671		41,652	98,323	30,442	131,910	173,005
Colorado	8,852	536	1	1,477	2,014	2	10,868	451	48,874	2	8,314	57,190	7,217	64,858	75,726
Connecticut	3,287		2,161		2,161		5,448	609		13,522		13,522		14,131	19,579
Delaware	1,377					3	1,380	3,329			593	593		3,922	5,302
District of Columbia	419						419	683						683	1,102
Florida	10,956	4,583		4,371	8,954		19,910	580	55,567	1,962	20,965	78,494		79,074	98,984
Georgia	23,797	1,913	3,186	2	5,101		28,898	62,848	3,950	9,837		13,787		76,635	105,533
Hawaii	923	370			370		1,293	140	2,512			2,512	112	2,764	4,057
Idaho	4,915	1,520	426	1,097	3,025	15	7,955	170	11,969	611	12,758	25,338	35,153	60,661	68,616
Illinois [3]	15,002	11,368	1,145	3,486	15,999	10	31,011	2,607	5,112	70,092	25,368	100,572	292	103,471	134,482
Indiana	11,329	5,335	303	3,403	9,041		20,370	15	59,506	3,192	8,484	71,182		71,197	91,567
Iowa	9,817	12,942		2,617	15,559		25,376	343	76,672		9,888	86,560	120	87,023	112,399
Kansas	10,621	20,948		1,456	22,404		33,025	71	90,136		8,975	99,111		99,182	132,207
Kentucky [3]	12,822	161		560	721	38	13,581	12,298	38,217		4,795	43,012	448	55,758	69,339
Louisiana	11,782	395		969	1,364	17	13,163	4,636	30,670		9,018	39,688	636	44,960	58,123
Maine [3]	5,008		3	726	729		5,737	2,995		10,980	2,042	13,022	184	16,201	21,938
Maryland [4]	4,415	1,341		689	2,030	43	6,488	1,055	14,906		4,619	19,525	357	20,937	27,425
Massachusetts	3,047		1,870	5,759	7,629	9	10,685	566		9,498	12,937	22,435	108	23,109	33,794
Michigan	9,480	18,717		2,746	21,463		30,943	18	70,136		16,446	86,582		86,600	117,543
Minnesota	12,071	15,621	135	745	16,501	92	28,664	1,373	29,656	55,436	14,864	99,956	1,562	102,891	131,555
Mississippi	10,070	8,284	1,429		9,713		19,783	253	44,435	6,470		50,905	339	51,497	71,280
Missouri	26,827	343	3	1,351	1,697		28,524	5,490	52,832	16,303	15,029	84,164	709	90,363	118,887
Montana	6,666	4,800		227	5,027		11,693	1,160	48,382	2,306	91	50,779	7,854	59,783	71,486
Nebraska	9,980	9,142		1,026	10,168	23	20,171	429	49,179	15,903	6,172	71,254	110	71,793	91,964
Nevada	4,644	335		201	536	50	5,230	538	23,169		1,722	24,891	13,166	38,595	43,825
New Hampshire	2,817		29	447	476		3,293	1,582		6,170	3,330	9,500	142	11,224	14,517
New Jersey [3]	2,382	4,543	144	1,850	6,537		8,919	786	2,472	5,025	16,637	24,134	40	24,960	33,879
New Mexico [4]	9,029		8	123	131		9,160	3,380	31,797	3,148	316	35,261	6,326	44,967	54,127
New York [3]	14,916	4,380	1,658	3,946	9,984		24,900	1,478	16,081	53,441	13,980	83,502		84,980	109,880
North Carolina	17,901			50	50	22	17,973	59,022			13,060	13,060	2,665	74,747	92,720
North Dakota	7,251	9,202	6	533	9,741		16,992	53		65,361	2,857	68,218	704	68,975	85,967
Ohio	18,143	4,309	347	4,436	9,092		27,235	2,176	25,103	38,956	18,290	82,349	29	84,554	111,789
Oklahoma	11,731	4,851		2,337	7,188		18,919	1,327	80,966		8,999	89,965		91,292	110,211
Oregon	7,575	6,360		1,543	7,903	1	15,479	3,278	27,494		6,127	33,621	82,544	119,443	134,922
Pennsylvania	23,548	284	1,019	1,610	2,913		26,461	89,407			11	11		89,418	115,879
Rhode Island [4]	1,122		463	8	471		1,593	91		4,591		4,591		4,682	6,275
South Carolina	15,845	163	2	20	185		16,030	24,493	20,068	604	1,546	22,218	598	47,309	63,339
South Dakota	7,798	8,907	600	541	10,048	263	18,109	96	17,508	33,009	2,987	53,504	1,688	55,288	73,397
Tennessee [3] [4]	7,823	6,026		1,239	7,265	3	15,091	1,357	54,378		11,899	66,277	1,384	69,018	84,109
Texas [3]	55,306	400		4,058	4,458	6	59,770	16,144	136,150		65,767	201,917	972	219,033	278,803
Utah	5,343	1,052		412	1,464	33	6,840	243	19,926		5,061	24,987	16,294	41,534	48,364
Vermont	2,564		828	262	1,090		3,654	224		8,981	1,067	10,048	82	10,354	14,008
Virginia	18,266	236		1,238	1,474		19,740	36,514	1,159		6,195	7,354	1,727	45,595	65,335
Washington	6,961	7,521	565	1,804	9,890		16,851	11,566	33,833	2,880	5,529	42,242	10,060	63,868	80,719
West Virginia	9,825	3		275	278		10,103	21,533	1		2,136	2,137	1,213	24,883	34,986
Wisconsin	11,877	10,047	387	1,814	12,248		24,125	642	10,122	60,820	12,457	83,399	184	84,225	108,350
Wyoming	5,971	301		289	590	62	6,623	649	13,722		13,548	27,270	3,652	31,571	38,194
Total [3]	528,262	213,360	16,718	79,013	309,091	953	838,306	396,192	1,423,731	499,100	468,220	2,391,051	266,232	3,053,475	3,891,781

[1] Includes mileage not identified by administrative authority.
[2] Mileage in Federal parks, forests, and reservations that are not a part of the State and local highway systems.
[3] Excludes ferry route mileage: Alaska, 773 miles of rural primary: Arkansas, 1 mile of secondary: Illinois, 2 miles of secondary: Kentucky, 1 mile of urban and 1 mile of secondary: Maine, 3 miles of secondary: New Jersey, 1 mile of secondary: New York, 12 miles of rural primary and 1 mile of secondary: Tennessee, 1 mile ot secondary: Texas, 2 miles of rural primary, 5 miles of urban and 1 mile of secondary: and Washington, 60 miles of rural primary, 18 miles of urban primary and 6 miles of secondary.
[4] Incomplete 1984 data submitted for these States: 1983 data used. 1982 data used for Tennessee and factored to 1984 levels. Because of factoring procedures used, individual data components for these States may not be compatible among the various mileage tables.

SLOW ROAD BUILDING IN NATIONAL FORESTS

● Mr. KASTEN. Mr. President, I rise in support of the Proxmire amendment to reduce funding for road construction in our national forests.

I will support this amendment for two reasons—economics and environment.

Forest Service road building simply does not produce a return to the Treasury sufficient to cover the costs of building those roads. At a time when the country is facing the threat of across-the-board cuts in Federal programs—good or bad—frivolous or essential—we should not be increasing funding to an economically unproductive program such as this.

The amendment I will support strikes a compromise on how many dollars to spend on road building. This amendment will reduce funding for road building by $90 million from the committee-passed bill. It splits the difference between the administration's request for road building and the amount appropriated by the House of Representatives.

The Nation does not need to expand the road building program in Federal lands at this time. The timber industry today is faced with low prices and a glut of trees that cannot be moved at profitable prices. The last thing that the industry as a whole needs is an increase in the production of subsidized timber that would drive prices down even further.

Private producers must already compete with a tremendous Federal program to produce timber at subsidized rates. I believe that the free market will better serve the Nation's needs than increasing subsidies.

Second, we should not be embarking on a massive new road building program in our national forests for environmental reasons. This road building program will penetrate many of the more remote and fragile potential

timber lands. They will be expensive to open up, expensive to maintain, and carry a high environmental cost as well.

The Forest Service has exceeded its planned and funded goals for road construction in each of the last 5 years, despite periodic funding reductions. If this amendment passes, the Service will be opening up relatively undisturbed land at an unprecedented rate. If a pressing national need for more timber were clearly present, this would be acceptable. But such a national need is not clear to this Senator.

What need does seem to exist is a local need. The money provided through road construction on Federal lands is important to the economies of several States. As a Senator from Wisconsin, a large timber producing State with many timber holdings on Federal lands, I understand this.

But, we have a simple trade-off to make. We can support increased funding for Forest Service road building—which will be concentrated in a few States and will have serious environmental consequences. Or, we can support saving $90 million taxpayer's dollars, and start making the selective spending reductions we will need to avoid an across-the-board cut under Gramm-Rudman.

I believe the responsible choice is clear, and I urge my colleagues to support this amendment.●

Mr. HATFIELD. Mr. President, I want to just take a moment to speak on behalf of the committee's position with regard to Forest Service roads and in opposition to any reductions to the Forest Service's road budget as is currently being proposed.

As many of my colleagues know, I have been intimately involved with the establishment of the 1.2 million acre Oregon wilderness bill enacted in 1984 and have consistently supported environmental causes, many of which are funded in this Interior appropriations bill. But unfortunately, too little credit has been given to the critical land acquisition and fish habitat improvement moneys approved in this bill, and too much attention has been provided to Forest Service roads.

Mr. President, the fact is that the Forest Service has not done a very good job in managing the road program and has in many instances built roads in excess of necessary construction standards and in some instances have built roads into areas where timber was not harvested for some time. But some of these decisions can be explained. For example, many roads were built in the late 1970's when timber sales were at all time records only to go unused during the 1980-81 recession. The change in the economic climate is not anything the Forest Service can respond to in short order because of long lead times necessary to plan a timber sale, but this illustration does give an example of "apparently" wasted taxpayers' dollars. I can assure you that those roads have been used and that because of record timber demands in 1984 and 1985, and with continuing low interest rates, new roads will be necessary to sustain our public supply of Federal timber.

A second point, Mr. President, in support of road funding is that in many areas of the West we are overharvesting on existing lands and in order to relieve overcutting, we must begin to access new areas which require roads. Please be assured that it's not our intent to access wilderness areas, nor lands which are unsuitable for timber harvest. But in Oregon and Washington alone over 1 million acres of wilderness study areas were released for multiple use purposes, a portion of which should be considered for timber harvesting. Again, Mr. President, additional funds for roads is necessary to alleviate overcutting on existing lands.

Third, Mr. President, I would like to point out that despite compelling evidence in support of increasing timber sales; interest rates are at record low levels; Canadian timber imports comprise one-third of the entire United States timber consumption. We are only asking to maintain timber harvest levels at the level approved by Congress last year, about 11.4 billion board feet. We must sustain timber volumes to maintain regional employment and address the trade deficit issues which are killing this country's Federal budget.

As an aside, Mr. President, I would just like to mention that in Oregon, where timber is like oil to the gulf and wheat to the Midwest, our July adjusted unemployment figure was 9.4 percent while the national average was just 6.9 percent. Oregon's unemployment rate continues to be 2.5 percentage points, or 36 percent higher than the national average since the recession of 1981.

Finally, Mr. President, I would just like to point out that OMB figures with regard to timber receipts to the Federal Treasury are not correct. In fact, by adding about $50 million in outlays to the Forest Service budget for fiscal year 1987, to increase roads and timbers sales, the Treasury will receive a net increase in revenues of nearly $85 million in fiscal year 1987 alone, not to mention out year receipts to be received from future sales.

One last point I would like to clarify, Mr. President, is that I have heard the word "timber industry subsidy" used alot in this debate and it reminds me of the "educating" I had to do when this body passed the Timber Contract Relief Act. The fact is that unlike other agricultural crops which do receiving minimum production subsidies and guaranteed payments, timber companies pay the Government full market value for the timber they take off of public lands, the Government does not pay industry for removing the lumber. In almost every instance sealed bids are submitted and the contract is awarded to the highest bidder who often time pays for the construction of the roads necessary to remove the timber. To repeat, there is no subsidy.

Mr. SASSER. Mr. President, I rise today in strong support of the amendment being offered this afternoon by the senior Senator from Wisconsin, Senator PROXIMRE, to strike $90 million from the Forest Service's Forest Road Program in fiscal year 1987.

This amendment makes sound economic sense. It makes sense because we are presently pursing a national forest management policy that loses millions of taxpayer's dollars every year—unnecessarily. It makes sense because we can achieve our Federal timber harvest objectives without spending the $90 million in question here today.

The bill before us today contains $253 million for the Forest Service's road construction account. This figure is $66.7 million above the administration's request for this program, and $110 million above what the House approved. Yet, for each of the past 5 years, the Forest Service has constructed more miles of road than it planned for or requested in its budget. Given this overbuilding—which has outpaced associated timber harvesting—it is difficult to understand why a funding increase of this magnitude is necessary, particularly as our national forests now contain over 340,000 miles of roads—more than 1 mile of road for every square mile of forest.

This quantity of road building would be more acceptable if it was leading us in a desirable direction. But we are only being led down a path of fiscal and environmental irresponsibility.

The Cherokee National Forest represents an excellent case in point. In recent years, the Forest Service has lost 62 cents for every dollar spent on timber management in the Cherokee. This amounts to annual losses from timber sales on the Cherokee National Forest alone of over $2 million. These losses can be traced to the Forest Service's use of subsidized road building into areas that are not economically suitable for timbering.

Yet, the Forest Service will not abandon this fiscally unsound policy. In fact, in the final management plan for the Cherokee Forest, the Forest Service proposes to construct an additional 34 miles of new roads over the next 10 years, and to maintain the current timber harvest levels of 40 million board feet annually. Continuation of this level of road construction and timber harvests can only continue

these annual losses of $2 million on the Cherokee.

The Cherokee is not an unusual case among our national forests. In the Southern region alone, there are 11 national forests that consistently lose money on timber sales. The Forest Service's costs for timber and mineral activities in 1985 exceeded the Federal share of receipts by $621 million in that same year.

Obviously, Mr. President, someone is the loser in this equation. The loser is the American taxpayer. National forest road construction expenditures have averaged $415 million per year during fiscal years 1981 through 1985. This represents approximately one-fifth of all Forest Service appropriations during those years. In comparison, funding for trail construction has averaged less than $5 million annually, or about one-fourth of 1 percent of the national forest budget.

In the bill under consideration here today, funding for Forest Service recreational programs has been reduced $5 million from last year's levels. Funding for soil and water protection has been cut $1 million. And funding for land acquisition has been slashed $8 million. Certainly, Mr. President, when one compares these budget cuts with a $66.7 million increase for road construction, one can argue that our national forest priorities are seriously flawed.

In addition to the economic arguments for this amendment, there are obvious environmental arguments to support this measure. Road construction is one of the biggest causes of environmental damage on the national forests, creating extensive soil erosion and degrading water quality and fish habitat. Moreover, the Forest Service's plans for the construction of over 8,000 miles of new roads in unprotected wildlands, particularly in the northern Rockies and on the west coast, are aimed at accessing RARE II and other roadless areas. Given that States such as Montana and Idaho have not yet acted on their RARE II recommendations, this Forest Service policy preempts congressional decisions in those States on wilderness designation.

Mr. President, last year the house cut $50 million from the Forest Service's road budget, which would have reduced road construction for fiscal year 1986 by 600 miles from the proposed level of 924 miles. Unfortunately, the final version of this bill cut the road budget by only 5 percent. The result: the Forest Service has found "cost savings" in its budget and plans to construct 1,016 to 1,108 miles of roads this fiscal year, instead of the 924 miles originally proposed.

Despite my misgiving about past practices, I believe we can take comfort in this ability of the Forest Service to build more roads with fewer funds. This knack for getting more with less tells me that this amendment will not cripple the Forest Service's road program. I am hopeful that the additional fiscal rein this amendment would place on the Forest Roads Program will encourage the Forest Service to carry out its roads program in a way that is more fiscally, as well as environmentally, sound. I urge my colleagues to support this amendment.

Mr. McCLURE. Mr. President, I am checking on one other request to speak on this amendment.

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

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

The legislative clerk proceeded to call the roll.

Mr. McCLURE. 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. McCLURE. Mr. President, the one inquiry I had made indicated that the Senator involved wished us to go ahead. I know of no other request to speak on this amendment.

Mr. President, I move to table the amendment 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 Idaho to lay the pending amendment on the table. The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from Utah [Mr. GARN], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Alaska [Mr. MURKOWSKI], the Senator from New Hampshire [Mr. RUDMAN] and the Senator from Idaho [Mr. SYMMS] are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Arkansas [Mr. BUMPERS] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 43, nays 51, as follows:

[Rollcall Vote No. 258 Leg.]

YEAS—43

Abdnor	Ford	McClure
Andrews	Goldwater	McConnell
Baucus	Gorton	Melcher
Boschwitz	Gramm	Packwood
Broyhill	Grassley	Quayle
Burdick	Hatch	Rockefeller
Byrd	Hatfield	Simpson
Chafee	Hecht	Stennis
Cochran	Heflin	Stevens
D'Amato	Helms	Thurmond
Denton	Johnston	Wallop
Dole	Laxalt	Weicker
Domenici	Long	Wilson
Durenberger	Mathias	
Evans	Matsunaga	

NAYS—51

Armstrong	Harkin	Moynihan
Bentsen	Hart	Nickles
Biden	Hawkins	Nunn
Bingaman	Heinz	Pell
Boren	Hollings	Pressler
Bradley	Humphrey	Proxmire
Chiles	Inouye	Pryor
Cohen	Kasten	Riegle
Cranston	Kennedy	Roth
Danforth	Kerry	Sarbanes
DeConcini	Lautenberg	Sasser
Dixon	Leahy	Simon
Dodd	Levin	Specter
Eagleton	Lugar	Stafford
Exon	Mattingly	Trible
Glenn	Metzenbaum	Warner
Gore	Mitchell	Zorinsky

NOT VOTING—6

Bumpers	Kassebaum	Rudman
Garn	Murkowski	Symms

So the motion to lay on the table amendment No. 2777 was rejected.

□ 1740

Mr. McCLURE. Mr. President, obviously, the issue is close enough that those of us who are managers of the bill would hope to reverse the vote on the motion to adopt the amendment. We could have asked for a motion to reconsider—that is still a possibility—of the motion to table. But I think under the circumstances, Mr. President, it is impossible for us to move further with the legislation today, unless the proponents of the amendment would be willing to allow it to be temporarily set aside so that we could work on three or four other amendments that are not controversial, and that would leave this as the only remaining issue.

The Senator from Wisconsin has been his usual courteous self in allowing us to try to round up votes, with one Member voting believing it were an up or down vote and probably is recorded in a way he would not like to be recorded. We will give him an opportunity one way or another to be recorded on the appropriate side of the issue.

But the amendment is serious enough, in my judgment as manager of the bill and as a Senator from Idaho, that I am not content to allow the result as it sits now to be the final result yielding only this result or one equally bad in the House of Representatives.

For that reason, Mr. President, I would ask the majority leader if it is his desire that we lay this matter temporarily aside and move to something else this evening and resume consideration on tomorrow.

Mr. DOLE. Mr. President, we do have another bill we could bring up, as I understand, within 10 or 15 minutes. We could be on Labor-HHS if that were the will of the Senate. Of course, the distinguished Senator from Wisconsin has a stake in this, too. The amendment was not tabled.

As I understand it, there are three or four more amendments to this bill

that could be disposed of. Does the Senator from Wisconsin have any problem with temporarily setting his amendment aside and working on the other amendments?

Mr. PROXMIRE. Mr. President, may I say to my good friend, the majority leader, of course I am very anxious to go ahead. It seems to me it was a pretty decisive win, 51 to 43. I am sure that it is possible that there may be people who would change their mind under certain circumstances. I would hope we could go ahead.

Obviously, the majority leader can, if he wishes, do all kinds of things. He can recess the Senate. The opponents of the amendment can speak at some length.

I want to be as cooperative with the Senators as possible. We want to do as much business as possible. So I am not going to hold them up on this amendment but I would hope that we can vote on the amendment up or down expeditiously, if possible, today. And, if not, as I say, the majority leader has this within his control. I do not. I wish I did.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

□ 1910

Mr. DOLE. Mr. President, I ask unanimous consent that further proceedings under the quorum call be rescinded.

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

THE CANARSIE PIER

● Mr. MOYNIHAN. I rise to call your attention to a problem concerning the Canarsie Pier, in the Gateway National Park in Brooklyn, NY. For 60 years, Canarsie Pier has served as a recreational area for New Yorkers, particularly for fishermen.

The pier, which was originally constructed in 1926, has long-term structural problems, which were identified in a preliminary inspection conducted by the National Park Service in 1979, and another study conducted by the Federal Highway Administration in 1980.

Further analysis is needed to examine the extent of the necessary repair work; to assess the alternatives; and to estimate the cost of repairs or reconstruction. I understand that the National Park Service has funds available in its budget.

Does the distinguished Chairman agree that under the circumstances, and if the Director of the National Park Service determines that a study is necessary, the study should be undertaken forthwith?

● Mr. McCLURE. I do and would expect that the Director would make such a determination within 90 days.

● Mr. MOYNIHAN. I thank the chairman and the minority leader for their consideration, and their efforts to address this problem before the safety of the public is jeopardized by the structural condition of Canarsie Pier.●

DEPARTMENT OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS—1987

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate now turn to the consideration of H.R. 5233, Labor-HHS appropriations.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Mr. President, reserving the right to object—there is no objection on this side—I take it that the distinguished majority leader intends to leave the Interior appropriations bill in a temporarily laid aside status with a call for the regular order being available to bring it back at any time?

Mr. DOLE. That is correct.

Mr. BYRD. I have no objection.

I should state that the ranking manager of the Labor-HHS bill, Mr. PROXMIRE, whose amendment is also involved in the Interior appropriations matter, has no objection. The matter has been cleared with him.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 5233) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1987, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

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.)

ANNUAL REPORT OF THE SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION—MESSAGE FROM THE PRESIDENT—PM 169

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Environment and Public Works:

To the Congress of the United States:

Pursuant to the requirements of Section 10 of the Saint Lawrence Seaway Act of May 13, 1954, I hereby transmit the Saint Lawrence Seaway Development Corporation's Annual Report for 1985.

RONALD REAGAN.

THE WHITE HOUSE, *September 9, 1986.*

REPORT ON THE STATE OF SMALL BUSINESS—MESSAGE FROM THE PRESIDENT—PM 170

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Small Business:

To the Congress of the United States:

I am pleased to submit to the Congress my fifth annual report on the state of small business. The *State of Small Business.* report by the Small Business Administration, which follows this message, reconfirms the contribution that small business makes to our Nation's economy. In 1986 vigorous small business formation and job creation continues, reflecting the strength and perseverance of millions of men and women building better futures for themselves and for our country.

The freedom to choose a way of life and to build upon the strength of an idea is the cornerstone of American small business and the secret of small business success. Our job in Washington is to ensure that our actions do not stand in the way of small business opportunities; only the limits of entrepreneurs' own imaginations can hold them back.

A stable and growing economy is our most important goal to ensure small business opportunity. For business owners to contribute to that growth, our policies must be clear and government tampering with business decisions must be minimized. Consequently, I believe that two current initiatives of this Administration are critical small business issues: the effort to reduce Federal spending and to reform our tax laws.

Other policies are surely important too, but success on these two fronts will be the most beneficial to this Nation's 15 million small businesses.

Uncontrolled Federal spending and the deficits it has produced compete with private spending including small business investment. They also hurt the ability of small firms to meet foreign competition. Similarly, a tax system that is needlessly complex and built around high tax rates hobbles the business owner's ability to grow and operate in response to the demands of markets. We will be better off when tax considerations do not determine whether a certain investment is worthwhile or profits from a firm should be reinvested in job creating opportunities. Action in these areas is a small business priority; it is a critical priority of my Administration.

Our efforts cannot stop here. Continued steps to reduce regulatory burdens are important to a healthier small business climate. I call on all Federal agencies to continue the fight to eliminate burdensome regulations and to look askance at proposals for solving every problem with a Federal regulation. The Regulatory Flexibility Act, an important tool for agencies in this effort, requires economic analysis of small business impacts and the consideration of less burdensome alternatives.

Businesses are handicapped by uncertain or limitless liability for injuries arising from their products or services. It is important that our legal system provide redress for those injured by the negligent acts of others and incentives for safe products. But a runaway liability system prevents many small business owners from obtaining or being able to afford liability insurance. The Administration supports legislation that would reform the legal system to provide adequate safety for American consumers, without unduly burdening American business.

These and other issues have been clear priorities of the preliminary meetings being held across the country and which are leading up to the National White House Conference on Small Business in August of this year. Meetings held in every State are serving as a forum for America's small business leaders to let their voices be heard on public policy issues vital to small business and to the Nation.

Few experiences are more unique to the American character than going into business for oneself. Ever since small business owners opened their doors they have had to cope with the changing marketplace. Using wit, hard work, and initiative, they have successfully demonstrated that American trait of adapting while thriving in the face of adversity.

These basic talents are found in abundance in America's small businesses and now, as in the past, help us to meet world commercial competition. While some nations have chosen controlled solutions to their economic problems, our answers lie in the freedom that allows small businesses to adapt to the world's changing economic climate.

A nation's wealth and commercial know-how is molded by its culture. Our society, made up of risk-takers from other nations and cultures, is by nature willing to change and make sacrifices. This willingness to take risks is essential to our creative energies: it is the foundation of American entrepreneurship. The continuing economic recovery is a vivid reminder of the pivotal role small business has been playing in recent years.

RONALD REAGAN.

THE WHITE HOUSE, *September 9, 1986.*

ANNUAL REPORT ON FEDERAL ENERGY CONSERVATION PROGRAMS—MESSAGE FROM THE PRESIDENT—PM 171

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Energy and Natural Resources:

To the Congress of the United States:

In accordance with the provisions of Section 381(c) of the Energy Policy and Conservation Act (42 U.S.C. 6361(c)) and Subtitle H of the Energy Security Act (42 U.S.C. 8286), I herewith transmit the ninth annual report on Federal Energy Conservation Programs undertaken during Fiscal Year 1985.

RONALD REAGAN.

THE WHITE HOUSE, *September 9, 1986.*

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-3676. A communication from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation to consolidate and expand the statutory authority for the National Agricultural Library in the Department of Agriculture; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3677. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the fourth quarterly commodity and country allocation table showing current programming plans for food assistance for fiscal year 1986; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3678. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, notice of the reapportionment of the appropriation for Radio Free Europe/Radio Liberty; to the Committee on Appropriations.

EC-3679. A communication from the Assistant Secretary of the Army (Installations and Logistics), transmitting, pursuant to law, a report on the discovery and emergency disposal of suspect chemical munitions at Dugway Proving Ground, UT; to the Committee on Armed Services.

EC-3680. A communication from the Acting Assistant Secretary of Defense (Comptroller), transmitting, pursuant to law, a report on the value of property, supplies and commodities provided by the Berlin Magistrate for the quarter April 1, 1986, through June 30, 1986; to the Committee on Armed Services.

EC-3681. A communication from the Deputy Assistant Secretary of Defense (Administration), transmitting, pursuant to law, a report stating that the Department of the Navy intends to exercise the provision of law concerning exclusion of the clause relating to examination of records by the Comptroller General; to the Committee on Armed Services.

EC-3682. A communication from the Acting Director of the Office of Dependents Schools, Department of Defense, transmitting, pursuant to law, a report entitled "A Look at DoDDS in School Year 1985-86"; to the Committee on Armed Services.

EC-3683. A communication from the President and Chairman of the Export-Import Bank of the United States, transmitting, pursuant to law, a report on loan, guarantee, and insurance transactions supported by the Bank to Communist countries during July 1986; to the Committee on Banking, Housing, and Urban Affairs.

EC-3684. A communication from the General Counsel of the Department of the Treasury, transmitting a draft of proposed legislation to amend the Federal Deposit Insurance Act; to the Committee on Banking, Housing, and Urban Affairs.

EC-3685. A communication from the First Vice President and Vice Chairman of the Export-Import Bank of the United States, transmitting, pursuant to law, a report on a transaction involving United States exports to the Republic of Turkey; to the Committee on Banking, Housing, and Urban Affairs.

EC-3686. A communication from the Secretary of Housing and Urban Development, transmitting pursuant to law, a report on Child Care in Public Housing; to the Committee on Banking, Housing, and Urban Affairs.

EC-3687. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report regarding a determination by the Secretary of Transportation of deficient security measures at Manila International Airport; to the Committee on Commerce, Science, and Transportation.

EC-3688. A communication from the Deputy Associate Director for Royalty Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain overpayment of offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-3689. A communication from the Deputy Associate Director for Royalty Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain overpayments of offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-3690. A communication from the Deputy Associate Director for Royalty Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of overpayments of offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-3691. A communication from the Deputy Associate Director for Royalty Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain overpayments of offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-3692. A communication from the Deputy Associate Director for Royalty Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain overpayments of offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-3693. A communication from the Deputy Associate Director for Royalty Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of Certain overpayment of offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-3694. A communication from the Deputy Associate Director for Royalty Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of Certain overpayment of offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-3695. A communication from the Deputy Associate Director for Royalty Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of Certain overpayment of offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-3696. A communication from the Deputy Associate Director for Royalty Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of Certain overpayment of offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-3697. A communication from the Secretary of Energy, transmitting, pursuant to law, the quarterly report of the Strategic Petroleum Reserve; to the Committee on Energy and Natural Resources.

EC-3698. A communication from the General Counsel of the Department of Energy, transmitting, a draft of proposed legislation to amend the Uranium Mill Tailings Radiation Control Act of 1978; to the Committee on Energy and Natural Resources.

EC-3699. A communication from the Administrator of General Services, transmitting, pursuant to law, a report of a building project survey for Gloucester, MA; to the Committee on Environment and Public Works.

EC-3700 A communication from the Administrator of General Services, transmitting, pursuant to law, a copy of a lease prospectus for the Defense Communications Agency; to the Committee on Environment and Public Works.

EC-3701. A communication from the Secretary of Health and Human Services transmitting, pursuant to law, a report on the extension of a hospital prospective payment system to participating hospitals outside the 50 States and D.C.; to the Committee on Finance.

EC-3702. A communication from the Acting Assistant Secretary of State transmitting, pursuant to law, a report on the Camarena investigation, investigations of the disappearance of U.S. citizens in the State of Jalisco, Mexico, and the general safety of U.S. tourists in Mexico; to the Committee on Foreign Relations.

EC-3703. A communication from the Acting Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, copies of international agreements, other than treaties, entered into by the U.S. within the 60 days previous to August 26, 1986; to the Committee on Foreign Relations.

EC-3704. 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 U.S. within the 60 days previous to September 5, 1986; to the Committee on Foreign Relations.

EC-3705. A communication from the Administrator of the Veterans' Administration transmitting, pursuant to law, a report on a computer matching program between Veterans' indebtedness records and the U.S. Postal Service personnel file; to the Committee on Governmental Affairs.

EC-3706. A communication from the Acting Special Counsel, Merit Systems Protection Board, transmitting, pursuant to law, a report on the conclusions of the Secretary of the Army in the matter of allegations of mismanagement, gross waste of funds, and substantial and specific danger to public health and safety in the operation of the Drill and Agent Transfer System, Pueblo Army Depot, CO; to the Committee on Governmental Affairs.

EC-3707. A communication from the Chairman of the Merit Systems Protection Board transmitting, pursuant to law, the Board's 1985 Annual Report; to the Committee on Governmental Affairs.

EC-3708. A communication from the Director of NOAA Corps transmitting, pursuant to law, the 1985 Annual NOAA Corps pension plan; to the Committee on Governmental Affairs.

EC-3709. A communication from the Secretary of the U.S. Postal Rate Commission transmitting, pursuant to law, a report on the Commission's Preferred Rate Study; to the Committee on Governmental Affairs.

EC-3710. A communication from the Director of the Office of Personnel Management transmitting a draft of proposed legislation to provide consistent treatment for appeals of denials of within-grade pay increases; to the Committee on Governmental Affairs.

EC-3711. A communication from the D.C. Auditor transmitting, pursuant to law, a report on the review of maintenance and replacement policy for motor vehicles owned by Public Works; to the Committee on Governmental Affairs.

EC-3712. A communication from the Director of Administration, NLRB, transmitting, pursuant to law, a report on a new Privacy Act system of records; to the Committee on Governmental Affairs.

EC-3713. A communication from the Assistant Attorney General of the United States transmitting, pursuant to law, a report on a new Privacy Act system of records; to the Committee on Governmental Affairs.

EC-3714. A communication from the D.C. Auditor transmitting, purusant to law, a report on D.C. Depository Activities; to the Committee on Governmental Affairs.

EC-3715. A communication from the Secretary of Labor transmitting, pursuant to law, a report on an altered Privacy Act system of records; to the Committee on Governmental Affairs.

EC-3716. A communication from the Vice President of Freddie Mac transmitting, pursuant to law, the Corporation's 1985 Annual Report and Audited Financial Statements for its Employees' Pension Plan; to the Committee on Governmental Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-839. A resolution adopted by the Southern Association of States Department of Agriculture opposing the use of Federal funds to subsidize agricultural competition; to the Committee on Agriculture, Nutrition, and Forestry.

POM-840. A resolution adopted by the Conference of Western Attorneys General condemning the failure to implement the mandates set forth in the Nuclear Waste Policy Act; to the Committee on Appropriations.

POM-841. A resolution adopted by the General Court of the Commonwealth of Massachusetts; to the Committee on Commerce, Science, and Transportation.

"RESOLUTIONS MEMORIALIZING THE CONGRESS TO ADDRESS THE CONCERNS OF CITIZENS CONCERNED FOR SEACOAST MANAGEMENT PERTAINING TO THE CAPE COD NATIONAL SEASHORE

"Whereas, Numerous concerned fishermen and hunters who are unhappy with Federal management of the Cape Cod National Seashore have banded together as a conservation group named the "citizens concerned for seacoast management"; and

"Whereas, Prominent among the issues that they confront are the rights of fixed-gear fishermen, construction of facilities and destruction of existing structures, arbitrary regulation, and insensitive and calculated interference with the ecological balance of the Cape Cod National Seashore; and

"Whereas, To express their concerns and propose concrete solutions, citizens concerned for seacoast management have compiled an agenda and drafted a proposed legislative program for transmittal to Federal representatives; and

"Whereas, It is most appropriate that Congress address the questions raised by citizens concerned for seacoast management with regard to the Cape Cod National Seashore, as the members thereof strive for "the preservation of seacoast environment and the protection of human rights", therefore be it

"Resolved, That the Massachusetts general court hereby urges the Congress of the United States to exercise its best offices in addressing the concerns of citizens concerned for seacoast management as annunciated in the proposed legislative program of the organization; and be it further

"Resolved, That a copy of these resolutions be forwarded by the Clerk of the House of Representatives to the presiding officer of each branch of the Congress and to the members thereof from this commonwealth."

POM-842. A resolution adopted by the City Council of LaPorte, Texas favoring the retention of the space station project at the Johnson Space Center; to the Committee on Commerce, Science, and Transportation.

POM-843. A joint resolution adopted by the Legislature of the State of California; to the Committee on Commerce, Science, and Transportation.

"ASSEMBLY JOINT RESOLUTION NO. 87

"Whereas, The 55 miles-per-hour National Maximum Speed Limit (NMSL), as originally enacted 12 years ago, was a temporary fuel conservation measure which has become permanent law due to the safety benefits derived from reduced speed; and

"Whereas, Federal standards were established in 1979 that mandated minimum state compliance levels with the 55 mph NMSL and imposed sanctions on those states, whose noncompliance levels were above 50 percent for motorists exceeding the 55 mph NMSL, by withholding up to 10 percent of the state's federal aid primary, secondary, and urban highway funds; and

"Whereas, This state's noncompliance level has consistently increased to its 1985 level of 49.7 percent, up from 45.4 percent in 1984; and

"Whereas, This state could be penalized up to $30,000,000 per year if the 55 mph NMSL noncompliance level rises above 50 percent, which is likely for 1986; and

"Whereas, The gathering and reporting of speed data to determine a state's noncompliance level with the 55 mph NMSL, although governed by federal monitoring guidelines, varies sufficiently between states due to (1) variations in what speeds are reported as exceeding 55 mph, and (2) lack of consistency in the calibration of speed measuring equipment, to warrant a revision of the federal 55 mph NMSL compliance testing and reporting process; and

"Whereas, California motorists continue to exceed the 55 mph NMSL in increasing numbers each year despite active law enforcement efforts (over 1,000,000 citations for exceeding the 55 mph NMSL issued per year) and extensive public information on the legal consequences of exceeding, and safety benefits derived from complying with, the 55 mph NMSL; and

"Whereas, A motorist is more likely to comply with speed limits that he or she feels are realistic for the particular type of highway on which the motorist is driving, particularly on major rural freeways, and public opinion surveys show that the public expects a 5 to 10 mph tolerance before the 55 mph NMSL is enforced; and

"Whereas, Law enforcement agencies and the public are in agreement that legislation which reduces fines and penalties for exceeding the 55 mph NMSL should be opposed because it would encourage motorists to consistently exceed the 55 mph NMSL without fear of serious punishment; now, therefore, be it

"Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California hereby respectfully memorializes the President and Congress of the United States to revise the federal 55 miles-per-hour National Maximum Speed Limit compliance testing and reporting process to better reflect safety priorities by assigning greater significance to high-speed violations occurring on less-safe roads and to exempt safety projects from sanctions; and be it further

"Resolved, That California be authorized to selectively increase speed limits on rural freeways in the National System of Interstate and Defense Highways; and be it further

"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Secretary of Transportation."

POM-844. A resolution adopted by the City Council of Friendswood, Texas urging review of the NASA reorganization proposal with regard to the assignment of space station work; to the Committee on Commerce, Science, and Transportation.

POM-845. A resolution adopted by the House of Representatives of the Commonwealth of Massachusetts; to the Committee on Energy and Natural Resources.

"RESOLUTIONS MEMORIALIZING CONGRESS TO ORDER A MORATORIUM ON LAND ACQUISITIONS FOR THE PURPOSE OF RELOCATING THE APPALACHIAN TRAIL AND TO IMPLEMENT A CONGRESSIONAL STUDY INTO THE PRACTICES OF THE NATIONAL PARK SERVICE IN SUCH LAND ACQUISITIONS

"Whereas, The Appalachian Trail is a 2,100 mile footpath extending from Georgia to Maine; and

"Whereas, The National Park Service is the Federal agency charged with the administration of the trail along this corridor; and

"Whereas, The National Trails Act (P.L. 90-543) and subsequent amendments have directed the National Park Service to permanently protect the trail and, where possible, to remove it from the roads; and

"Whereas, The National Park Service is attempting to pursue this mandate along the 2,100 mile corridor; and

"Whereas, The relocation of the trail in certain areas poses serious conflicts with existing and proposed agricultural, recreational and industrial uses; and

"Whereas, Certain landowners have charged that the National Park Service has employed questionable and deceptive practices in negotiations with said landowners; and

"Whereas, The legitimate rights of these landowners must be respected and recognized; and

"Whereas, The National Park Service has interpreted the National Trails Act to mean that the entire trail be removed from all roads, regardless of cost or impact on important local agricultural, and industrial uses; therefore be it

"Resolved, That the Massachusetts House of Representatives urges Congress to order a moratorium on land acquisitions for the purpose of relocating the Appalachian Trail and to implement a congressional study into the practices of the National Park Service in such land acquisitions; and be it further

"Resolved, That a copy of these resolutions be forwarded by the Clerk of the House of Representatives to the presiding officer of each branch of the Congress and the members thereof from the commonwealth.

POM-846. A resolution adopted by the Johnson County, TX, Commissioners Court opposing any reduction of Federal highway funding; to the Committee on Environment and Public Works.

POM-847. A resolution adopted by the General Court of the Commonwealth of Massachusetts; to the Committee on Environment and Public Works.

"RESOLUTIONS MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION REDUCING THE EFFECTS OF ACID RAIN ON THE ENVIRONMENT

"Whereas, acid rain is a serious danger to the environment, health and economy of Massachusetts; and

"Whereas, acidity levels in Massachusetts ponds and lakes are fifteen to twenty times what they should be; and

"Whereas, the acidity of the rainfall in Massachusetts is abnormally high; and

"Whereas, a national resolution of the acid rain problem is necessary; therefore be it

"Resolved, That the Massachusetts General Court respectfully urges the Congress of the United States to take such action as may be necessary to solve the acid rain problem including, but not limited to tax incentives to businesses which reduce emissions of sulfur dioxide and nitrogen oxide waste products; and be it further

"Resolved, That copies of these resolutions be transmitted forthwith by the clerk of the House of Representatives to the President of the United States, the presiding officer of each branch of Congress, and to the Members thereof from this Commonwealth."

POM-848. A resolution adopted by the City Commission of Hays, KS, favoring continued efforts to obtain information relating to POW's and MIA's in Southeast Asia; to the Committee on Foreign Relations.

POM-849. A resolution adopted by the State of Illinois; to the Committee on Foreign Relations.

"SENATE RESOLUTION NO. 881

"Whereas, The nuclear power accident in the Soviet Union was a devastating tragedy for the residents of Chernobyl in Ukraine, and may be equally harmful to the residents of Kiev; and

"Whereas, It is alleged that the Soviet Union demonstrated total disregard for human life by not installing proper safeguards during the construction of the nuclear power plant; and

"Whereas, This accident serves notice to the rest of the world of the tremendous force of nuclear power; and

"Whereas, The immediate concern of the government of the Soviet Union should be the medical treatment of the victims and the prevention of further danger of nuclear radiation to them and to other people in the world; and

"Whereas, The Soviet Union should be candid with the international media and foreign governments regarding the severity of the accident; and

"Whereas, The Soviet government should recognize the health hazards to nearby countries caused by air currents carrying radiation particles; and

"Whereas, Ukraine is expected to be the area most seriously affected by the nuclear fallout; therefore, be it

"Resolved, by the Senate of the Eighty-Fourth General Assembly of the State of Illinois, that the government of the Soviet Union should make full restitution to the people of Ukraine and of other countries who will suffer direct or indirect health effects from this nuclear accident; and be it further

"Resolved, That the government of the Soviet Union accept the technical assistance necessary to curtail any further nuclear danger to its own and to other countries; and be it further

"Resolved, That the United States demonstrate its compassion for the Ukrainian people, and for the people of Eastern Europe, by offering medical teams and medicine to these governments; and be it further

"Resolved, That an international body examine the practices used in the construction of nuclear power plants and establish international criteria that must be observed in their construction to assure the safety of other countries and their peoples; and be it further

"Resolved, That suitable copies of this preamble and resolution be presented to President Ronald Reagan, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to the Members of the Illinois Congressional Delegation, to the Secretary-General of the United Nations, and to General Secretary Mikhail Gorbachev of the Union of Soviet Socialist Republics."

POM-850. A resolution adopted by the General Assembly of the Presbyterian Church in America reaffirming its prolife, antiabortion position; to the the Committee on the Judiciary.

POM-851. A resolution adopted by the City Council of Oakland, CA, favoring the establishment of a permanent Veterans' Administration health care facility in Oakland; to the Committee on Veterans' Affairs.

POM-852. A resolution adopted by the General Court of the Commonwealth of Massachusetts; to the Committee on Veterans' Affairs.

"RESOLUTIONS MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION TO GRANT CITIZENSHIP TO ALIENS OR IMMIGRANTS WHO DIE IN THE ARMED FORCES OF THE UNITED STATES AS A RESULT OF HOSTILE ACTION OR SERVICE-CONNECTED ACCIDENT OR ILLNESS

"Whereas, aliens or immigrants are routinely drafted into the Armed Forces of the United States, and distinguish themselves by their honorable service; and

"Whereas, aliens or immigrants, after completion of their honorable service, can receive their citizenship; and

"Whereas, during the Vietnam war over two hundred aliens or immigrants were killed in action while in service to this country; and

"Whereas, the General Court of Massachusetts requires that due recognition of their sacrifice should be noted and all war death benefits should be extended; now therefore be it

"Resolved, That the Massachusetts General Court respectfully urges the Congress of the United States to enact legislation providing that an alien or immigrant who dies in the service of the United States should automatically be awarded a posthumous citizenship, be rewarded with all rights and privileges of same and receive all war death benefits; and be it further

"Resolved, That copies of these resolutions be transmitted forthwith by the clerk of the House of Representatives to the President of the United States, the presiding officer of each branch of the Congress and to the Members thereof from this commonwealth."

POM-853. A petition from a citizen of Alhambra, CA, relative to the late Senator Jacob K. Javits of New York; ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROTH, from the Committee on Governmental Affairs, with an amendment in the nature of a substitute:

S. 2250. A bill to strengthen the prohibition of kickbacks relating to subcontracts under Federal Government contracts (Rept. No. 99-435).

By Mr. THURMOND, from the Committee on the Judiciary, without amendment:

H.R. 2224. A bill to amend the Immigration and Nationality Act to permit nonimmigrant alien crewmen on fishing vessels to stop temporarily at ports in Guam.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. LUGAR, from the Committee on Foreign Relations:

Clair W. Burgener, of California, to be a Member of the Board for International Broadcasting for a term expiring April 28, 1988;

Milton Frank, of California, to be a Member of the Board of Directors of the African Development Foundation for the remainder of the term expiring February 9, 1990;

Lynn Marvin Hansen, of Idaho, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency;

Richard W. Carlson, of California, to be an Associate Director of the U.S. Information Agency;

Ann Barbara Wrobleski, of Maryland, to be Assistant Secretary of State for International Narcotics Matters;

Brunson McKinley, of New Jersey, a career member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Haiti.

Contributions are to be reported for the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination.

Nominee: Brunson McKinley.

Post: Ambassador, Haiti.

Contributions, amount, date, donee:

1. Self.

2. Spouse, Nancy P. McKinley, none.

3. Children and spouses names: Harley J. McKinley (son, 8) and Sarah E. McKinley (daughter, 6) none.

4. Parents names: Kenneth W. McKinley and Lois Hiestand McKinley (deceased, 1949) none.

5. Grandparents names: William and Elizabeth Snyder McKinley; Harley and Ethel Hiestand (all deceased) none.

6. Brothers and spouses names: Kenneth and Sheila McKinley; George William McKinley (unmarried) none.

7. Sisters and spouses names: Martin and Elizabeth Duus none.

James Malone Theodore Rentschler, of Pennsylvania, 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 Guinea.

Contributions are to be reported for the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination.

Nominee: James M. Rentschler.

Post: U.S. Ambassador.

Contributions, amount, date, donee:

1. Self: none.

2. Spouse: (nominee is single).

Children and spouses names: James Felix Rentschler, Jeffrey William Rentschler (no spouses) none.

4. Parents names: (both parents deceased)—Jane Melone (mother), Edwin Balthaser Rentschler (father).

5. Grandparents names: (all grandparents deceased) Arthur and Grace Melone (maternal); James and Laura Rentschler (paternal).

6. Brothers and spouses names: (divorced brother deceased)—Larry M. Rentschler.

7. Sisters and spouses names: (nominee has no sisters).

Herbert E. Horowitz, of Florida, a career member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of The Gambia.

Contributions are to be reported for the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination.

Nominee: Herbert E. Horowitz.

Post: Ambassador, The Gambia.

Contributions, amount, date, donee:

1. Self: none.

2. Spouse: none.

Children's names: Jason and Richard. none.

4. Parents names: Jean Horowitz (mother), father deceased, none.

5. Grandparents names: all deceased.

6. Brothers and spouses names: Mr. and Mrs. Norman Horowitz, none.

7. Sisters and spouses names: none.

Carol Boyd Hallett, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to The Commonwealth of The Bahamas.

Contributions are to be reported for the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination.

Nominee: Carol B. Hallett.

Post: Ambassador to Bahamas.

Contributions, amount, date, donee.

1. Self: Carol B., $100 January 18, 1981, Congressman Bob Lagomarsino.

2. Spouse: James T. Hallett, $87 February 5, 1981, California Republican Party; $60 March 15, 1981, William P. Clark, Retirement Dinner; $24 September 10, 1981, California Republican Party; $52 October 2, 1981, California Republican Party; $100 February 27, 1982, San Diego Republican Asso.; $20 April 16, 1982, Ventura County Republicans; $50 April 16, 1982, Frank Ricchazzi for Assembly; $20 April 22, 1982, L.A. County Republican Women; $5 May 1, 1982, Republican Women of Southern California; $25 May 6, 1982, 38th Assembly District Fund; $24 January 12, 1983, Republican State Central Committee; $20 January 29, 1983, Republican State Party; $10 March 24, 1983, San Luis Obispo Republican Women; $50 May 1, 1984, Diefenderfer for Supervisor; $30 September 23, 1984, San Luis Obispo Republican Women; $24 February 7, 1985, California Republican Party; $30 April 9, 1985, Friend of Chris Money; $10 May 24, 1985, San Luis Obispo Republican Women.

3. Children and spouses names: none.

4. Parents: Thomas Hal and Ruth I. Boyd, $29 1981, Carol Hallett; $500 1982, Carol Hallett; $10 1982, Eric Seastrand; $25 1984, Ronald Reagan; $10 1984, Pat Ramsey; $10 1984, Magyar for Assembly; $25 1985, No on Rose Bird Campaign.

5. Grandparents names: none.

6. Brothers and spouses names: none.

7. Sisters and spouses names: none.

Princeton Nathan Lyman, of Maryland, 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 Federal Republic of Nigeria.

Contributions are to be reported for the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination.

Nominee: Princeton Nathan Lyman.

Post: Ambassador to Nigeria.

Contributions, amount, date, donee.

1. Self: None.

2. Spouse: Helen Lyman, $50 per year 1983-86, $50 each year 1982, 1984; dollars for Democrat Michael Barnes for Congress.

3. Children and spouses names: Cindy, Sheri, and Lori Lyman, none.

4. Parents names: Arthur Lyman, deceased; Gertrude Lyman, deceased.

5. Grandparents names: Mr. and Mrs. Lyman, deceased (did not live in this country); Mr. and Mrs. Kramer, deceased.

6. Brothers and spouses names: Stanford Lyman, Elliott Lyman, none; Yale Lyman, deceased; Harvard Lyman, see attached:

Contributions to national political campaigns and candidates by Harvard Lyman:

Campaign committee or candidate, date, amount.

Democratic Congressional Campaign Committee, 6/2/82, $30.

Democratic Senatorial Campaign Committee, 3/8/83, $10.

Democratic Congressional Campaign Committee, 11/22/83, $20.

Democratic Congressional Campaign Committee, 3/8/84, $25.

Democratic Congressional Campaign Committee, 4/19/84, $20.

Jim Hunt Election Committee, 6/28/84, $30..

Democratic National Committee, 7/19/84, $25.

Democratic Congressional Campaign Committee, 8/3/84, $25.

Democratic Congressional Campaign Committee, 1/19/85, $25.

Democratic Senatorial Campaign Committee, 2/7/85, $25.

Democratic National Committee, 2/7/85, $25.

Democratic National Committee, 4/25/85, $25.

Fund for a Democratic Majority, 8/12/85, $25.

Reelect Robert Packwood Committee, 9/20/85, $35.

Democratic National Committee, 11/13/85, $25.

Democratic Senatorial Campaign Committee, 12/2/85, $25.

Democratic Congressional Campaign Committee, 1/24/86, $40.

Democratic Senatorial Campaign Committee Victory Fund, 2/10/86, $50.

Three Village Democratic Club Dues, 2/10/86, $8.

[Note: The dates correspond to the dates on the checks.]

7. Sisters and spouses names: Sylvia Morrick, $240, July-Oct. 1984, Charlie Davis; David Morrick, $50, March 1984, Charlie Davis for Congress.

Dennis Kux, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to the Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Ivory Coast.

Contributions are to be reported for the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination.

Nominee: Dennis Kux.

Post: Ivory Coast.

Contributions, amount, date, donee.

1. Self: Dennis Kux.

2. Ex-spouse: Molly Bower Kux.

3. Children and spouses names: Leslie, Sally, Brian, none.

4. Parents names: Lacy Kux, deceased, 1970; Evelyn Kux, deceased, 1980.

5. Grandparents names: Deceased.

6. Brothers and spouses names: None.

7. Sisters and spouses names: None.

David Lyle Mack, of Oregon, 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 United Arab Emirates.

Contributions are to be reported for the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination.

Nominee: David L. Mack.

Post: Ambassador to United Arab Emirates.

Contributions, amount, date, donee.

1. Self: None.

2. Spouse: None.

3. Children and spouses names: Catherine S. Mack, none.

4. Parents names: Gilbert A. Mack, deceased; Mildred V. Mack, none.

5. Grandparents names: Chester G. Mack, deceased; Edith Mack, deceased; George and Martha Canzler, deceased.

6. Brothers and spouses names: Herschel L. Mack, none; Rickie J. Mack, none.

7. Sisters and spouses names: None.

Sam H. Zakhem, of Colorado, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Bahrain. Contributions are to be reported for the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination.

Nominee: Sam H. Zakhem.

Post: Ambassador to Bahrain.

Contributions, amount, date, donee.

1. Self: none.

2. Spouse: none.

3. Children and spouses names: none.

4. Parents names: none.

5. Grandparents names: none.

6. Brothers and spouses names: none.

7. Sisters and spouses names: none.

(The above nominations were reported from the Committee on Foreign Relations with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Mr. LUGAR. Mr. President, for the Committee on Foreign Relations, I also report favorably a list of nominations in the Foreign Service which appeared in its entirety in the CONGRESSIONAL RECORD of August 7, 1986, and to save the expense of reprinting them on the executive calendar, ask unanimous consent that they lie at the Secretary's desk for the information of Senators.

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

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. KENNEDY:

S. 2796. A bill to amend the copyright law to secure the rights of artists of pictorial, graphic, or sculptural works to prevent the distortion, mutilation, or other alteration of such works, to provide for resale royalties, and for other purposes; to the Committee on the Judiciary.

By Mr. HATCH (for himself and Mr. GARN):

S. 2797. A bill to correct historical and geographical oversights in the establishment and development of the Utah component of the Confederated Tribes of the Goshute Reservation, to unify the land base of the Goshute Reservation, to simplify the boundaries of the Goshute Reservation, and for other purposes; to the Select Committee on Indian Affairs.

By Mr. BYRD (for Mr. BIDEN (for himself, Mr. CHILES, Mr. BYRD, Mr. CRANSTON, Mr. DECONCINI, Mr. DODD, Mr. LEAHY, Mr. MITCHELL, Mr. MOYNIHAN, Mr. NUNN, Mr. ROCKEFELLER, Mr. SASSER, Mr. KERRY, Mr. BAUCUS, Mr. BENTSEN, Mr. BINGAMAN, Mr. BOREN, Mr. BRADLEY, Mr. BUMPERS, Mr. BURDICK, Mr. DIXON, Mr. EAGLETON, Mr. EXON, Mr. FORD, Mr. GLENN, Mr. GORE, Mr. HARKIN, Mr. HART, Mr. HEFLIN, Mr. HOLLINGS, Mr. INOUYE, Mr. JOHNSTON, Mr. KENNEDY, Mr. LAUTENBERG, Mr. LEVIN, Mr. LONG, Mr. MATSUNAGA, Mr. MELCHER, Mr. METZENBAUM, Mr. PELL, Mr. PROXMIRE, Mr. PRYOR, Mr. RIEGLE, Mr. SARBANES, Mr. SIMON, Mr. STENNIS, and Mr. ZORINSKY)):

S. 2798. A bill to establish and implement a comprehensive policy to combat drug abuse in the United States; read the first time.

By Mr. MITCHELL (for himself, Mr. STAFFORD, Mr. LAUTENBERG, Mr. BAUCUS, Mr. DURENBERGER, Mr. HUMPHREY, and Mr. MOYNIHAN):

S. 2799. A bill to consolidate and improve Federal laws providing compensation and establishing liability for oil spills; to the Committee on Environment and Public Works.

By Mr. DODD (for himself, Mr. CHILES, Mr. BIDEN, Mr. BYRD, Mr. CRANSTON, Mr. DECONCINI, Mr. SASSER, Mr. LEAHY, Mr. NUNN, Mr. MITCHELL, Mr. MOYNIHAN, and Mr. ROCKEFELLER):

S. 2800. A bill to require the Secretary of Health and Human Services to make grants to public and nonprofit private entities for drug abuse and alcohol abuse prevention, treatment, and rehabilitation model

projects for high-risk youth; to the Committee on Labor and Human Resources.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KENNEDY:

S. 2796. A bill to amend the copyright law to secure the rights of artists of pictorial, graphic, or sculptural works to prevent the distortion, mutilation, or other alteration of such works, to provide for resale royalties, and for other purposes; to the Committee on the Judiciary.

VISUAL ARTISTS RIGHTS AMENDMENT

● Mr. KENNEDY. Mr. President, I am pleased to announce the introduction of legislation to provide increased copyright protection for visual artists. It is the result of cooperative efforts of a number of individuals and organizations in the arts community and it draws on the concepts advanced in many other nations and in a number of the States, especially California, New York, and Massachusetts.

The bill recognizes the intrinsic value of our cultural heritage and the need to sustain an environment in America which nurtures this heritage.

The legislation incorporates the moral rights for artists to complement the basic economic rights already provided by copyright statutes. It is disturbing that artists cannot now prevent the distortion, mutilation, or other alteration of their work.

Under this legislation, artists could be able to seek redress for such alterations to a work of fine art. In addition, they will be given the right to be acknowledged as the artist who created the work whenever it is displayed publicly.

A second issue addressed in this legislation is a longstanding defect in the copyright laws.

For years, artists have declined full copyright protection because of requirements that they publicly display the copyright notice on their work. Such notations diminish the esthetic value of their work and inject an unacceptable commercial element into their art.

This legislation would waive the notice requirement for pictorial, graphic, or sculptural works of fine art.

Artists will still have to register their works with the Copyright Office, but their works will no longer be blemished by the commercial notice.

A third provision in the bill concerns the issue of resale royalty rights. In 1976, California adopted this landmark principle to enable artists to receive some of the financial benefits when their works appreciate in value.

The bill provides a modest royalty to artists of 7 percent of the difference between the original selling price and the current transaction.

This legislation has the strong support of Artists Equity, the American Council for the Arts, the Graphics Artists Guild, the New York Volunteer Lawyers for the Arts, the Visual Artists and Galleries Association, and the Boston Visual Artists Union.

President Kennedy once observed that:

> To further the appreciation of culture among all the people, to increase respect for the creative individual, to widen participation by all the processes and fulfillments of art—this is one of the fascinating challenges of these days.

That challenge continues strong today.

One of our most important responsibilities is to provide an environment which will promote the arts and enhance our cultural heritage. The legislation I am proposing today is a significant advance for the arts in America, and I look forward to its expeditious consideration in Congress.

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

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

THE VISUAL ARTISTS AMENDMENTS

I. GOALS

The bill improves copyright protections for visual artists. It recognizes the implicit originality of individual works of fine art, the public benefit of encouraging a creative environment for artists to work, the national responsibility to enrich and enliven our cultural heritage.

II. SYNOPSIS

The bill has three major components:

Notice: For works of fine art, delete the requirement in current copyright law that a copyright notice appear on all works for which copying is claimed.

Artistic Rights: Prohibits intentional distortion, mutilation, or destruction of works of art. Allows artist to claim authorship of his work, or disclaim authorship if the work has been distorted. Remedy is the same as for other infringements of copyright, but there are not criminal sanctions. A work of art which is part of a building is not covered, unless the artist expressly reserves his rights at the time of commission.

Resale Royalties: Requires payment to the artist of 7% of the difference between the purchase price and the selling price of a work of art which is resold. Royalty payments are applicable to sales in excess of $500 and when the value of the work appreciates by at least 120%—during the lifetime of the artist and within 50 years of his death. Artists seeking royalties must register with the U.S. Copyright Office. All sales of works of art must be registered with the Copyright Office. Where an artist cannot be located or is deceased, the royalties are to be paid to the National Endowment for the Arts, Visual Artists program.

III. APPLICATION

The bill applies to:

—original works of fine art, eg. paintings, sculpture, pictorial works, including serigraphs and other work done in limited edition series.

—it applies only to works of "recognized quality"

—works of fine art done under commission would be covered since copyright does not usually transfer with the actual work.

Exclusions from the bill:

—"work-for-hire" pieces are not covered since authors in these cases transfer the copyright along with the work.

—work attached to buildings are not covered unless the artist expressly reserves his right in contract at the time of execution.●

By Mr. HATCH (for himself and Mr. GARN):

S. 2797. A bill to correct historical and geographical oversights in the establishment and development of the Utah component of the Confederated Tribes of the Goshute Reservation, to unify the land base of the Goshute Reservation, to simplify the boundaries of the Goshute Reservation, and for other purposes; to the Select Committee on Indian Affairs.

GOSHUTE RESERVATION AMENDMENTS

● Mr. HATCH. Mr. President, today Senator GARN and I are pleased to introduce legislation which is designed to clarify and correct numerous matters affecting the status of the lands of the Confederated Tribes of the Goshute Reservation, which lies along the west-central border of Utah. Since the creation of its reservation over 80 years ago, the small, 400 member Goshute Tribe has been plagued by problems relating to its reservation boundaries.

Most obvious of all of these problems is a strip of land one-quarter mile wide and 7 miles long which cuts through the middle of the reservation, but does not belong to the tribe. This strip resulted from an error in the Executive order legal descriptions originally establishing the reservation. Technically, the strip is now held by the United States as a part of the Bureau of Land Management inventory. This bill will change the statute of the title so that the United States will hold it in trust as a part of the Goshute Reservation.

Among the other provisions of the bill are sections which will place the tribal cemetery—now owned privately by the tribe—in trust status along with surrounding BLM land. Other sections will combine surface and subsurface interests where such are now split between tribal and Federal ownership.

We have worked closely with Congressman JAMES V. HANSEN who represents this district of Utah to draft a bill which could be supported by both the Goshute tribal members and the non-Indians living next to the reservation. On March 1, 1986, Congressman HANSEN held a town meeting at Ibapah, UT, to allow the local residents to raise their concerns and comments about this legislation. Late that day he met with tribal leaders to assess their need for this land. We then drafted a bill which I believe ad-

dresses the comments which were made during these meetings.

In addition, we have worked closely with representatives of the Department of the Interior and have accepted their suggestions to improve the bill.

I hope that this bill will see prompt action by the Senate and if possible pass before we adjourn this year.●

By Mr. MITCHELL (for himself, Mr. STAFFORD, Mr. LAUTENBERG, Mr. BAUCUS, Mr. DURENBERGER, Mr. HUMPHREY, and Mr. MOYNIHAN):

S. 2799. A bill to consolidate and improve Federal laws providing compensation and establishing liability for oil spills; to the Committee on Environment and Public Works.

OIL POLLUTION LIABILITY AND COMPENSATION ACT

● Mr. MITCHELL. Mr. President, today I am introducing Federal oil spill legislation that addresses the problem of damage caused by oil spills. Many coastal States already have their own laws that are designed to protect their shores from oil spills. The legislation I am introducing today builds on the State experience, but in no way preempts States from continuing to protect their citizens under State law. This legislation has been developed in close consultation with the attorney general of Maine.

Unlike much of what Congress considers, this legislation is not in reaction to a recent disaster. It is, rather, designed to establish an improved Federal system for responding to future oil spills. We are fortunate that our shorelines have not been exposed to an accident as harmful as the 1978 Amoco *Cadiz* accident that occurred off the coast of France, but a country with as much coastline as the United States should be better prepared for such a possibility. This is particularly true for coastal States, such as Maine, that are heavily dependent upon fisheries and tourism.

Currently, there are several Federal statutes that address some aspect of oil spill liability and compensation. This bill consolidates those provisions and provides a comprehensive framework for oil spill compensation and liability. This is necessary to promote more effective Federal responses to oil spills. The bill also provides more compensation to those adversely affected by an oil spill. If it is enacted, we will be better prepared to respond to these risks.

Many coastal States already have enacted oil spill programs. Maine has had an oil spill statute to protect its 3,500 miles of tidal shoreline for almost 15 years. It is the largest coastal State—in terms of length of coastline—to have an oil spill statute. That law has been used to respond effectively to over 110 oil spills, recovering costs without yet having to resort to litigation. The success of this statute, as well as other State statutes, persuades me that the Federal Government should build on, not erase, State laws.

The bill affirmatively permits States to continue to use their oil spill statutes and leaves States free to subsequently enact their own laws. The bill also leaves in place State oil spill funds which many States, including Maine, have set in place. There are those who argue that such duplication is unwarranted. However, in many areas, including protection of the environment, States and the Federal Government have worked cooperatively for decades to protect the public. The Clean Water Act section 311 program, the most comprehensive of current Federal oil spill laws, is based on this principle. A new oil spill liability law should not become the first exception to this cooperative principle.

The bill creates a Federal oil spill compensation fund to pay for costs associated with cleanup of and damages from an oil spill. The fund is supported by a tax on oil receipts.

The bill also provides that States can gain immediate access to the Federal fund for up to $250,000 to respond promptly to a spill. Notification to the Coast Guard within 24 hours is the only requirement. Such direct access authority can be augmented by cooperative agreements between the Federal Government and the States.

The bill holds oil tanker owners or operators liable for $420 per gross ton of capacity. For a tanker with a 200,000 gross ton capacity, this would mean a liability limit of $84 million. There is no overall liability ceiling, as there is in some other proposals. Many vessels have large capacities and therefore pose large risks, that would place their per ton liability far above any arbitrary ceiling proposed to date. More than a dozen such large ships routinely use U.S. waters. Other vessels with smaller capacities would have a lower limit. Inland barges, which can present a great risk to the public health and the environment, are treated as tankers when they haul oil as cargo.

Lessees and permittees of Outer Continental Shelf facilities are liable for cleanup costs plus $75 million. Owners and operators of all other facilities are liable for up to $100 million in damage.

The Federal fund would have a per incident limit of $500 million. Bills being introduced in previous Congresses had no such limit, the bills considered by the House have a $200 million per incident limit. A reasonable per incident limit is one that is likely to cover all costs of a serious oil spill. Lobstermen in Maine should not be left uncompensated because we set a limit on Fund use that is too low. Based on information that is currently available, most major oil spills occurring in the United States today would not cost more than $500 million once the shipowner's liability has been exhausted.

The bill provides for compensation for natural resource damages, including cases in which the natural resource is completely destroyed. Economic losses, such as lost profits, lost taxes, or impairment of earning capacity, are also compensable. These are important provisions to those who earn their living from the sea, since a major oil spill can render miles of shoreline an economic wasteland.

International protocols on oil spill liability are now pending before the Senate Foreign Relations Committee. When I testified before the committee earlier this year, I stated my opposition to protocols that were preemptive of States, just as I oppose preemptive Federal legislation. The legislation I am introducing today implements the protocols to the extent that they are not inconsistent with the Federal regime, which does not preempt State laws.

Other provisions have been included to improve existing law and to accommodate concerns raised by other Members and interested parties. I believe this is effective, reasonable compromise legislation that I hope will be considered by the Environment and Public Works Committee when it marks up oil spill legislation next week. Compromise is an essential ingredient in policymaking. This bill contains such compromises while preserving the rights of States to protect their citizens from oil spills.

I ask unanimous consent that the bill and a section-by-section analysis be printed in the RECORD.

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

S. 2799

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Oil Pollution Liability and Compensation Act of 1986".

TITLE I—OIL POLLUTION LIABILITY AND COMPENSATION

DEFINITIONS

SEC. 101. For the purposes of this Act—

(1) the terms "vessel", "public vessel", "owner or operator", "remove" or "removal", "contiguous zone", "onshore facility", "offshore facility", and "barrel" shall have the meaning provided in section 311(a) of the Clean Water Act;

(2) the terms "person", "navigable waters", and "territorial seas" shall have the meaning provided in section 502 of the Clean Water Act;

(3) the term "act of God" means an unanticipated grave natural disaster or other natural phenomenon of an exceptional, inevitable, and irresistible character the effects of which could not have been prevent-

ed or avoided by the exercise of due care or foresight;

(4) the term "claim" means a request, made in writing for a sum certain, for compensation for damages or removal costs resulting from a discharge of oil;

(5) the term "claimant" means any person who presents a claim for compensation under this Act;

(6) the term "damages" means damages for economic loss or the loss of or injury to natural resources as specified in section 102(a) of this Act;

(7) the term "deepwater port facility" means an offshore facility which is or was licensed under the Deepwater Port Act of 1974;

(8) the term "discharge" means any emission, intentional or unintentional, into the environment, and includes, but is not limited to, spilling, leaking, pumping, pouring, emitting, emptying or dumping;

(9) the term "environment" means the navigable waters, the waters of the contiguous zone, the ocean waters of which the natural resources are under the exclusive management authority of the United States under the Magnuson Fishery Conservation and Management Act, adjoining shorelines, and the ambient air above such waters and shorelines.

(10) the term "foreign offshore unit" means a structure or group of structures which is located, in whole or in part, in the territorial sea or on the continental shelf of a foreign country and is or was used for one or more of the following purposes: exploring for, drilling for, producing, storing, handling, transferring, processing, or transporting oil produced from the seabed beneath the foreign country's territorial sea or from the foreign country's continental shelf;

(11) the term "Fund" means the Oil Spill Compensation Fund, hereby established under this Act;

(12) the term "guarantor" means any person, other than the owner or operator, who provides evidence of financial responsibility for an owner or operator under this Act or section 311(p) of the Clean Water Act;

(13) the term "lessee" means a person holding a leasehold interest in an oil or gas lease on submerged lands of the outer continental shelf, granted or maintained under the Outer Continental Shelf Lands Act:

(14) the term "liable" or "liability" under this Act shall be construed to be the standard of liability which obtains under section 311 of the Clean Water Act;

(15) the term "mobile offshore drilling unit" means a vessel capable of use as an outer continental shelf facility to drill for oil;

(16) the term "natural resources" includes land, fish, wildlife, biota, air, water, ground water, drinking water supplies, and other such resources belonging to, managed by, held in trust by, appertaining to, or otherwise controlled by the United States (including the resources of the fishery conservation zone established by the Magnuson Fishery Conservation and Management Act), any State or local government, or any foreign government;

(17) the term "oil" means petroleum, including crude oil or any fraction or residue therefrom;

(18) the term "outer continental shelf facility" means an offshore facility which is located, in whole or in part, on the outer continental shelf and is or was used for one or more of the following purposes: exploring for, drilling for, producing, storing, handling, transferring, processing, or transporting oil produced from the outer continental shelf;

(19) the term "owner or operator" means—

(A) with respect to an outer continental shelf facility other than a pipeline or mobile offshore drilling unit, the lessee or permittee of the area in which the facility is located, or the holder of a right of use and easement granted under the Outer Continental Shelf Lands Act for the area in which the facility is located (where the holder is a different person than the lessee or permittee);

(B) with respect to a mobile off shore drilling unit being used as an outer continental shelf facility, from which oil is discharged on or above the surface of the water (or which posed a substantial threat of such a discharge), the owner or operator of the unit, and such unit shall be deemed to be a tanker;

(C) with respect to a mobile offshore drilling unit being used as an outer continental shelf facility—

(i) from which oil is discharged on or above the surface of the water (or which posed a substantial threat of such a discharge), to the extent removal costs or damages exceed the limitation specified in section 102(c)(1)(A), or

(ii) from which oil is discharged below the surface of the water (or which posed a substantial threat of such a discharge),

the permittee of the area in which the unit is located, or the holder of a right of use and easement granted under the Outer Continental Shelf Lands Act for the area in which the unit is located (where the holder is a different person than the lessee or permittee);

(20) the term "permittee" means a person holding an authorization, license, or permit for geological exploration issued under section 11 of the Outer Continental Shelf Lands Act;

(21) the term "removal costs" means the costs of removal taken after a discharge of oil has occurred or where there was a substantial threat of a discharge of oil, to prevent, minimize, or mitigate oil pollution from that incident, including all costs of completing removal as determined under section 106(d);

(22) the term "tanker" means a vessel constructed or adapted for the carriage of oil in bulk or in commercial quantities as cargo;

(23) the terms "United States" and "State" means the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Marianas, and any other territory or possession over which the United States has jurisdiction.

LIABILITY

SEC. 102. (a) Notwithstanding any other provision or rule of law, and subject only to the defenses set forth in subsection (b) of this section, the owner or operator of a vessel or an onshore or offshore facility from which oil is discharged, or which posed the threat of a discharge which causes the incurrence of removal costs, shall be liable for—

(1)(A) all removal costs incurred by the United States Government or a State under subsection (c), (d), (e), (f)(4), or (1) of section 311 of the Clean Water Act or under the Intervention on the High Seas Act or section 18 of the Deepwater Port Act of 1974; and

(B) any removal costs incurred by any person, including, but not limited to, any State; and

(2) all damages or economic loss or loss of natural resources resulting from such a discharge, including:

(A) any injury to, destruction of, or loss of any real or personal property;

(B) any loss of use of real or personal property;

(C) any injury to, destruction of, or loss of natural resources, including the reasonable costs of assessing such injury, destruction, or loss;

(D) any loss of use, including loss of subsistence use, of any natural resources, without regard to the ownership or management of such resources;

(E) any loss of income or profits or impairment of earning capacity resulting from injury to or destruction of real or personal property or natural resources, without regard to the ownership of such property or resources; and

(F) any direct or indirect loss of tax, royalty, rental, or net profits share revenue by the Federal Government or any State or political subdivision thereof, for a period of not to exceed one year.

(b)(1) There shall be no liability under subsection (a) of this section for a person otherwise liable who can establish by a preponderance of the evidence that the discharge or threat of discharge of oil and the damages resulting therefrom were caused solely by—

(A) an act of God;

(B) an act of war;

(C) an act or omission of a third party other than an employee or agent of the defendant, or than one whose act or omission occurs in connection with a contractual relationship, existing directly or indirectly, with the defendant (except where the sole contractual arrangement arises from a published tariff and acceptance for carriage by a common carrier by rail), if the defendant establishes by a preponderance of the evidence that (i) the defendant exercised due care with respect to the oil concerned, taking into consideration the characteristics of such oil, in light of all relevant facts and circumstances, and (ii) the defendant took precaution against foreseeable acts or omissions of any such third party and the consequences that could foreseeably result from such acts or omissions; or

(D) any combination of the foregoing paragraphs.

(2) In any case where the owner or operator of a vessel or an onshore or offshore facility can establish by a preponderance of the evidence that a discharge and the damages resulting therefrom were caused solely by an act or omission of a third party in accordance with paragraph (1)(C) (or solely by such an act or omission in combination with an act of God or an act of war), such third party shall be liable under this section as if such third party were the owner or operator of a vessel or onshore or offshore facility from which the discharge actually occurred. Where the owner or operator of a tanker or an onshore or offshore facility which handles or stores oil in bulk or commercial quantities, from which oil is discharged, alleges that such discharges was caused solely by an act or omission of a third party, such owner or operator shall promptly pay to the United States Government, and any other claimant, the costs of removal or damages claimed and shall be entitled by subrogation to all rights of the United States Government or other claimant to recover such

costs of removal or damages from such third party under this subsection.

(c)(1) The liability of an owner or operator of a vessel or an onshore or offshore facility for damages and removal costs under this section for each discharge or incident shall not exceed—

(A) $420 per gross ton or $10,000,000, whichever is greater, of any tanker carrying oil in bulk or in commercial quantities as cargo, including any such barge operating in the navigable waters;

(B) $300 per gross ton or $500,000, whichever is greater, of any other vessel;

(C) the total of all removal costs under subsection (a)(1) of this section plus $75,000,000 for any outer continental shelf facility;

(D) $100,000,000 for any deepwater port facility (including the liability of the licensee for a discharge from any vessel moored at such port, in any case where $100,000,000 exceeds $420 per gross ton of such vessel); or

(E) $100,000,000 for any other onshore or offshore facility.

(2) Notwithstanding the limitations of paragraph (1) of this subsection, the liability of the owner of operator of a vessel or an onshore or offshore facility under subsection (a) of this section shall be the full and total damages and removal costs not offset by any removal costs incurred on behalf of such owner or operator, if (A) the discharge of oil was the result of willful misconduct or gross negligence within the privity or knowledge of the owner or operator or of a violation (within the privity or knowledge of the owner or operator) of applicable safety, construction, or operating standards or regulations; or (B) the owner or operator fails or refuses to provide all reasonable cooperation and assistance requested by a responsible official in connection with removal activities or to provide removal action upon order of a responsible official.

(3) Notwithstanding the limitations of paragraph (1) of this subsection or the defenses of subsection (b) of this section, all removal costs incurred by the United States Government or any State or local official or agency in connection with a discharge of oil from any outer continental shelf facility or a vessel carrying oil as cargo from such a facility shall be borne by the owner or operator of such facility or vessel.

(4)(A) The President is authorized to establish by regulation, with respect to any class or category of onshore or offshore facility subject to paragraph (1) (D) or (E) of this subsection, a maximum limit of liability under this section of less than $100,000,000, but not less than $8,000,000, taking into account the size, storage capacity, oil throughput, proximity to sensitive areas, type of oil handled, history of discharges, and other factors relevant to risks posed by the class or category of facility.

(B) The President shall, by regulation, not less often than every three years, adjust the limits of liability specified in paragraph (1) of this subsection to reflect significant increases in the Consumer Price Index.

(d)(1) In the case of an injury to, destruction of, or loss of natural resources under subsection (a)(2)(C) of this section, liability shall be (A) to the United States Government for natural resources belonging to, managed by, controlled by, or appertaining to the United States, and (B) to any State for natural resources within the State or belonging to, managed by, controlled by, or appertaining to such State, and (C) where subsection (e) of this section applies, to the government of a foreign country for natural resources belonging to, managed by, controlled by, or appertaining to such government. The President, or the authorized representative of any State or of the foreign government, shall act on behalf of the public as trustee of such natural resources to recover for such damages. Sums recovered by the United States Government as trustee under this subsection shall be retained by the trustee, without further appropriation, for use only to restore, replace, or acquire the equivalent of such natural resources. Sums recovered by a State as trustee under this subsection shall be available for use only to restore, replace, or acquire the equivalent of such natural resources by the State. The measure of damages in any action under subsection (a)(2)(C) shall not be limited by the sums which can be used to restore or replace such resources. There shall be no double recovery under this Act for natural resource damages, including the costs of damage assessment or restoration, rehabilitation, or acquisition for the same discharge and natural resource.

(2)(A) The President shall designate the Federal officials who shall act on behalf of the public as trustees for natural resources under this Act. Such officials shall assess damages for injury to, destruction of, or loss of natural resources for purposes of this Act for those resources under their trusteeship and may, upon request of and reimbursement from a State and at the Federal officials' discretion, assess damages for those natural resources under the State's trusteeship.

(B) The Governor of each State shall designate State officials who may act on behalf of the public as trustee for natural resources under this Act and shall notify the President of such designations. Such State officials shall assess damages to natural resources for the purposes of this Act for those natural resources under their trusteeship.

(C) Any determination or assessment of damages to natural resources for the purposes of this Act made by a Federal or State trustee in accordance with the regulations promulgated under section 301(c) of the Comprehensive Environmental Response, Compensation, and Liability Act shall have the force and effect of a rebuttable presumption on behalf of the trustee in any administrative or judicial proceeding under this Act.

(e)(1) Except where title II of this Act applies, the recovery of removal costs and damages by (A) persons residing in a foreign country, (B) the government of a foreign country, or (C) any agency or political subdivision of a foreign country, under this Act, shall be exclusively in accordance with this subsection.

(2) A claimant under this subsection must demonstrate that the claimant has not been otherwise compensated for incurred removal costs or damages. Except with respect to paragraph (3)(D) of this subsection, a claimant under this subsection must demonstrate (A) that recovery is authorized by a treaty or executive agreement between the United States and the claimant's country, or (B) that the Secretary of State, in consultation with the Attorney General and other appropriate officials, has certified that the claimant's country provides a comparable remedy for United States claimants.

(3) Where a discharge, or substantial threat of a discharge of oil in or on the territorial sea, internal waters, or adjacent shoreline of a foreign country occurs, claims for removal costs and damages may be made under this subsection if the removal costs or damages resulted from a discharge of, or substantial threat of a discharge, of oil from—

(A) an outer continental shelf facility or a deepwater port facility,

(B) a vessel occurring in the navigable waters of the United States,

(C) a vessel carrying oil as cargo between two ports subject to the jurisdiction of the United States; or

(D) a tanker that received oil at the terminal of the pipeline constructed under the Trans-Alaska Pipeline Authorization Act for transportation to a port in the United States, the discharge or threat having occurred prior to delivery to that port.

(4) This subsection shall apply only in the case of discharges of oil occurring after the enactment of this Act.

(f)(1) No indemnification, hold harmless, or similar agreement or conveyance shall be effective to transfer from the owner or operator of any vessel or onshore or offshore facility or from any person who may be liable for a discharge or threat of discharge under this section, to any other person the liability imposed under this section. Nothing in this subsection shall bar any agreement to insure, hold harmless, or indemnify a party to such agreement for any liability under this section.

(2) Nothing in this Act, including the provisions of paragraph (1) of this subsection, shall bar a cause of action that an owner or operator subject to liability under this section, or a guarantor, has or would have, by reason of subrogation or otherwise against any person.

(g) The owner or operator of a vessel shall be liable in accordance with this section, the International Convention on Civil Liability for Oil Pollution Damage, 1984, and section 311 of the Clean Water Act, under maritime tort law, and as provided in section 106 of this Act, notwithstanding any provision of the Act of March 3, 1851 (46 U.S.C. 183) or the absence of any physical damage to the proprietary interest of the claimant.

USES OF FUND

SEC. 103. (a) The President shall use the money in the Fund for the following purposes:

(1) all removal costs or other costs of carrying out the purposes of subsections (c), (d), (l), and (i) of section 311 of the Clean Water Act, sections 5 and 7 of the Intervention on the High Seas Act, and section 18 of the Deepwater Port Act, with respect to discharges, or substantial threats of discharges, or oil (as the term "oil" is defined in each respective Act);

(2) payment of any claim for removal costs or damages—

(A) in excess of the amount for which the owner or operator of the vessel or onshore or offshore facility from which oil is discharged is liable under section 102 of this Act;

(B) where the source of the discharge of oil is not known or cannot be identified;

(C) in any case where the claim has not been satisfied in accordance with subsection (c) of this section; and

(D) subject to, but in excess of the combined compensation available under, the International Convention on Civil Liability for Oil Pollution Damage, 1984, and the International Convention on the Establishment of an International Fund for Compensation of Oil Pollution Damage, 1984;

(3) payment of any claim for removal costs and damages that have resulted from the discharge, or substantial threat of a discharge, of oil from a foreign offshore unit;

(4)(A) payment of costs incurred by any State in responding to a discharge, or substantial threat of a discharge, of oil into the navigable waters or adjoining shorelines from a vessel, an onshore facility, an offshore facility, or a foreign offshore unit, as provided in subsection (d) of this section;

(B) reimbursement to any State for the payment of any claims for removal costs or damages payable under this Act which such State has paid with funds under the control of such State, including payment pursuant to a delegation under subsection (c) of this section;

(5) the costs of assessing both short-term and long-term injury to, destruction of, or loss of any natural resources resulting from a discharge of oil;

(6) the costs of Federal or State efforts in the restoration, rehabilitation, or replacement or acquiring the equivalent of any natural resources injured, destroyed, or lost as a result of any discharge of oil;

(7) payment of contributions to the International Fund as prescribed in section 305 of this Act;

(8) subject to such amounts as are provided in appropriation Acts, the costs of providing equipment and similar overhead, related to the purposes of this Act and section 311 of the Clean Water Act, and of establishing and maintaining damage assessment capability, for any Federal agency involved in strike forces, emergency task forces, or other response teams;

(9) the costs of a program to identify, investigate, and take enforcement and abatement action against discharges of oil, including the provisions of section 311(j) (1) (C) and (D) of the Clean Water Act;

(10) all administrative and personnel costs of administering the Fund and this Act.

(b) The maximum amount which may be paid from the Fund with respect to any single discharge or incident, in combination with payment, if any, under the International Convention on the Establishment of an International Fund for Compensation of Oil Pollution Damage, 1984, shall not exceed $500,000,000.

(c)(1) The President is authorized to promulgate regulations designating one or more Federal officials who may obligate money in the Fund in accordance with subsection (a) of this section or portions thereof. The President is also authorized to delegate authority to obligate money in the Fund or to settle claims to officials of a State with an adequate program operating under a cooperative agreement with the Federal Government.

(2) The President is authorized to delegate the administration of his duties and authorities under this Act to the heads of those Federal departments, agencies, and instrumentalities which the President determines appropriate.

(3)(A) The President shall promulgate, and may from time to time amend, regulations for the presentation, filing, processing, settlement, and adjudication of claims for removal costs or damages resulting from the discharge, or substantial threat of a discharge, of oil under this Act.

(B) Whenever the President receives information from any person alleging that a person has incurred removal costs or damages resulting from the discharge, or substantial threat of a discharge, of oil respecting which the owner or operator of a vessel or onshore or offshore facility is or may be liable under section 102 of this Act, the President shall notify the owner, operator, and guarantor or such vessel or facility of that allegation. Such owner or operator or guarantor may, within five days after receiving the notification or presentation of any claim by a claimant, deny the allegation, or deny liability for removal costs and damages for any of the reasons set forth in subsection (b) of section 102 of this Act.

(C) The owner or operator of any vessel or onshore or offshore facility from which oil has been discharged shall provide notice to all potentially injured parties.

(D) No claims may be asserted against the Fund pursuant to subsection (a) unless such claim is presented in the first instance to the owner or operator or guarantor of the vessel or onshore or offshore facility from which oil has been discharged, if known to the claimant, and to any other person known to the claimant who may be liable under section 102. In any case where the claim has not been satisfied within 60 days of presentation in accordance with this subsection, the claimant may present the claim to the Fund for payment. No claim against the Fund may be approved or certified during the pendency of an action by the claimant in court to recover costs which are the subject of the claim.

(d) The Governor of each State, or any appropriate State official designated by the Governor, is authorized to obligate the Fund for the payment of removal costs in an amount not to exceed $250,000 per discharge or substantial threat of discharge of oil, for the purpose of immediate response, subject only to the requirement that the President be notified within 24 hours of any such obligation under the authority of this sentence. In addition, the President shall enter into an agreement with the Governor of any interested State to provide a procedure by which the Governor or designated State official may undertake additional removal action or obligate the Fund for the additional payment of removal costs for response to a particular discharge or substantial threat of discharge, subject to such terms and conditions as may be agreed upon. Payments under subsection (a)(4)(A) of this section, other than as authorized by the first sentence of this subsection, shall be made in accordance with such agreements.

(e)(1) Payment of any claim by the Fund under this section shall be subject to the United States Government acquiring by subrogation all rights of the claimant to recover the removal costs or damages from the responsible party.

(2) Any person, including the Fund, who pays compensation pursuant to this Act to any claimant for costs or damages shall be subrogated to all rights, claims, and causes of action for those costs and damages that the claimant has under this Act or under any other law.

(3) Upon request of the President, the Attorney General shall commence an action on behalf of the Fund to recover any compensation paid by the Fund to any claimant pursuant to this Act, and, without regard to any limitation of liability with respect to an owner or operator under section 102(c), all costs incurred by the Fund by reason of the claim, including interest (including prejudgment interest), administrative and adjudicative costs, and attorney's fees. Such an action may be commenced against any owner or operator or guarantor, or against any other person who is liable, pursuant to any law, to the compensated claimant or to the Fund, for the cost or damages for which the compensation was paid.

(f) The Fund shall not be available to pay any claim for costs or damages to the extent the discharge or the damages had been caused by the gross negligence or willful misconduct of that particular claimant.

(g) The Comptroller General shall provide an audit review team to audit all payments, obligations, reimbursements, or other uses of the Fund, to assure that the Fund is being properly administered and that claims are being appropriately and expeditiously considered. The Comptroller General shall submit to the Congress as interim report one year after the establishment of the Fund. The Comptroller General shall thereafter provide such auditing of the Fund as is appropriate. Each Federal agency shall cooperate with the Comptroller General in carrying out this subsection.

(h)(1) No claim may be presented under this section for recovery of removal costs after the date 6 years after the date of completion of all removal action.

(2) No claim may be presented under this section for recovery of damages unless the claim is presented within 3 years after the date of the discovery of the loss and its connection with the release in question, or in the case of damages under section 102(a)(2)(C), if later, the date on which final regulations are promulgated under section 301(c) of the Comprehensive Environmental Response, Compensation, and Liability Act.

(3) The time limitations contained herein shall not begin to run—

(A) against a minor until the earlier of the date when such minor reaches 18 years of age or the date on which a legal representative is duly appointed for the minor, or

(B) against an incompetent person until the earlier of the date on which such incompetent's incompetency ends or the date on which a legal representative is duly appointed for such incompetent.

(i) Where the President has paid out of the Fund for any removal costs or any costs specified under subsection (a)(6) or (7), no other claim may be paid out of the Fund for the same costs.

(j) Except in a situation requiring action to avoid an irreversible loss of natural resources or to prevent or reduce any continuing danger to natural resources or similar need for emergency action, funds may not be used under this Act for the restoration, rehabilitation, or replacement or acquisition of the equivalent of any natural resources until a plan for the use of such funds for such purposes has been developed and adopted by affected Federal agencies and the Governor or Governors of any State having sustained damage to natural resources within its borders, belonging to, managed by or appertaining to such State, after adequate public notice and opportunity for hearing and consideration of all public comment.

FINANCIAL RESPONSIBILITY

SEC. 104. (a)(1) The owner or operator of any vessel over three hundred gross tons (except a non-self-propelled barge that does not carry oil as cargo or fuel), using any port or place in the United States or the navigable waters or any outer continental shelf facility or deepwater port facility, shall establish and maintain, in accordance with regulations promulgated by the President, evidence of financial responsibility sufficient to meet the maximum amount of liability to which the owner or operator

could be subjected under section 102 of this Act in a case where the owner or operator would be entitled to limit liability under that section. If the owner or operator owns or operates more than one vessel, evidence of financial responsibility need be established only to meet the maximum liability applicable to the largest of such vessels.

(2) The Secretary of the Treasury shall withhold or revoke the clearance required by section 4197 of the Revised Statutes of the United States of any vessel subject to this subsection that does not have the certification required under this subsection or the regulations issued hereunder.

(3) The Secretary of the department in which the Coast Guard is operating may (A) deny entry to any outer continental shelf facility, any deepwater port facility, or any port or place in the United States, or (B) detain at such a facility or port or place, any vessel that, upon request, does not produce the certification required under this subsection or the regulations issued hereunder.

(4) Any vessel subject to the requirements of this subsection which is found in the navigable waters without the necessary evidence of financial responsibility shall be subject to seizure by the United States of any oil carried as cargo.

(b) Each owner or operator with respect to an outer continental shelf facility, deepwater port facility, or other offshore facility, shall establish and maintain evidence of financial responsibility sufficient to meet the maximum amount of liability to which the owner or operator could be subjected under section 102 of this Act in a case where the owner or operator would be entitled to limit liability under that section. Such evidence of financial responsiblity shall be established according to regulations prescribed by the President.

(c) Financial responsibility under this section may be established by any one, or by any combination, of the following methods, which the President determines to be acceptable: evidence of insurance, surety bond, guarantee, letter of credit, qualification as a self-insurer, or other evidence of financial responsibility. Any bond filed shall be issued by a bonding company authorized to do business in the United States. In promulgating requirements under this section, the President is authorized to specify policy or other contractual terms, conditions, or defenses which are necessary, or which are unacceptable, in establishing such evidence of financial responsiblity in order to effectuate the purposes of this Act.

(d) Any claim for which liability may be established under section 102 of this Act may be asserted directly against any guarantor providing evidence of financial responsibility for an owner or operator liable under that section for costs and damages to which the claim pertains. In defending against such a claim, the guarantor may invoke all rights and defenses which would be available to the responsible party under section 102. The guarantor may also invoke the defense that the discharge was caused by the willful misconduct of the owner or operator, but the guarantor may not invoke any other defense that might be available in proceedings brought by the owner or operator against the guarantor.

(e) The total liability of any guarantor in a direct action suit brought under this section shall be limited to the aggregate amount of the monetary limits of the policy of insurance, guarantee, surety bond, letter of credit, or similar instrument obtained from the guarantor by the person subject to liability under section 102 for the purpose of satisfying the requirement for evidence of financial responsibility. Nothing in this subsection shall be construed to limit any other State or Federal statutory, contractual, or common law liability of a guarantor, including, but not limited to, the liability of such guarantor for bad faith either in negotiation or in failing to negotiate the settlement of any claim. Nothing in this subsection shall be construed, interpreted, or applied to diminish the liability of any person under section 102 of this Act or other applicable law.

(f)(1) Any person who, after notice and an opportunity for a hearing, is found to have failed to comply with the requirements of this section or the regulations issued thereunder, or with a denial or detention order issued under subsection (a)(3) of this section, shall be liable to the United States for a civil penalty, not to exceed $25,000 per day of violation. The amount of the civil penalty shall be assessed by the President by written notice. In determining the amount of the penalty, the President shall take into account the nature, circumstances, extent, and gravity of the violation, the degree of culpability, any history of prior violation, ability to pay, and such other matters as justice may require. The President may compromise, modify, or remit, with or without conditions, any civil penalty which is subject to imposition or which has been imposed under this paragraph. If any person fails to pay an assessed civil penalty after it has become final, the President may refer the matter to the Attorney General for collection.

(2) In addition to, or in lieu of, assessing a penalty under paragraph (1) of this subsection, the President may request the Attorney General to secure such relief as necessary to compel compliance with this section, including, but not limited to, a judicial order terminating operations. The district courts of the United States shall have jurisdiction to grant such relief as the public interest and the equities of the case may require.

(g) Any regulation respecting financial responsibility, which has been issued pursuant to any provision of law repealed or superseded by this Act, and which is in effect on the date immediately preceding the effective date of this Act, shall be deemed and construed to be a regulation issued pursuant to this section. Such a regulation shall remain in full force and effect unless and until superseded by new regulations issued under this section.

LITIGATION, JURISDICTION AND VENUE

SEC. 105. (a) Review of any regulation promulgated under this Act may be had upon application by any interested person only in the Circuit Court of Appeals of the United States for the District of Columbia. Any such application shall be made within ninety days from the date of promulgation of such regulations. Any matter with respect to which review could have been obtained under this subsection shall not be subject to judicial review in any civil or criminal proceeding for enforcement or to obtain damages or recovery of response costs.

(b) Except as provided in subsections (a) and (c) of this section, the United States district courts shall have exclusive original jurisdiction over all controversies arising under this Act (which shall be deemed to include actions under the International Convention on Civil Liability for Oil Pollution Damage, 1984, and the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1984), without regard to the citizenship of the parties or the amount in controversy. Venue shall lie in any district in which the discharge or injury or damages occurred, or in which the defendant resides, may be found, has its principal office, or has appointed an agent for service of process. For the purposes of this section, the Fund and the International Fund, established under Article 2 of the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1984, shall reside in the District of Columbia.

(c) A State trial court of competent jurisdiction over similar claims may consider claims under section 102 or State law and any final judgment of such court (when no longer subject to ordinary forms of review) shall be recognized, valid, and enforceable for all purposes of section 102, section 103, and title III of this Act.

(d) The provisions of subsections (a), (b), and (c) of this section shall not apply to any controversy or other matter resulting from the assessment or collection of any tax, as provided by title IV of this Act, or to the review of any regulation promulgated under the Internal Revenue Code of 1954.

(e) The President may prescribe the necessary regulations to carry out this Act and all obligations of the United States under the International Convention on Civil Liability for Oil Pollution Damage, 1984, and the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1984.

(f) No provision of this Act shall be deemed or held to moot any litigation concerning any discharge of oil, or any damages associated therewith, commenced prior to enactment of this Act.

(g)(1) Except as provided in paragraphs (3) and (4), no action may be commenced for damages (as defined in section 101(6)) under this Act, unless that action is commenced within 3 years after the date of the discovery of the loss and its connection with the release in question, or in the case of damages under section 102(a)(2)(C), if later, the date on which regulations are promulgated under section 301(c) of the Comprehensive Environmental Respone, Compensation, and Liability Act.

(2) An initial action for recovery of removal costs referred to in section 102(a)(1) must be commenced within 3 years after completion of the removal action. In any such action described in this subsection, the court shall enter a declaratory judgment on liability for removal costs or damages that will be binding on any subsequent action or actions to recover further removal costs or damages. A subsequent action or actions under section 102 for further removal costs at the vessel or facility may be maintained at any time during the removal action, but must be commenced no later than 3 years after the date of completion of all removal action. Except as otherwise provided in this paragraph, an action may be commenced under section 102 for recovery of removal costs at any time after such costs have been incurred.

(3) No action for contribution for any removal costs or damages may be commenced more than 3 years after—

(A) the date of judgment in any action under this Act for recovery of such costs or damages, or

(B) the date of entry of a judicially approved settlement with respect to such costs or damages.

(4) No action based on rights subrogated pursuant to this Act by reason of payment of a claim may be commenced under this Act more than 3 years after the date of payment of such claim.

(5) The time limitations contained herein shall not begin to run—

(A) against a minor until the earlier of the date when such minor reaches 18 years of age or the date on which a legal representative is duly appointed for such minor, or

(B) against an incompetent person until the earlier of the date on which such incompetent's incompetency ends or the date on which a legal representative is duly appointed for such incompetent.

STATE LAWS AND PROGRAMS

SEC. 106. (a) Nothing in this Act shall be construed or interpreted as preempting any State from imposing any additional liability or requirements with respect to the discharge of oil or other pollution by oil within such State. Nothing in this Act shall affect or modify in any way the obligations or liabilities of any person under other Federal or State law, including common law, with respect to discharges of oil.

(b) Nothing in this Act or in section 9507 of the Internal Revenue Act of 1954 shall in any way affect, or be construed to affect, the authority of any State—

(1) to establish, or to continue in effect, a fund any purpose of which is to pay for costs or damages arising out of, or directly resulting from, oil pollution or the substantial threat of oil pollution; or

(2) to require any person to contribute to such a fund.

(c) A State may enforce, on the navigable waters of such State, the requirements for evidence of financial responsibility applicable under section 104 of this Act.

(d) The President shall consult with the affected State or States on the appropriate removal action to be taken. Removal with respect to any discharge or incident shall be considered completed when so determined by the President and the Governor or Governors of the affected State or States.

(e) Nothing in this Act, the Act of March 3, 1851, as amended (46 U.S.C. 183 et seq.), or section 9507 of the Internal Revenue Act of 1954, shall in any way affect, or be construed to affect, the authority of the United States or any State or political subdivision thereof—

(1) to impose additional liability or additional requirements, or

(2) to impose, or to determine the amount of, any fine or penalty (whether criminal or civil in nature) for any violation of law,

relating to the discharge, or substantial threat of a discharge, of oil.

TITLE II—CONFORMING AMENDMENTS

TRANS-ALASKA PIPELINE FUND

SEC. 201. (a) Section 204(b) of the Trans-Alaska Pipeline Authorization Act is amended, in the first sentence—

(1) by inserting after the words "any area" the words "in the State of Alaska";

(2) by inserting after the words "any activities" the words "related to the Trans-Alaska Oil Pipeline"; and

(3) by inserting at the end of the subsection the following new sentence: "This subsection shall not apply to removal costs covered by the Oil Spill Liability and Compensation Act of 1986.".

(b) Section 204(c) of the Trans-Alaska Pipeline Authorizations Act is repealed. This repeal shall not affect the applicability of that section to claims arising before the enactment of this Act. The repeal of paragraphs (4), (5), and (8) of that provision shall only become effective upon the payment by the Board of Trustees of the Trans-Alaska Pipeline Liability Fund of all claims certified under subsection (c) of this section and the rebate of all remaining amounts under, and the completion of all actions required to carry out, such subsection.

(c)(1) Not later than 210 days after the date of enactment of this Act, the Board of Trustees of the Trans-Alaska Pipeline Liability Fund shall certify to the President the total amount of claims outstanding against that Fund as of the date of enactment of this Act. The amount in that Fund exceeding the total amount so certified shall be rebated directly, on a *pro rata* basis, to the owners of the oil at the time it was loaded on the vessel.

(2) After the settlement of all claims described in paragraph (1) and the completion of all actions, if any, by the Trans-Alaska Pipeline Liability Fund for recovery of amounts paid on such claims, the remaining amounts in that Fund shall be rebated directly, on a *pro rata* basis, to the owners of the oil at the time it was loaded on the vessel.

(3) Whenever a rebate is made on a *pro rata* basis to the owners of oil under paragraphs (1) or (2) of this subsection, each owner's share of the rebate shall be an amount determined by dividing the amount contributed by that owner to the Trans-Alaska Pipeline Liability Fund by the total amount contributed by all such owners to that Fund.

(d) Trustees and former trustees of the Trans-Alaska Pipeline Liability Fund who were designated by the Secretary of the Interior shall not be subject to any liability incurred by that Fund or by the present and past officers and trustees of that Fund, other than liability for gross negligence or willful misconduct.

INTERVENTION ON THE HIGH SEAS ACT

SEC. 202. Section 17 of the Intervention on the High Seas Act is amended to read as follows:

"SEC. 17. The Fund established under the Oil Spill Liability and Compensation Act of 1986 shall be available to the Secretary for actions taken under sections 5 and 7 of this Act.".

CLEAN WATER ACT

SEC. 203. Section 311 of the Clean Water Act is amended as follows:

(a) Subparagraph (H) of paragraph (2) of subsection (c) amended by striking out "from the fund established under subsection (k) of this section for the reasonable costs incurred in such removal" and inserting in lieu thereof the following: "in the case of any discharges of oil from a vessel or facility, for the reasonable costs incurred in such removal from the Fund established under the Oil Spill Liability and Compensation Act of 1986".

(b) Subsection (d) is amended by striking out the last sentence.

(c)(1) Subsections (f), (g), and (i) of section 311 of the Clean Water Act shall not apply with respect to any discharge of oil resulting in removal costs for which liability is established under section 102 of this Act.

(2) Paragraphs (2) and (3) of subsection (f) are amended by striking out "under subsection (c) for the removal of such oil or substance by the United States Government" each place it appears and inserting in lieu thereof "under subsection (c) for the removal of such oil or substance by the United States Government and for payments made pursuant to section 103(a)(4)(A) of the Oil Pollution Liability and Compensation Act of 1986".

(d) Subsection (i) is amended by striking out "(1)" after "(i)" and striking out paragraphs (2) and (3).

(e) Subsection (k) is repealed. Any amounts remaining in the revolving fund established under that subsection shall be deposited in the Fund established under this Act. The Oil Spill Compensation Fund shall assume all liability incurred by revolving fund established under section 311(k) of the Clean Water Act.

(f) Subsection (1) is amended by striking out the second sentence.

(g) Subsection (p) is repealed.

(h) Section 311 is amended by adding at the end thereof the following new subsection:

"(s) The Oil Spill Compensation Fund, established under the Oil Pollution Liability and Compensation Act of 1986, shall be available to carry out subsections (c), (d), (i) and (1) as those subsections apply to discharges, or substantial threats of discharges, of oil. Any amounts received by the United States under this section shall be deposited in such Oil Spill Compensation Fund.".

DEEPWATER PORT ACT

SEC. 204. The Deepwater Port Act of 1974 is amended as follows:

(a) In section 4(c)(1) strike "section 18(1) of this Act;" and insert in lieu thereof "section 104 of the Oil Spill Liability and Compensation Act of 1986,".

(b) Subsections (b), (d), (e), (f), (g), (h), (i), (j), (l), (n), and paragraph (1) of subsection (m) of section 18 are deleted.

(c) Paragraph (3) of subsection (c) of section 18 is amended by striking "Deepwater Port Liability Fund established pursuant to subsection (f) of this section", and inserting in lieu thereof "fund established under the Oil Spill Liability and Compensation Act of 1986".

(d) Subsections (c), (k), and (m) of section 18 are redesignated (b), (c), and (d) respectively, and paragraphs (2), (3), and (4) of subsection (m) are redesignated (1), (2), and (3), respectively.

(e) Any amounts remaining in the Deepwater Port Liability Fund, established under section 18(f) of the Deepwater Port Act of 1974, shall be deposited in the Fund established under this Act. The Oil Spill Compensation Fund shall assume all liability incurred by the Deepwater Port Liability Fund.

OUTER CONTINENTAL SHELF LANDS ACT AMENDMENTS

SEC. 205. Title III of the Outer Continental Shelf Lands Act Amendments of 1978 is hereby repealed. Any amounts remaining in the Offshore Oil Pollution Compensation Fund established under section 302 of that title shall be deposited in the Fund established under this Act. The Oil Spill Compensation Fund shall assume all liability incurred by the Offshore Oil Pollution Compensation Fund.

TITLE III—IMPLEMENTATION OF INTERNATIONAL CONVENTIONS

DEFINITIONS

SEC. 301. For the purposes of this title—

(1) the terms "ship", "owner", "oil", "pollution damage", and "incident" shall have the meaning provided in article I of the Civil Liability Convention;

(2) the term "Civil Liability Convention" means the International Convention on Civil Liability for Oil Pollution Damage, 1984;

(3) the term "financial responsibility" shall have the same meaning as "financial security" under the Civil Liability Convention;

(4) the term "Fund Convention" means the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1984; and

(5) the term "International Fund" means the International Oil Pollution Compensation Fund, established under article 2 of the Fund Convention.

APPLICABILITY OF CONVENTIONS

SEC. 302. If the Civil Liability Convention and the Fund Convention are determined by the President to be consistent with the provisions of sections 102, 103, and 106 of this Act, during any period that the Civil Liability Convention and the Fund Convention are in force with respect to the United States, liability of an owner for pollution damage arising from an incident involving a ship shall be determined in accordance with the Civil Liability Convention and Fund Convention. During such a period, no claim with respect to pollution damage which is compensable under the International Fund may be made against the Oil Spill Compensation Fund under paragraphs (2) (A), (B), or (C), or (4)(B) of section 103(a) of this Act.

RECOGNITION OF INTERNATIONAL FUND

SEC. 303. The International Fund is recognized under the laws of the United States as a legal person, and shall have the capacity to acquire and dispose of real and personal property, and to institute and be party to legal proceedings. The Director of the International Fund is recognized as the legal representative of the International Fund. The Director shall be deemed to have appointed irrevocably the Secretary of State as the International Fund's agent for the service of process in any legal proceedings involving the International Fund within the United States. The International Fund and its assets shall be exempt from all direct taxation in the United States.

ACTION IN U.S. COURTS

SEC. 304. (a) In any action brought in a court in the United States against the owner of a ship or its guarantor under the Civil Liability Convention, the plaintiff or defendant, as the case may be, shall serve a copy of the complaint and any subsequent pleading therein upon the International Fund at the same time the complaint or other pleading is served upon the opposing parties.

(b) The International Fund may intervene as a party as a matter of right in any action brought in a court in the United States against the owner of a ship or its guarantor under the Civil Liability Convention.

CONTRIBUTION TO INTERNATIONAL FUND

SEC. 305. (a) The amount of any contribution to the International Fund which is required to be made under article 10 of the Fund Convention by any person with respect to oil received in any port, terminal installation, or other installation located in the United States shall be paid to the International Fund from the Oil Spill Compensation Fund, established under this Act.

(b) The President may, by regulation, require persons who are required to make contributions with respect to oil received in any port, terminal, installation, or other installations in the United States under article 10 of the Fund Convention to provide all information relating to that oil as may be necessary to carry out subsection (a) of this section and articles 10, 12, 13, 14, and 15 of the Fund Conventions.

RECOGNITION OF FOREIGN JUDGMENTS

SEC. 306. Any final judgment of a court of any country which is a party to the Civil Liability Convention or to the Fund Convention in an action for compensation under either convention shall be recognized by any court of the United States having jurisdiction under this Act, when that judgment has become enforceable in that country and is no longer subject to ordinary form of review, except where—

(1) the judgment was obtained by fraud, or

(2) the defendant was not given reasonable notice and a fair opportunity to present its case.

FINANCIAL RESPONSIBILITY

SEC. 307. (a) The owner of each ship which is documented under the laws of the United States which is subject to the Civil Liability Convention shall establish and maintain, in accordance with regulations promulgated by the President, evidence of financial responsibility as required in Article VII of the Civil Liability Convention.

(b) The owner of each ship (other than a ship to which subsection (a) applies or a ship which is a public vessel), which is subject to the Civil Liability Convention and which enters or leaves a port or terminal in the United States or uses an outer continental shelf facility or deepwater port facility, shall establish and maintain, in accordance with regulations promulgated by the President, evidence of financial responsibility as required in article VII of the Civil Liability Convention. Any ship which has on board a valid certificate issued in accordance with article VII of the Civil Liability Convention shall be considered as having met the requirements of this subsection. Any ship carrying only oil as cargo, fuel, or residue, which has on board a valid certificate issued in accordance with article VII of the Civil Liability Convention shall be considered as having met the requirements of section 104 of this Act.

(c) The President is authorized to issue any certificate of financial responsibility which the United States may issue under the Civil Liability Convention.

(d) The Secretary of the Treasury shall withhold or revoke the clearance required by section 4197 of the Revised Statutes of the United States of any ship which does not have a certificate demonstrating compliance with this section.

(e) The Secretary of the department in which the Coast Guard is operating may (1) deny entry to any facility or to any port or place in the United States, or (2) detain at the facility or port or place in the United States, any ship subject to this section which, upon request, does not produce the certificate demonstrating compliance with this section or regulations issued hereunder.

(f) Any person who, after notice and an opportunity for a hearing, is found to have violated this section, any regulation issued thereunder, or any denial or detention order issued under subsection (e) of this section shall be liable to the United States for a civil penalty, not to exceed $25,000 per day of violation. The amount of the civil penalty shall be assessed by the President in accordance with the procedures set forth in section 104(f) of this Act.

(g) The United States waives all defenses based on its status as a sovereign State with respect to any controversy arising under the Civil Liability Convention or the Fund Convention relating to any ship owned by the United States and used for commercial purposes.

SENATOR MITCHELL OIL SPILL LEGISLATION—SECTION-BY-SECTION ANALYSIS—"OIL POLLUTION LIABILITY AND COMPENSATION ACT OF 1986"

Sec. 101: Definitions

Defines a number of terms for the purposes of this Act, and cross references a number of definitions in the Clean Water Act.

Sec. 102: Liability

Vessel owners or operators are liable for removal costs and economic and natural resource damages. Such damages include injury or destruction of, or loss of real or personal property or natural resources; any loss of use, including loss of subsistence use, of any natural resources; any loss of income or profits or impairment of earning capacity; and any direct or indirect loss of tax, royalty, rental, or net profits share revenue for not more than one year. The liability standard is that set forth in section 311 of the Clean Water Act.

The available defenses include acts of God, acts of war, or acts or omissions of third parties with whom the owner or operator does not have a contractual relationship. Owners or operators of tankers are liable for damages and removal costs for discharges for not more than $420 per gross ton or $10 million, whichever is greater. Other vessels are liable for $300 per gross ton or $500,000, whichever is greater. Inland barges are treated as tankers when carrying oil in bulk as cargo. Lessees or permittees of outer continental shelf facilities are liable for all cleanup costs plus $75 million. Other facility owners or operators are liable for $100 million. Such limits on liability do not apply where the discharge was the result of willful misconduct or gross negligence within the privity of the owner or operator, or where the owner or operator refuses to cooperate with removal upon request of a responsible official.

The President is authorized to establish lower limits on liability for classes of facilities, based on size, storage capacity, oil throughput, proximity to sensitive areas, types of oil handled, history of discharges, and other factors. All limits are to be adjusted for inflation not less often than every three years.

The President or authorized representative of a State or foreign government are authorized trustees for natural resources.

Sec. 103: Uses of the Fund

The Fund shall be used to pay for all removal costs; payment of any claims for removal costs or damages:

In excess of the amount for which the owner or operator is liable under section 102 of this Act,

Where the source of the discharge of the oil is not known or cannot be identified,

In any case where the claim has not been satisfied by the owner or operator under subsection (c),

In excess of the combined compensation available under the International Funds,

From foreign offshore units affecting U.S. claimants,

To States under the direct draw authority or pursuant to other agreements between States and the Federal government (including reimbursement to States where States have delegated authority),

For assessing and restoring natural resources,

For costs of the program, enforcement, and prevention under section 311(j) of the Clean Water Act.

There is a $500 million per incident limit. States are authorized to have direct access to the Fund for a minimum of $250,000. States may enter into agreements with the Federal government to supplement the direct access authority. Subsection (e) provides for subrogation of claims of the Federal government. The statute of limitations for claims is 6 years after the date of completion of all removal action or 3 years from the date of discovery of the loss and its connection with the release in question for claims for damages.

Sec. 104: Financial Responsibility

This section authorizes the President to require financial responsibility for vessels and off-shore facilities. Direct action against guarantors is also authorized.

Sec. 105: Litigation, Jurisdiction, and Venue

Judicial review for regulations and actions under this Act is provided. Subsection (c) provides that State courts of competent jurisdiction have authority to hear cases under State law, this Act, or Title III. The Statute of Limitations for judicial actions is 3 years from the date of discovery of the loss and its connection with the release for damages or 3 years from completion of the removal action.

Sec. 106: State Laws and Programs

Nothing in this Act preempts any State from imposing any additional liability or requirements with respect to the discharge of oil within such State. Similarly, nothing affects the rights of States to establish or continue in effect a fund for payment of costs or damages arising from oil pollution.

States are authorized to enforce the financial responsibility requirements of this Act. The President shall consult with the affected State or States on the appropriate removal action to be taken. Removal with respect to any discharge or incident shall be considered completed when so determined by the President and the Governor or Governors of the affected State or States.

The 1851 Limitation on Liability Act shall not affect the authority or the United States or any State, or political subdivision thereof, to impose additional liability of additional requirements, or to impose, or to determine the amount of, any fine or penalty for any violation of law.

TITLE II: CONFORMING AMENDMENTS

Conforming amendments are made to the Trans-Alaska Pipeline Authorization Act, the Clean Water Act, the Intervention on the High Seas Act, the Outer Continental Shelf Lands Act, and the Deepwater Port Act.

TITLE III: IMPLEMENTATION OF THE INTERNATIONAL PROTOCOLS

The Protocols are implemented to the extent that the President determines they are consistent with sections 102, 103, and 106 of this Act.●

Mr. LAUTENBERG. Mr. President, I rise today to join Senators MITCHELL and STAFFORD in introducing legislation to address the serious threats posed to coastal States by oil spills.

The need for this legislation is clear. Like many pollution problems, oil spills do not respect State boundaries. Last September, a spill of 435,000 gallons of oil in the Delaware River damaged the shores of New Jersey, Pennsylvania, and Delaware. The spill, one of the largest ever on the Delaware, killed thousands of birds and other wildlife, and left a lasting mark on the shoreline following a weeklong cleanup. During the 7-month period following this spill, Coast Guard statistics show that other major mechanical failures on 45 vessels caused groundings, collisions with piers, and leaking storage tanks.

Following the spill last September, another tanker hit a pier and spilled 189,000 gallons of crude oil into the Delaware. Such spills seem to be part of an unacceptable trend toward ships with poorly trained crews or badly maintained equipment. And such spills are a national problem. In the last few years alone we have had major spills affecting such other States as California, Texas, Louisiana, and Oregon.

Clearly we need a Federal oil spill bill; a Federal mechanism for oil spill cleanup and compensation to aid States that are vulnerable to this pervasive problem.

The bill before us today will address this problem. It establishes a comprehensive Federal oil spill system that covers all potential sources of oil spill. The bill establishes both a Federal liability scheme for oil pollution damages and a fund to pay damages when compensation from polluters is not available, or when damages exceed liability limits. The bill provides for compensation of natural resource damages, an ability of States to gain a "direct draw" into the Federal fund for purposes of immediate oil spill response, and stacking of the international and Federal funds to increase total coverage.

Importantly, the bill achieves these objectives without preempting State oil spill programs. It has been my position for some time that any oil spill legislation not undermine positive State efforts, such as New Jersey's to deal with oil spills. This bill clearly states that it does not preempt State laws or funds.

The importance of such a nonpreemption provision is underscored by the Supreme Court's decision in Exxon versus Hunt, which followed 6 years of litigation. That decision concluded that some ambiguous language in the current Superfund statute actually preempted New Jersey's taxing authority for the State spill fund.

The spill fund contested in that litigation is the same fund in New Jersey, which covers oil spills. Just as I expressed my opposition to such preemption by amending the Senate Superfund bill to strike the preemptive language, an amendment adopted by the conference, I support this legislation's clear statement of nonpreemption.

The legislation provides a Federal solution to a serious national problem, and does so without compromising the important efforts States are making. It is an important step forward in protecting and cleaning up the environment from the effects of oil spills.

By Mr. DODD (for himself, Mr. CHILES, Mr. BIDEN, Mr. BYRD, Mr. CRANSTON, Mr. DECONCINI, Mr. SASSER, Mr. LEAHY, Mr. NUNN, Mr. MITCHELL, Mr. MOYNIHAN, and Mr. ROCKEFELLER):

S. 2800. A bill to require the Secretary of Health and Human Resources to make grants to public and nonprofit private entities for drug abuse and alcohol abuse prevention, treatment, and rehabilitation model projects for high risk youth; to the Committee on Labor and Human Resources.

DRUG ABUSE AND ALCOHOL ABUSE PREVENTION, TREATMENT, AND REHABILITATION MODEL PROJECTS FOR HIGH RISK YOUTH ACT OF 1986

● Mr. DODD. Mr. President, the resolution I am introducing today is also part of the Comprehensive Narcotics Control Act of 1986. I am pleased to have Mr. CHILES, Mr. BIDEN, Mr. BYRD, Mr. CRANSTON, Mr. DECONCINI, Mr. SASSER, Mr. LEAHY, Mr. NUNN, Mr. MITCHELL, Mr. MOYNIHAN, and Mr. ROCKEFELLER join me in introducing this measure providing for community based model programs to prevent and treat drug abuse among high-risk youth.

We know that drug and alcohol abuse crosses all economic, racial, age, ethnic, and religious lines. Nevertheless, a certain segment of our young people—we can call them "high-risk" youth—are in much greater danger of drug and alcohol abuse than other children. If you talk to child protection workers who deal with the children who have been victimized by physical or sexual abuse; or to the directors of shelters harboring runaway adolescents; or to staff of the boys and girls clubs and other groups working with unemployed school dropouts, or to those who work with pregnant teens and teenage parents; they will all tell you that the chances that the young people they work with will end up abusing drugs or alcohol go way off the charts.

As a result, any package would be incomplete without a special program targeting drug and alcohol prevention and treatment services for high-risk young people. In the case of these children, drug abuse does not occur in a vacuum. And unless we get at some of the underlying causes of such abuse, we will fail to make a big dent in the battle to combat the drug epidemic now confronting us. We will also

fail to deter some of the serious crimes committed by adolescents in association with drugs unless we target some treatment and rehabilitation services to curb their substance abuse.

The Carnegie Corp. of New York is to be commended for recently establishing a council on adolescence, focusing on high-risk youth. As the Carnegie Council has so aptly stated, during adolescence a significant number of youth abuse drugs and alcohol; are the victims of physical, sexual or psychological abuse; drop out of school; become pregnant; are economically disadvantaged; commit violent or delinquent acts; experience mental health problems; attempt suicide; or are killed or disabled by injuries. The measure I am introducing today is an attempt to explore the connections between these problems and provide concrete help in the form of community-based prevention and treatment programs for high-risk youth.

Mr. President, I urge my colleagues to support this legislation. I ask unanimous consent that the text of the "Drug Abuse and Alcohol Abuse Prevention, Treatment, and Rehabilitation Model Projects for High-Risk Youth Act of 1986" be printed in the RECORD in its entirety.

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

S. 2800

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Drug Abuse and Alcohol Abuse Prevention, Treatment, and Rehabilitation Model Projects for High Risk Youth Act of 1986".

FINDINGS

SEC. 2. The Congress finds that—

(1) drug abuse and alcohol abuse pose significant threats to the healthy development of our Nation's youth;

(2) some young people are at a great risk of becoming drug abusers or alcohol abusers due to a variety of social, health, and economic factors;

(3) during adolescence, a significant number of youth—

(A) abuse drugs and alcohol;

(B) are victims of physical, sexual, or psychological abuse;

(C) drop out of school;

(D) become pregnant;

(E) are economically disadvantaged;

(F) commit violent or delinquent acts;

(G) experience mental health problems;

(H) attempt suicide; or

(I) are killed or disabled by injuries;

(4) community based model programs are needed to prevent drug abuse and alcohol abuse among high risk youths, including after-school care programs, child abuse prevention programs, and programs designed to prevent students from dropping out of school, becoming adolescent parents, and remaining unemployed; and

(5) community based model treatment programs which address the causes of drug abuse and alcohol abuse among high risk youths can reduce and prevent such abuse.

DEFINITIONS

SEC. 3. For purposes of this Act—

(1) the term "high risk youth" means and individual who has not attained the age of 21 years, who is at high risk of becoming, or who has become, a drug abuser or an alcohol abuser, and who—

(A) is a victim of physical, sexual, or psychological abuse;

(B) has dropped out of school;

(C) has become pregnant;

(D) is economically disadvantaged;

(E) has committed a violent or delinquent act;

(F) has experienced mental health problems;

(G) has attempted suicide; or

(H) is disabled by intentional injuries;

(2) the term "secretary" means the Secretary of Health and Human Services; and

(3) the term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.

GRANTS FOR PREVENTION PROJECTS

SEC. 4. (a) The Secretary shall make grants to public and nonprofit private entities for projects to demonstrate effective models of preventing drug abuse and alcohol abuse among high risk youths. In making grants under this section, the Secretary shall give priority to applications for projects directed at latchkey children, children at risk of abuse or neglect, preschool children eligible for services under the Head Start Act, children at risk of dropping out of school, children at risk of becoming adolescent parents, and children who do not attend school and who are at risk of being unemployed.

(b) To carry out his section, there are authorized to be appropriated $25,000,000 for each of the fiscal years 1987, 1988, 1989, 1990, and 1991.

GRANTS FOR TREATMENT AND REHABILITATION PROJECTS

SEC 5. (a) The Secretary shall make grants to public and nonprofit private entities for projects to demonstrate effective models of treatment and rehabilitation of high risk youth who are drug abusers or alcohol abusers. In making grants under this section, the Secretary shall give priority to projects which address the relationship between drug abuse or alcohol abuse and physical abuse, sexual child abuse, emotional child abuse, dropping out of school, unemployment, delinquency, pregnancy, violence, suicide, or mental health problems.

(a) To carry out this section, there are authorized to be appropriated $25,000,000 for each of the fiscal years 1987, 1988, 1989, 1990, and 1991.

APPLICATION PROCEDURES

SEC. 6. (a) In order to receive a grant for a project under section 4 or 5 for a fiscal year, a public or nonprofit private entity shall submit an application to the Governor of the State in which the project will be conducted. Such application shall be in such form, shall contain such information, and shall be submitted at such time as the Secretary may by regulation prescribe.

(b) The Governor of each State shall review each application received under subsection (a) for a fiscal year and shall submit to the Secretary, by a date prescribed by the Secretary for such fiscal year, the recommendations of the Governor concerning the approval or disapproval of each such application and a ranking recommended by the Governor of the priority for approval of such applications. In making recommendations under the preceding sentence, the Governor of a State shall consider the priorities and requirements for grants established by sections 4(a), 5(a), and 7.

(c) In making grants under this Act, the Secretary shall consult with the Director of the National Institute on Alcohol Abuse and Alcoholism and the Director of the National Institute on Drugs, and shall consider the recommendations made by State Governors under subsection (b).

PRIORITIES AND REQUIREMENTS FOR GRANTS

SEC. 7. (a) In making grants under sections 4 and 5, the Secretary shall give priority to applications from community based organizations for projects to develop innovative multidisciplinary models for the prevention (in the case of applications under section 4) or for the treatment and rehabilitation (in the case of applications under section 5) of drug abuse or alcohol abuse by high risk youths.

(b) in making grants under sections 4 and 5, the Secretary shall give priority to applications for projects to demonstrate effective models which may be replicated and which are for the prevention (in the case of applications under section 4) or for the treatment and rehabilitation (in the case of applications under section 5) of drug abuse or alcohol abuse by high risk youths.

(c) The Secretary shall make grants under sections 4 and 5 in all regions of the United States.

(d) In making grants under sections 4 and 5, the Secretary shall give consideration to the specific needs of urban and rural areas for the prevention, treatment, and rehabilitation of drug abuse and alcohol abuse by high risk youths.

EVALUATION

SEC. 8. The Director of the National Institute on Drug Abuse shall evaluate projects conducted with grants under this Act.●

ADDITIONAL COSPONSORS

S. 477

At the request of Mr. ANDREWS, the name of the Senator from Utah [Mr. HATCH] was withdrawn as a cosponsor of S. 477, a bill to enhance rail competition and to ensure reasonable rail rates where there is an absence of effective competition.

S. 945

At the request of Mr. THURMOND, the name of the Senator from Alabama [Mr. HEFLIN] was added as a cosponsor of S. 945, a bill to recognize the organization known as the National Association of State Directors of Veterans' Affairs, Inc.

S. 1296

At the request of Mr. MATHIAS, the names of the Senator from Michigan [Mr. LEVIN], the Senator from Massachusetts [Mr. KERRY], and the Senator from New York [Mr. MOYNIHAN] were added as cosponsors of S. 1296, a bill to amend the Immigration and Nationality Act to modify the requirement for naturalization of an understanding of the English language.

S. 2115

At the request of Mr. THURMOND, the name of the Senator from Minnesota

[Mr. DURENBERGER] was added as a cosponsor of S. 2115, a bill to recognize the organization known as the 82d Airborne Division Association, Inc.

S. 2331

At the request of Mr. HEINZ, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 2331, a bill to amend title XVIII of the Social Security Act to assure the quality of inpatient hospital services and posthospital services furnished under the Medicare Program, and for other purposes.

S. 2398

At the request of Mr. ROTH, the name of the Senator from Indiana [Mr. QUAYLE] was added as a cosponsor of S. 2398, a bill to amend title 18 of the United States Code to ban the production and use of advertisements for child pornography or solicitations for child pornography, and for other purposes.

S. 2422

At the request of Mr. MURKOWSKI, the name of the Senator from Oklahoma [Mr. NICKLES] was added as a cosponsor of S. 2422, a bill to amend title 38, United States Code, to increase the rates of disability compensation for disabled veterans and the rates of dependency and indemnity compensation for surviving spouses and children of veterans; to improve the Veterans' Administration Home Loan Guaranty Program; to authorize certain debt collections; to authorize the Administrator of Veterans' Affairs to require additional information from certain fiduciary agents of veterans; to revise the authority of the Administrator of Veterans' Affairs to construct, alter, acquire, operate, and maintain parking facilities at Veterans' Administration medical facilities; and to authorize an administrative reorganization in the Veterans' Administration.

S. 2454

At the request of Mr. MURKOWSKI, the name of the Senator from Maryland [Mr. SARBANES] was added as a cosponsor of S. 2454, a bill to repeal section 1631 of the Department of Defense Authorization Act, 1985, relating to the liability of Government contractors for injuries or losses of property arising out of certain atomic weapons testing programs, and for other purposes.

S. 2569

At the request of Mr. WEICKER, the names of the Senator from Nevada [Mr. HECHT], and the Senator from Hawaii [Mr. MATSUNAGA] were added as cosponsors of S. 2569, a bill to clarify the ownership of certain historic shipwrecks in State waters.

S. 2771

At the request of Mr. HATCH, the name of the Senator from Arkansas [Mr. BUMPERS] was added as a cosponsor of S. 2771, a bill to require the Secretary of Health and Human Services to determine the appropriate regulatory classification of the transitional devices of the Medical Device Amendments of 1976 to the Food, Drug and Cosmetic Act and for other purposes.

S. 2773

At the request of Mr. SIMON, the names of the Senator from Alabama [Mr. HEFLIN], the Senator from Alaska [Mr. MURKOWSKI], the Senator from New York [Mr. MOYNIHAN], the Senator from Massachusetts [Mr. KERRY], the Senator from Hawaii [Mr. INOUYE], the Senator from Utah [Mr. HATCH], the Senator from Missouri [Mr. EAGLETON], the Senator from Illinois [Mr. DIXON], the Senator from Arizona [Mr. DECONCINI], the Senator from Florida [Mr. CHILES], and the Senator from North Dakota [Mr. BURDICK] were added as cosponsors of S. 2773, a bill establishing a commission to coordinate the commemoration of the bicentennial of the Congress.

S. 2781

At the request of Mr. EVANS, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of S. 2781, a bill to amend the Energy Policy and Conservation Act with respect to energy conservation standards for appliances.

S. 2794

At the request of Mr. DANFORTH, the names of the Senator from Alabama [Mr. DENTON], the Senator from Iowa [Mr. HARKIN], the Senator from South Dakota [Mr. PRESSLER], the Senator from Utah [Mr. GARN], the Senator from South Dakota [Mr. ABDNOR], the Senator from Pennsylvania [Mr. HEINZ], the Senator from Wisconsin [Mr. KASTEN], the Senator from Arizona [Mr. GOLDWATER], the Senator from Kansas [Mr. DOLE], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Hawaii [Mr. INOUYE], the Senator from Wyoming [Mr. SIMPSON], the Senator from Nebraska [Mr. EXON], and the Senator from Pennsylvania [Mr. SPECTER] were added as cosponsors of S. 2794, an original bill to regulate interstate commerce by providing for uniform standards of liability for harm arising out of general aviation accidents.

SENATE JOINT RESOLUTION 299

At the request of Mr. COCHRAN, the names of the Senator from Connecticut [Mr. DODD], and the Senator from Alaska [Mr. MURKOWSKI] were added as cosponsors of Senate Joint Resolution 299, a joint resolution to designate the week of December 7, 1986, through December 13, 1986, as "National Alopecia Areata Awareness Week."

SENATE JOINT RESOLUTION 311

At the request of Mr. CRANSTON, the name of the Senator from New Hampshire [Mr. HUMPHREY] was added as a cosponsor of Senate Joint Resolution 311, a joint resolution designating the week beginning November 9, 1986, as "National Women Veterans Recognition Week."

SENATE JOINT RESOLUTION 368

At the request of Mr. DIXON, the names of the Senator from Ohio [Mr. METZENBAUM], and the Senator from California [Mr. WILSON] were added as cosponsors of Senate Joint Resolution 368, a joint resolution to designate the month of October 1986, as "National Spina Bifida Month."

SENATE JOINT RESOLUTION 392

At the request of Mr. THURMOND, the name of the Senator from Ohio [Mr. METZENBAUM] was added as cosponsor of Senate Joint Resolution 392, a joint resolution to designate the month of December 1986 as "Made in America Month."

SENATE JOINT RESOLUTION 404

At the request of Mr. SIMON, the names of the Senator from Massachusetts [Mr. KERRY], the Senator from Nebraska [Mr. EXON], the Senator from Delaware [Mr. ROTH], the Senator from Rhode Island [Mr. PELL], the Senator from South Carolina [Mr. HOLLINGS], and the Senator from Tennessee [Mr. GORE] were added as cosponsors of Senate Joint Resolution 404, a joint resolution to designate October 1986 as "Polish American Heritage Month."

SENATE CONCURRENT RESOLUTION 136

At the request of Mr. GRASSLEY, the name of the Senator from Washington [Mr. EVANS] was added as a cosponsor of Senate Concurrent Resolution 136, a concurrent resolution entitled "Volunteers are the Importance of Volunteerism."

SENATE CONCURRENT RESOLUTION 156

At the request of Mr. CRANSTON, the names of the Senator from New York [Mr. MOYNIHAN], and the Senator from Arkansas [Mr. BUMPERS] were added as cosponsors of Senate Concurrent Resolution 156, a concurrent resolution expressing the sense of Congress concerning the need for international cooperative efforts to identify the individuals exposed to radiation as a result of the nuclear accident at Chernobyl in the Soviet Union and to monitor the health status of those individuals so as to increase, for their benefit and the benefit of the citizens of the United States and of all the world's peoples, the level of understanding of the effects of exposure to radiation.

SENATE CONCURRENT RESOLUTION 160

At the request of Mr. SIMON, the names of the Senator from North Dakota [Mr. ANDREWS], the Senator from Rhode Island [Mr. PELL], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Alabama [Mr. DENTON], and the Senator from New Hampshire [Mr. HUMPHREY] were added as cosponsors of Senate Concurrent Resolution 160, a concurrent resolution expressing the sense of the Con-

gress that the jamming of radio broadcasting is contrary to the best interests of the people of the world and should be terminated.

SENATE RESOLUTION 486

At the request of Mr. BOREN, his name was added as a cosponsor of Senate Resolution 486, a resolution relating to the arrest of U.S. correspondent Nicholas Daniloff.

At the request of Mr. ABDNOR, his name was added as a cosponsor of Senate Resolution 486, supra.

At the request of Mr. MATTINGLY, his name was added as a cosponsor of Senate Resolution 486, supra.

At the request of Mr. DOLE, the names of the Senator from New York [Mr. MOYNIHAN], the Senator from New Mexico [Mr. DOMENICI], the Senator from Indiana [Mr. QUAYLE], the Senator from Idaho [Mr. SYMMS], the Senator from Idaho [Mr. MCCLURE], the Senator from Kentucky [Mr. MCCONNELL], the Senator from South Carolina [Mr. THURMOND], the Senator from Alabama [Mr. DENTON], the Senator from Delaware [Mr. ROTH], the Senator from Illinois [Mr. DIXON], the Senator from Tennessee [Mr. SASSER], the Senator from New Hampshire [Mr. RUDMAN], the Senator from Nevada [Mr. HECHT], the Senator from New York [Mr. D'AMATO], the Senator from Florida [Mrs. HAWKINS], the Senator from Pennsylvania [Mr. SPECTER], the Senator from Illinois [Mr. SIMON], the Senator from Arkansas [Mr. PRYOR], the Senator from Texas [Mr. GRAMM], and the Senator from California [Mr. WILSON] were added as consponsors of Senate Resolution 486, supra.

SENATE RESOLUTION 487

At the request of Mr. BOREN, his name was added as a cosponsor of Senate Resolution 487, a resolution condemning the recent acts of terrorism in Pakistan and Turkey.

At the request of Mr. ABDNOR, his name was added as a cosponsor of Senate Resolution 487, supra.

At the request of Mr. BYRD, the name of the Senator from Georgia [Mr. MATTINGLY] was added as a cosponsor of Senate Resolution 487, supra.

At the request of Mr. DOLE, the names of the Senator from Alabama [Mr. DENTON], the Senator from New York [Mr. MOYNIHAN], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Delaware [Mr. ROTH], the Senator from Illinois [Mr. DIXON], the Senator from Tennessee [Mr. SASSER], the Senator from New Hampshire [Mr. RUDMAN], the Senator from Nevada [Mr. HECHT], the Senator from South Carolina [Mr. THURMOND], the Senator from New York [Mr. D'AMATO], the Senator from Florida [Mrs. HAWKINS], the Senator from Pennsylvania [Mr. SPECTER], the Senator from Idaho [Mr. SYMMS], the Senator from Kentucky [Mr. MCCONNELL], the Senator from Illinois [Mr. SIMON], the Senator from Arkansas [Mr. PRYOR], the Senator from Idaho [Mr. MCCLURE], the Senator from Texas [Mr. GRAMM], and the Senator from California [Mr. WILSON] were added as cosponsors of Senate Resolution 487, supra.

AMENDMENTS SUBMITTED

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION ACT, 1987

FORD AMENDMENT NO. 2774

Mr. FORD proposed an amendment to the bill (H.R. 5234) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1987, and for other purposes; as follows:

By deleting on page 24, line 24, beginning with the word *"Provided"* and ending on page 25, line 13, ending with the word "agreement".

MCCLURE AMENDMENT NO. 2775

Mr. MCCLURE proposed an amendment to the bill H.R. 5234, supra; as follows:

On page 14, lines 7-9, begin linetype with the comma after the word "Fund" and continue the linetype through "290" on line 9.

TERRORIST ACTIVITIES IN PAKISTAN AND TURKEY

DOLE (AND BYRD) AMENDMENT NO. 2776

Mr. DOLE (for himself and Mr. BYRD) proposed an amendment to the resolution (S. Res. 487) condemning the recent acts of terrorism in Pakistan and Turkey; as follows:

In the first paragraph of the preamble, after the words "and Istanbul, Turkey," insert the following: "and the kidnapping of an American civilian, Frank Herbert Reed, in Beirut, Lebanon,";

In the second paragraph of the preamble, after the words "in an Istanbul synagogue," insert the following: "and the kidnapping of Frank Herbert Reed, placing the life and well-being of this innocent American civilian in jeopardy,";

In the first paragraph of the resolution, after the words "and Istanbul, Turkey," insert the following: "and the kidnapping of Frank Herbert Reed in Beirut,"; and

At the conclusion of the resolution add the following: "(F) Continue to make the immediate, unconditional and safe release of Frank Herbert Reed and all other Americans held hostage in Lebanon a high priority national goal."

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION ACT, 1987

PROXMIRE (AND HUMPHREY) AMENDMENT NO. 2777

Mr. PROXMIRE (for himself and Mr. HUMPHREY) proposed an amendment to the bill H.R. 5234, supra; as follows:

On page 50, line 22, delete "$276,130,000," and insert in lieu thereof "$186,130,000," and on page 50, line 25, delete "$260,654,000," and insert in lieu thereof "$170,654,000."

OIL POLLUTION LIABILITY AND COMPENSATION ACT

MITCHELL AMENDMENT NO. 2778

(Ordered referred to the Committee on Environment and Public Works.)

Mr. MITCHELL (for himself, Mr. STAFFORD, Mr. LAUTENBERG, Mr. BAUCUS, Mr. DURENBERGER, and Mr. HUMPHREY) submitted an amendment intended to be proposed by them to the bill (S. 2799) to consolidate and improve Federal laws providing compensation and establishing liability for oil spills; as follows:

S. 2799, the Oil Pollution Liability and Compensation Act of 1986, is amended by adding at the end thereof the following:

TITLE IV—OIL SPILL COMPENSATION FUND

REVENUE SOURCES

SEC. 401. (a) Subsections (a) and (b) of section 4611 of the Internal Revenue Code of 1954 (relating to environmental tax on petroleum) are each amended by striking out "0.79 cent" and inserting in lieu thereof "at the rate specified in subsection (c)".

(b) Section 4611 of the Internal Revenue Code of 1954 is amended by redesignating subsections (c) and (d) as subsections (d) and (e) respectively, and by inserting after subsection (b) the following new subsection:

"(c) RATE OF TAX.—

"(1) IN GENERAL.—The rate of the tax imposed by this section is the sum of—

"(A) the Hazardous Substance Superfund financing rate, and

"(B) the Oil Spill Compensation Fund financing rate.

"(2) RATES.—For purposes of paragraph (1)—

"(A) the Hazardous Substance Superfund financing rate is [ ] cents a barrel, and

"(B) the Oil Spill Compensation Fund financing rate is 1.3 cents a barrel."

"(c) Section 4612 of the Internal Revenue Code of 1954 (relating to definitions and special rules) is amended by redesignating subsection (c) as subsection (d) and inserting after subsection (b) the following subsection:

"(c) CREDIT AGAINST PORTION OF TAX ATTRIBUTABLE TO OIL SPILL RATE.—Any taxpayer who has paid fees to the Deepwater Port Liability Fund or the Offshore Oil Pollution Compensation Fund shall be entitled to a credit against the portion of the tax imposed by section 4611 which is attributable to the Oil Spill Compensation Fund financing rate. The amount of the credit for any

period shall be equal to the total amount paid by the taxpayer to either or both of those funds less the total of all credits allowed under this subsection for all prior periods. The amount of the credit for any period shall not exceed the portion of the tax imposed under section 4611 for that period, which is attributable to the Oil Spill Compensation Fund financing rate."

(d) Subsection (e) of section 4611 of the Internal Revenue Code of 1954 (relating to application of taxes), as redesignated by subsection (b) of this section, is amended to read as follows:

"(e) APPLICATION OF TAXES.—

"(1) SUPERFUND RATE.—The Hazardous Substance Superfund financing rate under subsection (c) shall apply after [ ] and before [ ].

"(2) OIL SPILL RATE.—The Oil Spill Compensation Fund financing rate under subsection (c) shall apply after [ ] and before the date, as determined by the Secretary of Treasury, upon which the assets of the Oil Spill Compensation Fund, less any outstanding obligations of that Fund, are equal to or greater than $350 million.

CREATION OF FUND

SEC. 402. (a) Subchapter A of chapter 98 of the Internal Revenue Code of 1954 (relating to the establishment of trust funds) is amended by adding after section 9506 the following new section:

"SEC. 9507. OIL SPILL COMPENSATION FUND.

"(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as 'the Oil Spill Compensation Fund', consisting of such amounts as may be appropriated or credited to that trust fund as provided in this section or section 9602(b).

"(b) TRANSFER TO TRUST FUND.—There are hereby appropriated to the Oil Spill Compensation Fund amounts equivalent to—

"(1) taxes received in the Treasury under section 4611 (relating to environmental tax on petroleum) to the extent attributable to the Oil Spill Compensation Fund financing rate under section 4611(c),

"(2) amounts recovered, collected, or received under the Oil Pollution Liability and Compensation Act of 1986,

"(3) amounts remaining on the date of the enactment of this section in the Deepwater Port Liability Fund, established under section 18(f) of the Deepwater Port Act of 1974,

"(4) amounts remaining on the date of the enactment of this section in the Offshore Oil Pollution Compensation Fund, established under title III of the Outer Continental Shelf Lands Act Amendments of 1978, and

"(5) amounts credited to the Oil Spill Compensation Fund pursuant to section 311(s) of the Clean Water Act.

"(c) EXPENDITURES.—

"(1) EXPENDITURE PURPOSES.—Amounts in the Oil Spill Compensation Fund shall be available only for the purposes of making expenditures which are described and authorized in section 103(a) of the Oil Pollution Liability and Compensation Act of 1986, as in effect on the effective date of this section.

"(2) MINIMUM BALANCE.—Except in the case of payments described in paragraphs (1), (4)(A), (7), (9), and (10) of section 103(a) of the Oil Pollution Liability and Compensation Act of 1986, a payment may be made from the Oil Spill Compensation Fund only if the amount in the Oil Spill Compensation Fund after that payment will not be less than $30,000,000.

"(d) AUTHORITY TO BORROW.—

"(1) IN GENERAL.—There are authorized to be appropriated to the Oil Spill Compensation Fund, as repayable advances, such sums as may be necessary to carry out the purposes of the Oil Spill Compensation Fund.

"(2) LIMITATION ON AMOUNT OUTSTANDING.—The maximum amount of repayable advances to the Oil Spill Compensation Fund which is outstanding at any one time shall not exceed $500,000,000.

"(3) REPAYMENT OF ADVANCES.—

"(A) IN GENERAL.—Advances made pursuant to this subsection shall be repaid, and interest on those advances shall be paid, to the general fund of the Treasury when the President determines that monies are available for those purposes in the Oil Spill Compensation Fund.

"(B) RATE OF INTEREST.—Interest on advances made pursuant to this subsection (i) shall be at a rate determined by the Secretary of the Treasury (as of the close of the calendar month preceding the month in which the advance is made) to be equal to the current average market yield of outstanding marketable obligations of the United States with remaining periods at maturity comparable to the anticipated period during which the advance will be outstanding, and (ii) shall be compounded annually.

"(e) LIABILITY OF THE UNITED STATES LIMITED TO AMOUNT IN OIL SPILL COMPENSATION FUND.—

"(1) GENERAL RULE.—Any claim filed against the Oil Spill Compensation Fund may be paid only out of the Oil Spill Compensation Fund.

"(2) COORDINATION WITH OTHER PROVISIONS.—Nothing in the Oil Pollution Liability and Compensation Act of 1986 (or in any amendment made by that Act) shall authorize the payment by the United States Government of any amount with respect to any claim filed against the Oil Spill Compensation Fund out of any source other than the Oil Spill Compensation Fund.

"(f) ORDER IN WHICH UNPAID CLAIMS ARE TO BE PAID.—If at any time the Oil Spill Compensation Fund has insufficient funds (or is unable by reason of subsection (c)(2)) to pay all of the claims out of the Oil Spill Compensation Fund at that time, the unpaid claims shall, to the extent permitted under subsection (c)(2), be paid in full in the order in which they were finally determined.".

(b) The table of contents for subchapter A of chapter 98 of the Internal Revenue Code of 1954 is amended by adding after the item relating to section 9506 the following new item:

"Sec. 9507. Oil Spill Compensation Fund".

(c) The amendments made by this section shall take effect upon enactment of this Act.

NOTICES OF HEARINGS

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT

Mr. COHEN. Mr. President, I would like to announce that the Subcommittee on Oversight of Government Management will hold a hearing on S. 2756, the Computer Matching and Privacy Protection Act of 1986, on September 16, at 9:30 a.m., in room 342 of the Dirksen Senate Office Building.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. HELMS. Mr. President, I wish to announce that the Subcommittee on Foreign Agricultural Policy, of the Committee on Agriculture, Nutrition, and Forestry, will hold the last in a series of three hearings entitled "Overview of U.S. Food Aid Programs, and World Hunger."

The hearing, to be chaired by Subcommittee Chairman RUDY BOSCHWITZ, will focus on how food aid may be used to promote economic growth in recipient countries and how such aid may be used to develop markets for U.S. farmers.

The hearing will take place at 9:30 a.m. on Tuesday, September 16, 1986, in 332 Russell Senate Office Building.

If further information is needed, please contact Darryl Nirenberg, at 224-2035.

SUBCOMMITTEE ON EMPLOYMENT AND PRODUCTIVITY

Mr. QUAYLE. Mr. President, I would like to announce that the Subcommittee on Employment and Productivity will hold a public hearing on September 25 to examine issues relating to trade between the United States and Japan in automotive parts and accessories. The hearing will be held at 9:30 a.m. in room 430 of the Dirksen Senate Office Building.

In holding this hearing, on "Trade in Automotive Parts and Accessories between the United States and Japan: Implications for U.S. Employment," I intend to highlight the serious inequity that exists in the sale of original equipment and secondary market auto parts for use in the production and service of Japanese-made automobiles in both Japan and the United States. Currently, United States parts manufacturers provide less than 1 percent of the original and aftermarket parts for use in the Japanese market, and no more than 40 percent of any Japanese-made vehicle produced in the United States.

During the hearing, the subcommittee will receive testimony from Under Secretary of Commerce Bruce Smart on the United States-Japan market-oriented, sector specific [MOSS] talks on auto parts, from two auto parts trade associations, and from several United States auto parts manufacturers. The hearing will examine several issues of importance to workers and consumers in my State of Indiana and in other States, including the effect of the dramatic growth of Japanese parts suppliers locating in the United States and the relationship between Japanese automobile assembly companies and their traditional suppliers.

Witnesses have been agreed upon, but those wishing to submit written testimony may do so before October 2. For questions about the September 25 Employment and Productivity Sub-

committee hearing, please contact Sonya Wolsey-Paige of the subcommittee staff at 224-6715.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. McCLURE. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet during the session of the Senate on Tuesday, September 9, to hold a hearing to consider the nomination of John Agresto, to be Archivist of the United States.

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

ADDITIONAL STATEMENTS

CENTENNIAL OF THE BERNE CONVENTION

● Mr. MATHIAS. Mr. President, today marks an important anniversary for the principle of copyright. One hundred years ago today, the International Union for the Protection of Literary and Artistic Works was signed. This premier international copyright agreement is better known as the Berne Convention.

The Berne Convention has been the chief means of promoting improved copyright standards worldwide. Today, 78 nations are Berne members. Signatories include developed and developing countries; market and nonmarket economies; nations in the East and West. Berne's contributions in the past are well documented, and its importance to the future readily apparent.

The question of whether our country should join the Berne Convention is an old one. The circumstances of today's world, and the importance of copyright to our national prosperity, infuse that question with a new urgency. We need innovative solutions as we seek to maintain the rights of authors, combat piracy, and meet the challenges posed by new technologies. The Berne Union, with the century of international copyright experience it embodies, is a resource that we ignore at our peril.

In this Congress, the Subcommittee on Patents, Copyright and Trademarks held two hearings on U.S. adherence to the Berne Convention. These hearings revealed a developing consensus among government, the private sector and academia that joining Berne would be to our advantage. As a result, I will be introducing the necessary implementing legislation later this month.

Today Ralph Oman, the Register of Copyrights and Assistant Librarian of Congress, will earn the distinction of being the first occupant of that post to address the World Intellectual Property Organization, which administers the Berne Convention. His remarks speak eloquently to the importance of the Berne Convention and the need for our adherence to it. On this centennial anniversary of the Berne Convention, I ask that his remarks be printed in the RECORD.

The remarks follow:

REMARKS OF HON. RALPH OMAN, BEFORE WIPO GOVERNING BODIES MEETING, GENEVA, SWITZERLAND

Mr. Chairman: Never before has the Register of Copyrights of the United States sat on our national delegation to these Governing Bodies, and my presence here is occasioned by two facts. First, I want to join in honoring the achievements of our predecessors—the visionary authors and artists who founded the Berne Convention. Although our absence from the Berne Union, has at times, been keenly felt, in many ways we have come under the influence of the Berne Convention's principles in our law. Local preoccupations have all been used to rationalize my country's different treatment of her artists, authors and composers. But as we came to realize the proper role of authors' rights in the development of national culture and industry and as a simple matter of justice to intellectual labor, we have steadily moved closer and closer to the central ideas contained in the Berne Convention. So the United States, too, can celebrate with the members of the Union their century of achievement.

The second reason I am here is to give an account of our consideration toward adherence to the Berne Convention. This movement is stronger now than at any time in our lifetimes. The transmittal of the Convention by President Reagan to the Senate for its advice and consent shows the seriousness of purpose of the Administration. The hearings conducted over the past year in Senator Charles Mathias' Subcommittee on Patents, Copyright and Trademarks have called forth the strongest expressions of support from authors, copyright proprietors, composers and the music industry generally; from academics, distinguished civil servants and important segments of the bar. Old opponents have become warm supporters. The sole question remaining is the adoption of appropriate legislation amending the 1976 Copyright Act to bring our law into compliance with the requirements of the 1971 Paris Act of the Convention. Let me briefly explain to you the status of these efforts.

We have finished the brief, intense, public debate over the utility and justice of adherence to Berne. We are now in the midst of an intense, legislative debate over implementing legislation. Our task is not as hard as it would have been a decade ago. The 1976 Copyright Act in many respects resolved important incompatibilities with the Convention; formalities such as the manufacturing clause have lapsed or remain in such diluted form that their further elimination can be, if even necessary, reasonably considered.

Late this spring the Copyright Office prepared a discussion paper outlining options for the Congress to consider in revising our law for Berne adherence purposes. This paper has evoked sufficient response so that the staff of the Senate copyright subcommittee will be able to draft a bill for introduction before the Senate adjourns next month. This legislation will be short but still too technical to discuss at this meeting. It will deal with the few remaining incompatibilities of our Copyright Act with the Paris Act, those that Dr. Bogsch pointed out in his testimony last year before the Senate. These include, of course, formalities most centrally, creation aspects of public performance rights in musical works, and legal solutions for the issues of retroactivity and moral rights.

Mr. Chairman, this legislation would permit our adherence to the Convention upon terms appropriate to our society without distorting our clear obligations under the treaty.

I know the Chairman of our delegation would much rather have brought our instrument of accession. Instead, I offer this small bit of news to hearten all who seek, with us, to extend the universality of this extraordinary Union which we celebrate today, and which we—and many other countries—may soon have the honor of joining.

Thank you.●

SO GOD MADE A FARMER

● Mr. ABDNOR. Mr. President, recently my good friend and constituent, Grace Matz of Watertown, SD, called to my attention a brief essay attributed to Paula Entelt, "So God Made a Farmer."

It is a unique testimony to a way of life that is precious to rural America—a way of life which must be preserved. I would like to share in with my colleagues.

The essay follows:

SO, GOD MADE A FARMER

(By Paula Entelt)

Surveying the world He had made, God looked down one day and said, "I need somebody down there to be a caretaker of my kingdom."

So God made a farmer.

"I need somebody who will sit up all night with a newborn colt, watch it die and say, "Maybe we'll get an even better one next year."

So God made a farmer.

"I need somebody who can eat dirt, smell manure, listen for thundercaps, taste bugs in his teeth and still feel good all over."

So God made a farmer.

"I need somebody who can get up before dawn, milk cows, work in the field all day, milk cows again, eat supper and then go into town and stay 'til 2 a.m. at a school board meeting."

So God made a farmer.

"I need somebody with arms strong enough to wrestle a big calf to give him shots but a heart gentle enough to cry when his first grandchild is born."

So God made a farmer.

"I need somebody who can call hogs, cuss at ornery, cantankerous old machinery, bark orders to the hired man and then come home and whisper to his wife that she's the same pretty girl he married 15 years ago."

So God made a farmer.

"I need somebody who can wait patiently for his afternoon lunch until his wife is done feeding all the ladies at her cosmetics party, and then tell them all to come back soon."

So God made a farmer.

"I need somebody who waits all year to harvest a crop, but will stop in mid-field and run to help when he sees smoke coming up from the neighbour's place."

So God made a farmer.

"I need somebody who will smile, then laugh and then cry when his son says he wants to spend the rest of his life doing just what Dad does."

So God made a farmer.●

PROFESSIONAL LIABILITY INSURANCE

● Mr. INOUYE. Mr. President, several months ago, I had the opportunity to meet with the leadership of Spectrum Emergency Care, Inc., a contract management corporation which provides emergency department physician staffing for approximately 355 hospitals and clinics around the country.

This particular corporation has been active in emergency medical care for a decade and a half now and is gravely concerned about the adverse impact that the issues surrounding professional liability insurance are having on the overall availability and quality of health care being provided in our Nation.

Mr. President, I request that a statement developed for me by the Spectrum Emergency Care, Inc., on professional liability be printed in the RECORD.

The statement follows:

MEDICAL MALPRACTICE LIABILITY INSURANCE FOR EMERGENCY PHYSICIANS: NEED FOR REFORM

(By Spectrum Emergency Care, Inc.)

During the fifteen years that Spectrum Emergency Care has operated as a contract management corporation in the field of emergency medicine, we have seen many great advances in emergency care, including the growth of emergency medicine as a specialty. We have also seen develop a set of growing major problems: increasing numbers of lawsuits filed and costs per claim, soaring malpractice liability insurance costs, and the lack of adequate insurance available to physicians. These have combined to change deleteriously the practice of emergency care, have unnecessarily increased the cost to patients, and have discouraged physicians from practicing.

Spectrum Emergency Care, Inc., is a St. Louis-based company that provides physicians staffing and management services for over 350 hospital emergency departments across the country. Spectrum has been in operation since 1971 and has offices in San Diego, Boston, Dallas, Chicago, Colorado Springs, Memphis, Tampa, Duluth, Silver Spring, and Columbus, Ohio. Spectrum became a subsidiary of ARA Services, Inc., in 1979. ARA Services is an international, diversified service management company headquartered in Philadelphia which provides basic services for industry, institutions, and consumers, including food and refreshments, health care, child care, uniform rental, maintenance, distribution of publications, and transportation.

We believe there is a liability crisis in all of health care, but over the last three years the impact upon the field of emergency medicine has been particularly severe. Costs per patient visit have skyrocketed, often going from $1 per visit for occurrence insurance to in excess of $6 per visit for claims made insurance (the latter form traditionally being a less expensive and less satisfactory form of malpractice liability insurance). Availability has also become a serious problem, with very few insurance companies remaining in the market. In fact, in some states, such as Illinois and Colorado, there is really only one source from which to purchase insurance.

Joe Gatewood, M.D., F.A.C.E.P., Spectrum's Medical Director, is particuarly concerned that the amount of awards for noneconomic damages are not only escalating uncontrollably, but often bear no relation to the injuries involved. Rather, they often have more to do with who has the "deep pocket" and with an attempt to use the tort system to cure social problems. He agrees with President Reagan's concern that the laws have become "twisted and abused" to produce "outcomes that impede our economic life."

We strongly urge the Congress to pass federal tort reform legislation modeled along the lines of the AMA proposal. We are concerned that if tort reform is not successful, the insurance market will dramatically worsen, resulting in fewer physicians willing to practice emergency care and with those remaining forced to practice an increasingly expensive, defensive art.

Tort reform is particularly needed to convince the major reinsurance market in London to continue writing catastrophic coverage policies in the United States. Over the last 18 months, our discussions with London underwriters and brokers have convinced us of their concerns, as have the reactions they have taken: changing to a claims made form of insurance for almost all of their policies and increasing costs at an occurrence based equivalent of approximately 100% annually. They are concerned about the "lottery" atmosphere which has crept into the American tort system and jury awards. We believe that without changes in the law and attitudes in this country, the major London underwriters, Lloyds and Weavers, will gradually withdraw from the U.S. market.

The tort reform legislation we support would include:

1. *Elimination of "joint and several" liability:* Misuse of this principle of law has possibly been the single largest source of injustice in this country's system of tort law. We applaud the results of the California referendum, in which voters (by the astronomical ratio of 62 to 38 percent) put limits on the "deep pockets" theory. The impact of Proposition 51 of California will be to lessen the ability of plaintiffs to collect outrageous damages from one defendant who has a very *low* level of liability but adequate insurance simply because another defendant in the same suit has no insurance to pay for the *high* level of negligence of which he is found guilty. This often results in the twisted outcome President Reagan has noted.

2. *Caps on noneconomic damages:* Kirk Johnson of the AMA is correct when he says this will substantially decrease the cost of professional liability insurance. This is supported by Patricia Danzon, Ph.D., of the Wharton School, who believes that malpractice claims could be reduced by as much as 20-25% with damage caps.

3. *Better defined boundaries for compensation for economic damages:* These should be tied to factors such as a person's age, life expectancy, severity of injury, and a realistic assessment of loss of earnings. Also, damages should be discounted for collateral sources of payment.

4. *Discourage frivolous lawsuits and limit fees earned by lawyers on a contingency basis:* We believe that the current system of contingency fees had helped fuel the "lottery mentality" and has resulted in suits which should never have been filed. Not only has this helped clog the legal system, but has dramatically increased defense costs. In our company alone, cost of defending claims has tripled from 1979 to 1983 in spite of the fact that 62 percent of our claims are closed with no indemnity payment.

In summary, we are pleased to note that already lawmakers in 32 states have enacted bills in an effort to lessen this crisis. However, local judicial interpretation of these laws may override the expressed will of the people and their elected legislators. Therefore, federal legislation is required to speed tort reform and to ensure consistency among states. Solving this crisis in short order is essential because its impact worsens daily.

To those, such as the Association of Trial Lawyers, who say there is no medical malpractice crisis in America, we suggest they:

Ask the emergency department physician in Cook County who will pay $22,012 for a first year's claims made premium (and the tail, to cover future years' exposure, will be an additional $31,180). This physician averages approximately $90,000 in gross income.

Ask the expectant mother in New York who finds that her trusted obstetrician no longer delivers babies because he cannot get insurance.

Ask the emergency department physician who now must report on hospital staff applications the one, two, or more settlements made on his behalf, based on cases in which there was no negligence but in which the insurance companies were forced to settle to avoid the cost of expensive legal defense.

Ask the patient who no longer finds his family physician (or the emergency department physician) as trusting and sympathetic because his doctor is forced to view each patient as a potential lawsuit.

We strongly urge this Congress to pass a much needed tort reform bill, resulting in a health care system which operates more fairly, more efficiently, and more humanely for everyone.●

AID TO CONTRAS

● Mr. SIMON. Mr. President, someone handed me a copy of an editorial from the Bloomington Pantagraph criticizing our aid to the Contras.

The Bloomington Pantagraph is a reasonably conservative publication that more frequently endorses Republicans than Democrats. They are a highly regarded voice in that region of Illinois, and what they have to say about the Contras makes great good sense.

The editorial calls our policy a mistake, and that is exactly what it is.

I urge my colleagues to read the editorial from the Bloomington Pantagraph, and I ask that it be inserted in the RECORD.

The editorial follows:

AID TO CONTRAS WORSENS SITUATION

The United States is not at war with Nicaragua. It has not severed diplomatic relations.

Soon, however, it will be sending military aid to Contra rebels fighting against the Nicaraguan government.

After intensive lobbying by President Reagan, the House voted 221-209 to send $70 million in military aid and $30 million in non-lethal aid to the Contras. The Republican-controlled Senate has approved a similar measure.

Such action in support of "a virtually unprecedented . . . proxy war," as described by Rep. Thomas Foley, D-Wash., is a mistake.

Previous aid has been put to questionable use. Its primary effect has been to stifle diplomatic actions and encourage a more active Soviet role.

Resuming military aid will worsen the situation.

This would be the first time the United States has openly given military aid to the Contras. Secret aid funneled through the CIA caused embarrassment when it was revealed that the money was used to mine Nicaraguan waters and to produce and distribute a guerrilla handbook that seemed to condone political assassinations.

Switching from secret military aid to open "non-lethal" aid has not ended U.S. problems.

The General Accounting Office, an independent investigative arm of Congress, reported that millions of dollars of the "non-lethal" aid wound up going to off-shore banks, the Honduran military or obscure individuals and corporations in the United States.

There have also been allegations of drug-trafficking, gun-running and corruption within the Contras. The charges were considered sufficiently serious for the Senate Foreign Relations Committee to launch a preliminary investigation—the same day the House was voting to send more aid to the subjects of the investigation.

Meanwhile, the World Court is expected to rule today that U.S. aid to the Contras is a violation of international law. The Reagan administration previously announced it would not be bound by the World Court's ruling.

Including $300 million as economic development assistance for four Central American countries may have made the Contra aid package more palatable to moderates who switched their "no" votes.

However, it does not change the fact that the United States is financing a rebellion against a recognized government that has at least tacit support of its people.●

CALIFORNIA'S UNITARY TAX REFORM

● Mr. MATHIAS. Mr. President, during the Senate's recess the State of California took a giant step in the direction of an enlightened goal: reform of the unitary tax system. On September 5, Governor Deukmejian signed new legislation to allow multinational corporations to elect the arm's length approach rather than the worldwide unitary method, of calculating their tax base in the State. By enacting this measure, California has recognized the inequity of the worldwide unitary method and taken the first step toward dismantling it. The State deserves commendation for this bold move.

Under the unitary approach, a State takes into account the entire revenues of a corporation in all parts of the world, and then applies a formula to determine the corporation's tax liability in the State. The arm's length method, favored by our Federal Government and by all other industrial countries of the world, treats foreign affiliates and subsidiaries as separate business entities and taxes income earned abroad only when it is repatriated, allowing a credit for taxes already paid in the source country.

I have been advocating unitary tax reform throughout my career in Congress. The extra-territorial taxation involved in the unitary method has impeded both foreign and domestic business investment in the States that have practiced it and has caused painful tensions in our trade relations with Great Britain and other countries that refrain from using this method. The solution I have championed over the years is Federal legislation to prohibit State use of the unitary tax. Late last year, the administration finally became persuaded of the importance of resolving the issue and its version of the legislation, S. 1974, was introduced in December by Senator WILSON.

California's action has for the most part superseded the Federal legislative effort. Three States continue to practice the unitary tax, but I hope they will follow California's example in the months ahead.

The new California law does not accomplish everything aimed for in my earlier bills and in the administration's measure. In the first place, the California statute does not take effect until January 1, 1988. That leaves considerable time for backsliding, a danger that Federal legislation would help to curb. In addition, the California bill imposes a special fee on corporations electing to be taxed under the arm's length approach, to go into a general economic development fund for the State. Also, the tax base for companies that conduct 80 percent or more of their business abroad will still be calculated on the combined basis of all the worldwide revenues, not only those generated in or repatriated into California.

But these shortcomings do not weigh so heavily in the balance as the monumental step forward that California has taken with its progressive new law. Its enactment closes a chapter in the unitary tax debate, at least for the next few years, and I am happy that we have at last been able to achieve some movement in this area. From the viewpoint of U.S. jobs, investment, and the free flow of international commerce, I am convinced that the results will be significant, positive, and visible.●

WORLD SCOFFLAW

● Mr. SIMON. Mr. President, some weeks ago, the Los Angeles Times ran an editorial titled "World Scofflaw."

It calls into question our defiance of international law and political common sense in our activities in Nicaragua.

It is a well-written, to-the-point editorial that I urge my colleagues to read, and I ask that it be inserted in the RECORD at this point:

The editorial follows:

WORLD SCOFFLAW

The veto by the United States of the U.N. Security Council's resolution on the Nicaraguan crisis is yet another act of defiance by a Reagan Administration bent on pursuing a military course in Central America.

No other nation on the 15-member council voted in support of the United States. Great Britain, France and Thailand abstained on the final vote. Eleven nations supported the resolution. Their support of the resolution was appropriate, for the resolution did nothing more than uphold the rule of law.

At the heart of the matter was the finding of the International Court of Justice on June 27 that U.S. efforts to overthrow the Sandinista government of Nicaragua are in violation of the U.N. Charter. So they are. The court called on the United States to terminate the arming and financing of the contras, who are fighting the government of Nicaragua. The court decision, based on existing international agreements, was persuasive in its arguments and presented a carefully determined effort to encourage the settlement of disputes by peaceful means.

But the United States, catching wind of the impending action, had rejected the jurisdiction of the court just days before Nicaragua, on April 9, 1984, brought the charges. And the United States had rejected the authority of the court again when the verdict was reached 26 months later. Deliberately the United States placed itself outside the law, and eroded the fragile structure of international law that the court represents, to protect its policy of military intervention in Central America.

That same defiance has now been directed within the most important peace-enforcement body of the United Nations, the Security Council, against a resolution supporting the court decision. The resolution bore no condemnation of the United States. It did not even mention the United States by name. In reaffirming the authority of the court, the Security Council called on all nations to comply with the decision of the court and to refrain from any political, economic or military action that might impede the peace efforts of the Contadora nations—the four Latin nations seeking a peaceful settlement for Central America.

Vernon A. Walters, the chief U.S. representative to the world organization, said that the United States had vetoed the resolution because it "could not, and would not, contribute to the achievement of a peaceful and just settlement of the situation in Central America." That is absurd and ludicrous. The resolution embraced the absolute essentials of a peaceful and just settlement as that settlement is understood by virtually every nation in the hemisphere save one—the United States.

The isolation of the United States, as it pursues stubbornly its policy to destroy the Sandinistas, grows apace. The determina-

tion of President Reagan to shoot his way to peace in Nicaragua has diverted world attention from the abuses of the Nicaraguan government itself as it breaches the promises of democracy and diversity that it had made for its revolution. And it is Washington that comes increasingly to be seen as the outlaw.●

HONORING DR. WILLIAM N. HUNTER, A LEGIS FELLOW

● Mr. QUAYLE. Mr. President, I rise today to pay tribute to Dr. William N. Hunter and a highly successful program, operated by the Office of Personnel Management. The LEGIS Fellow Program, in existence since 1980, provided me with the opportunity of selecting an employee for the executive branch.

Since January 1985, I have had the good fortune of having Dr. William N. Hunter from the Office of Management and Budget be assigned to my personal staff.

Dr. Hunter has had more than 25 years experience in acquisition with the private sector, the Pentagon and OMB. Prior to coming to my personal staff he was appointed by OMB to establish the "OFPP Chair" at the Defense Systems Management College. He also served as the Director of the Federal Acquisition Institute and Assistant Administrator with the Office of Federal Procurement Policy.

Dr. Hunter was able to provide valuable insight in providing me with timely and relevant suggestions supporting the many procurement issues faced by my subcommittee. In return, we enabled him to obtain a broad spectrum of practical experience in the day-to-day operation of an office of a U.S. Senator and the Senate Armed Services Committee.

Dr. Hunter was instrumental in support of my efforts on procurement legislation, including the "Defense Procurement Improvement Act of 1985" and "Defense Acquisition Reorganization and Improvements Act of 1986."

Dr. Hunter was constantly willing to learn and take on new problems and applied his considerable abilities toward their resolution. I have no doubt that this arrangement was very profitable to him as it has been to me.

I would like to express my sincere appreciation, and the appreciation of my entire staff to Dr. Hunter. He has made a significant contribution to my office and performed at an outstanding level. In short, Bill will be sorely missed when he departs my family. I am certain that we will continue to keep in touch with him.●

DENIAL OF LEGAL RIGHTS TO VETERANS

● Mr. KERRY. Mr. President, one of the most fundamental principles of American democracy is the right of all citizens to have equal access to our judicial system. The greatness of our system of Government lies in the fact that all citizens are equal under law—that no citizen, no matter how powerful, is above the law, and no citizen, no matter what his station in life, is denied the equal protection of the law. The guarantee of access to our judicial system, and the protection of our legal rights provided by the Constitution, is what makes our system of Government unique, and differentiates us from totalitarian societies such as the Soviet Union.

Unfortunately, there is still one group of Americans for whom the guarantee of access to our legal system does not apply. I am referring to our Nation's veterans.

Veterans, unlike all other Americans, are denied by law the fundamental right of access to the American judicial system. Illegal aliens, prisoners, the mentally ill and disabled, and Social Security pensioners all enjoy the right to appeal to the Federal courts. Veterans do not.

The fact that veterans are denied this basic right is an archaic, anachronistic result left over from a paternalistic era in American history. These limitations, along with a limit of $10 on attorneys' fees in veterans' cases, were imposed during the Civil War era, for the purpose of protecting veterans from legal exploitation. Such protections are no longer needed, or indeed desired, by the vast majority of veterans today.

The U.S. Senate has five times voted unanimously in favor of judicial review for veterans. Last year, the Senate again passed S. 367, which I cosponsored, to provide judicial review for veterans. But the House of Representatives has consistently failed to act.

Last month, the House Veterans Affairs Committee defeated, by a vote of 20 to 12, a bill to provide judicial review of claims for veterans benefits. The bill was opposed by the Veterans' Administration, which threatened to withdraw free office space, telephone service, and other benefits for veterans' organizations which supported this legislation.

It is ironic that this administration, which claims to revere our military men and women, in fact has waged an all-out effort to deny basic legal rights to America's veterans. Unfortunately, they have been all too successful. Under the Carter administration, the VA came out in favor of judicial review for veterans. But under the Reagan administration, the VA has changed its tune, and has issued threats to veterans' organizations which do not support its position on this issue.

It is still possible, however, for the House of Representatives to act on this legislation in this Congress. Under the House rules, it is possible that H.R. 585, the bill to provide judicial review for veterans, could be brought to the floor for a vote of the full House before the end of this session. And the fact is that 231 Members of the House, 13 more than a majority, are already cosponsors of this legislation. Clearly, the will of the majority is being thwarted by a minority who do not want to see full legal rights granted to America's veterans.

Mr. President, I hope that the House of Representatives will choose to act, and to pass this legislation before the end of this year. Judicial review for veterans is supported by the Vietnam Veterans of America, a federally chartered veterans' organization, and by most other major veterans' groups.

It is indeed ironic that, in the past year, the Veterans' Administration sued over 40,000 veterans in Federal court to recover money which it claimed that the veterans owed to the VA. But when a veteran believes that he or she is owed money because the VA has made an error in denying a claim for benefits, the current law prohibits the veteran from filing a lawsuit. In other words, justice is a one-way street for veterans. There is one set of rules for the VA, and another for America's veterans. This unfair system must be changed.

Mr. President, for those of us who are veterans, the denial of basic legal rights to all veterans is a continuing outrage. There is a wall in Washington, at the Vietnam Memorial, which contains the names of 58,000 Americans who made the ultimate sacrifice for this country, so that all of us could live in liberty. Surely those fundamental liberties should not be denied to those who have fought to protect them. Veterans are entitled to the same legal rights as all other Americans. The time to provide those rights is now.●

HELPING MEXICO

● Mr. SIMON. Mr. President, over the August recess I caught up on some of my reading, and it included an editorial from USA Today titled "Let's help Mexico get back on its feet."

The common sense of working much more with Mexico should be so apparent that it should be a major thrust of American foreign policy.

But the reality is that we have only two neighbors on our borders, one which we do not really regard as a foreign country [Canada] and one which we have ignored far too often. Ignoring Mexico is a habit that we have to rid ourselves of.

I urge my colleagues to read the USA Today editorial. It is good, rare, common sense.

I ask that it be inserted in the RECORD here.

The editorial follows:

LET'S HELP MEXICO GET BACK ON ITS FEET

Suppose your neighbor lost his job, faced foreclosure, and talked of suicide. Would you worry about him?

Of course you would.

Suppose a neighboring country faced a similar situation, teetering on the brink of economic collapse.

Suppose it had millions of people living in basest poverty, hordes fleeing its borders, charges of corruption at every level of government, and a $1 billion cocaine trade. Then add demonstrations, political unrest, and charges of election fraud.

Would that worry you? It should. We have a neighbor like that. Mexico.

Mexico's economy is in shambles. It was tottering toward a comeback from 1982's near default on its massive foreign debt—now nearly $100 billion—when it took a one-two punch. The devastating earthquake last fall, which killed thousands and left tens of thousands homeless, will require billions for rebuilding. At the same time, the price plunge has cut its oil revenues in half.

Last week's agreement with the International Monetary Fund, which will bring Mexico as much as $12 billion in new loans, gives the country a breather. Bankers hope the stringent economic house-cleaning required by the IMF will help rejuvenate the economy and allow Mexico to eventually pay back its loans.

Illegal immigrants and drugs—Mexico's two biggest exports to the USA—are souring relations between neighbors. Mexico now supplies most of the marijuana and heroin and one-third of the cocaine consumed in the USA.

In Senate hearings earlier this year, Mexico was criticized for alleged drug-related government corruption and failing to stem the flow of narcotics across the border.

Some people in the USA would like to draw a curtain along the Rio Grande and shut out Mexico's problems. They argue that our loans and assistance just prop up a failed, corrupt system of government. They say we should let Mexico sink or swim on its own.

But we can't turn our backs. Cultural and social ties are too strong. The humanitarian urge that prompts us to give food, medicine, and clothing to Mexico's poor is too strong. And it is clearly in our national interest to help Mexico.

Political instability and a weak economy encourage the illegal immigrants to seek scarce jobs in the USA. The 1,900-mile border, now largely undefended, would be nearly impossible to protect if Mexico became a hostile nation.

Rather than insulting Mexico, we should cooperate to improve the lot of both our nations. Drug eradication programs must be revived and intensified.

U.S. businesses should welcome Mexico's new, relaxed attitude toward foreign investment. We must not try to impose our own system of government, but we should encourage and support healthy change.

Of course we should worry about Mexico. We must provide assistance, without interference. It's as simple as this: Helping Mexico helps the USA.●

EDUCATION: THE EARLY YEARS AND THE NATION'S FUTURE

● Mr. SIMON. Mr. President, last week Ernest Boyer, president of the Carnegie Foundation for the Advancement of Teaching, spoke at the National Press Club on excellence in education. Long a leading spokesman on education, author of "High School," a probing examination of secondary education in the United States, and author of a new work on early education, Dr. Boyer has contributed to shaping Federal education policy with his thoughtful analyses of both what is right and what is wrong in American education.

Dr. Boyer's research on elementary education finds a variety of problems which must be addressed including the changing demographics of grade school children, the learning of language skills, the effectiveness of early education and school structures which reflect work and family patterns.

At this time I would like to include Dr. Boyer's September 4 speech in the RECORD. Elementary and secondary education policies will be an early issue in the next Congress, and I commend Dr. Boyer's remarks to my colleagues as critical commentary which precedes our debate on the Federal role in education.

The material follows:

THE EARLY YEARS AND THE NATION'S FUTURE

(Ernest L. Boyer, President, The Carnegie Foundation for the Advancement of Teaching)

INTRODUCTION

Forty months ago the National Commission on Excellence in Education declared, "our Nation is at risk," and said that, "If an unfriendly foreign power had attempted to impose on America the mediocre educational performance that exists today, we might well have viewed it as an act of war. As it stands, we have allowed this to happen to ourselves."

Since that hyperbole hit the headlines education has been a high priority in the nation.

Thirty governors have named school reform commissions.

Legislators have enacted programs.

The corporate sector has adopted schools.

College presidents have been outspoken for public education.

Graduation requirements have been raised.

Teacher salaries have increased at twice the inflation rate. And there has been a dramatic turnaround in the public attitude toward teachers.

For decades, teachers in this country have been portrayed as ill-prepared, self-serving people who care less about students than about salary increments and summers off.

Today, they are increasingly being viewed as part of the solution, not the problem.

In sum, we've had, during the past three years, more constructive action on behalf of public education than during any comparable period in recent memory.

And I propose two cheers for the current push for school renewal.

I

Still, I see a dark lining to the silver cloud.

While "advantaged" schools are getting better, many others—especially those in our major cities—remain deeply troubled institutions.

These schools differ not just in degree, but in kind. The social pathologies that surround them are so great and the problems so complex that current efforts are just not adequate to the task.

Twenty years ago, there was a crusade in this nation to improve urban education. The centerpiece of the plan was desegregation. Elaborate "remedies" were drawn and agonizing battles were fought out in the courts—and sometimes in the streets.

Today, the crusade of the 1960s, which is but a faded memory, has been followed—not with new ideas—but with disillusionment and neglect.

In some city high schools, at least four out of ten students are absent on any given day. How are we to achieve excellence when students aren't even in the building?

Almost half of the Mexican-American and Puerto Rican students who enroll in public schools drop out before they are awarded a diploma.

In Philadelphia the drop out rate is 38 percent. And in Boston it's 43 percent.

In Chicago, in 1984, over half of the students failed to graduate, and of those that did only a third were reading at the 12th grade level.

Last year—in the Cleveland Public Schools—there was not a single semi-finalist in the National Merit Scholarship competition. Boston and Detroit each had only one high school with semi-finalists.

What's disturbing is that the school reform movement is not confronting adequately the core of our educational dilemma. And there is still an enormous gap between our rhetoric and results.

The breakup of the home, the community wrenched by crime, lack of money, loss of good teachers—all of these threaten to overwhelm our most troubled schools.

To require a failing student in an urban ghetto to take another unit in math or foreign language without a better climate or better teaching is like raising a hurdle without giving more coaching to someone who has already stumbled.

And all this is occurring at the very time the problems are expanding.

By the year 2000, America will be a nation in which one of every three pupils in the public schools will be non-white. What is coming toward the education system is a group of children who will be poorer, more ethnically and linguistically diverse, children who will have more handicaps that surely will affect their schooling.

Unless we deepen our commitment, the crisis in urban education will increase. An aging white population will reduce support, and the gap will widen between the haves and the have nots in education.

What we could be left with in our major cities is a kind of educational Third World. And it is here, in these schools, that the battle of American education will be won or lost. If urban schools do not become a national priority, the promise of excellence will remain sadly unfulfilled.

II

There are no panaceas. If there were obvious answers to the problems of urban education—we would have found them long ago. What is clear, however, is that our efforts must begin before failure has become a way of life.

Without taking educators off the hook, our first obligation is to recognize that poverty and schooling are connected. And that we see as poor performance may be connected to events that precede schooling—and even birth itself.

The growing fetus requires a diet rich in protein, vitamins, and minerals. And yet

most poor mothers do not have adequate nutrition.

Further, the human brain grows most rapidly during the first year of life. And yet today 40 percent of all the people in America classified as poor—are children. And malnutrition affects almost a half-million children in this nation.

The implications for schooling are dramatic.

A major report by the Physicians Task Force on Hunger in America revealed that the child, deprived of adequate nutrition during critical years of brain growth, risks "cognitive deficits," to quote the panel—which obviously restrict learning later on.

And in a recent Louisiana study, poor children who had been provided food supplements during pregnancy and the first year of life were compared to those who had been nutritionally denied. The children, who had received good nutrition early, showed higher IQ, higher attention span, and higher grades in school.

And yet, it's ironic that at the very time when better schools are being pushed, funds for the federal child nutrition programs are restricted.

I realize that to talk about babies and poor health may appear to be far off the school reform agenda. And yet the evidence is overwhelming. Our educational problems cannot be divorced from the problems of the poor. All mothers and young children must have good nutrition if good schooling is our goal.

III

Coming directly to troubled schools, I'm also convinced that we must give top priority to early education—and especially to language—a commitment strongly reaffirmed by Secretary Bennett just this week.

I propose that every school district—certainly those with a high drop out rate—organize what might be called The Basic School—a unit that would include kindergarten through grade three.

The Basic School would focus on the certrality of language. And in our society, English must come first. The sending and receiving of messages makes us truly human. Language is imprinted in the genes and by the time the child marches off to school, he or she is already linguistically empowered with a vocabulary of several thousand words. Any child who can speak and listen, I believe, can also be taught to read and write.

The goal of the Basic School would be to build on this foundation; to assure that every child reads with understanding, writes with clarity and effectively speaks and listens. If children do not gain a fundamental graps of language in the early years it is almost impossible for them fully to compensate for the failure later on. It's like playing tennis with a broken racquet.

Further, in these early years, rigid grade levels should be blurred. It's foolish for teachers to fret over the curious question of whether to "fail" a student in grades one or two. Some children develop more slowly than others, and whether a student is in first grade or second grade is inconsequential. What is important is not the age, but the linquistic progress of each child.

The goal is to make sure that students will be reading and writing with confidence and handling math accurately before they move to the next level—where the focus will be on the core of common learning. This is the only way to assure that students in the upper grades will academically succeed.

In the Basic School, class size is also crucial. Today primary school teachers sometimes have 30 or more students in a single class. Even under the best of conditions these teachers can give only a minute or two to each child in any given hour. This is simply not enough.

The State of Indiana recently compared with achievements of first graders in large classes with those in classes with less than 20 students. The evidence was overwhelming. Small classes bring more academic gains.

This nation should move quickly to implement the recent Governors' Report, Time for Results, that recommended one teacher for every 15 students in kindergarten through grade three. The Governors got it right.

Smaller classes mean more money.

And yet, recent polls show that Americans are willing to spend more for education if they feel the investment will pay off. Further, it's my faith that a good Basic School would reduce the high cost of special and remedial education in high school—which is expanding at an alarming rate.

The recent High Scope study of the long term impact of quality early education concluded that for every dollar invested, the payoff is more than four to one.

I'm talking about reordering the educational priorities of the nation by giving more support to early education and more backing to primary school teachers.

Indeed, I'm convinced that if we would give as much status to first grade teachers as we give to full professors, that one act alone would go a long way to bring excellence to the nation's schools.

But teachers cannot do the job alone. Schools need outstanding principals. And parents also must be partners in the process.

Children are not likely to become good readers if no one reads at home, if "bookshelves" are filled only with knickknacks and plastic flowers, and if TV watching is the preoccupation of parents every night.

To reaffirm this partnership I'd like to see parents turn off the TV—even pass up Dynasty and Dallas now and then—to read aloud to children, and rediscover the beauty of the written and the spoken word.

IV

This leads to priority number three.

To strengthen education we also must adjust the school schedule to the changing family and work patterns in the nation—a challenge that goes far beyond the crisis of the poor.

Grandfather Boyer was born in 1872. He died one month short of his 100th year, and during the century of his life the world became a wholly different place—from his horse drawn plow to John Glenn's liftoff into space.

Grandpa had grown up on a southwest Ohio farm. One day when he was 96 I asked him about the schooling he had had. Grandpa said he went to school three years—long enough to learn to read and write. He walked six miles to school, and went only in the winter when he was not needed on the farm.

When today's school calendar was set almost a century ago—with nine months of study and three months off—over 90 percent of all school age children were, like Grandpa Boyer, living on a farm with mother and father, working hard, and staying home in the summer to "tend the crops." The school calendar mirrored the work and family patterns of the nation.

Today, the world has turned upside down. Less than 3 percent of today's families are on farms. In most households both parents work—away from home;

Further, nearly one in five families is now headed by a woman. And two-thirds of these mothers work. About half the children now in first grade will have lived in one-parent homes by the time they graduate from high school.

I'm convinced that, once again, the school schedule and the family schedule should be merged. It's essential that school arrangements match the realities of both family life and work patterns, as they did 100 years ago.

Already, because of working parents, over 40 percent of the nation's children are in prekindergarten programs.

And I predict that increasingly schools will be called upon to provide prekindergarten sessions to serve young children who need care outside the home.

In fact, the Governors, in their new report, urged states to provide quality early education for "at risk" four year olds and "where possible" for three year olds as well. This recommendation touches the realities of life.

Another issue. Today, one out of ten children now comes home to an empty house or apartment. And as this "latch key" problem grows, schools will operate on a longer day, offering after-hour programs such as special studies in science, computers, music or athletics, for example.

Looking down the road, I'm also convinced that the school calendar will be lengthened. A three month summer recess made sense when there were crops to be tended and extra hands were needed in the fields. But it's an anachronism now, especially at a time when most parents work outside the home, year round.

We need an optional summer term for children, not for babysitting but for learning. Their needs cannot be magically turned off when school is out.

Here, then, is the pattern I see emerging—pre-kindergarten programs, afterhour workshops, and summer sessions—all to fit the realities of family life and the needs of the children.

The danger is that affluent families will find their own services—summer camps, private lessons, youth clubs, for example—while poor children are allowed to drift.

In 1983, 53 percent of upper and middle income families had their preschool children in special programs, only 29 percent of at-risk three and four year olds were so enrolled.

If this gap is to be narrowed, new enrichment programs—which I wish to call an Extended School—should be optionally available to serve all students, not just the privileged few.

Families who can pay for these extra services should pay for them—at fees that will make the activities self-supporting.

For those who cannot afford the cost, I urge a state-financed plan that would give poor families a certificate of eligibility—linked to the Federal Chapter 1 guidelines—to be redeemed at the preschool, after-school, or summer program of their choice.

There is, in fact, precedent for this procedure. Today several states—New Jersey, Pennsylvania, and South Carolina—have state financed enrichment programs where the eligibility is based on Chapter 1. While the focus of these projects is on remediation, the procedure could be applied for the Extended School as well.

Further, by financing this enrichment program—through parent payment—and through the state, local budgets would be relieved and more equity in public school financing would be assured. For the core school program, however, current funding patterns would be kept in place.

Incidentally, a school district could contract for these enrichment seminars—with a college or a youth club or local artists or computer centers, for example.

Further, there would be an advantage, I believe, in having children from all social and economic backgrounds—and perhaps from both public and private schools—participating together in the new enrichment programs.

V

This brings me to priority number four. In the days ahead it is urgently important that we learn more about how children learn.

Today, with all the talk about education, we know far too little about learning and we are far too ignorant about how to measure the results. We have good schools and good teachers, but my optimism about the future of schooling is based on the conviction that, in the days ahead, we will become much more knowledgeable about learning and about how the potential of all children can be assessed.

The most exciting work, in my opinion, is being done by Howard Gardner at Harvard. Gardner in his provocative and insightful book, "Frames of Mind," reminds us that children have not only verbal intelligence—they also have logical intelligence, mathematical intelligence, spatial intelligence, bodily and personal intelligence. And I suspect intuitive and social intelligence as well.

Gardner suggests that we should find ways to understand the many dimensions of intelligence in our children.

And yet today's paper and pencil tests focus on a limited range of verbal skills and on computation—on a merger sampling of selected words and numbers. We need yardsticks to assure that our 140 billion dollar annual investment in public schools is paying off. And today tests are useful in providing a barometer of how well schools are doing.

But our tests do not come close enough to individual children or provide sufficient information to the teachers. And by reducing students to a number we may tell children they are failures before they've discovered what they might become.

If our goal is to educate all children we must broaden our definition of potential and honor the full range of talent that contributes to our civility and perhaps to our survival, too.

James Agee, wrote on one occasion that with every child who is born, under no matter what circumstances, the potentiality of the human race is born again.

Here then is my conclusion. To achieve excellence in education we must

Confront the problems of poor children.

Give priority to early education.

Affirm the centrality of language.

Provide enrichment programs that reflect the changing work and family patterns of the nation.

And learn more about how children learn.

As we move toward the year 2000, the most urgent issue we confront is this: Will America continue to believe in education for all children or will it sort out schooling between the winners and the losers—and in so doing become a separated and more divided nation?●

VIOLENCE ON TELEVISION

● Mr. SIMON. Mr. President, we in the Senate will shortly be faced with the question of how to handle an increasing problem in our culture, and that is violence on television. We do not want censorship. We do want to protect the civil liberties of our country, but we cannot remain powerless in the face of overwhelming evidence that violence on television is causing harm in our society. The Christain Century published an article by Dr. William F. Fore, head of communications for the National Council of Churches of Christ. The article appeared late last year.

Its message on media violence is clear and solid.

I urge my colleagues and their staffs to read this article, and I ask that it be printed in the RECORD.

MEDIA VIOLENCE: HAZARDOUS TO OUR HEALTH

(William F. Fore)

Of all the people in industrialized nations, Americans are the most prone to violence. Between 1963 and 1973, when the war in Vietnam took 46,212 lives, firearms in America killed 84,644 civilians. In the past 50 years the per capita rape rate in the United States has increased by 700 per cent. During the past 30 years our per capita homicide rate has almost doubled. In 1980 there were eight reported handgun murders in England and 10,012 in the United States (Jervis Anderson, "An Extraordinary People," New Yorker, November 12, 1984], p. 128). And the U.S. Bureau of the Census reported that between 1974 and 1983, the number of aggravated assaults has increased by 6 per cent, forcible rape by 26 per cent, robbery by 2 per cent and child abuse by 48 per cent (Statistical Abstract of the United States 1985, pp. 166, 172, 183).

For years people have wondered whether the amount of violence portrayed on American movie and TV screens has any correlation with the growing violence in our streets and homes. For 20 years, the evidence has been slowly accumulating. Now the verdict is as clear as the evidence that links smoking to cancer: Violence in media is causing violence in the society.

As early as the 1950s Congress held hearings on the effects of television. When Senators expressed concern over television's role in increasing juvenile delinqency and crime, industry representatives immedicately promised to reduce violence (while denying any evidence of harmful effects). Yet during that same period—in the mid-50s to mid-60s—television programming shifted noticeably toward action-adventure formats, and TV violence increased markedly.

As programming became more violent, research became more decisive. The National Commission on the Causes and Prevention of Violence, headed by Milton S. Eisenhower, focused on the relationship between violence and television in 1969 and concluded that "violence on television encourages violent forms of behavior and fosters moral and social values about violence in daily life which are unacceptable in a civilized society."

Noting that advertisers were spending $2 billion each year in the belief that television does influence human behavior, the commission declared "Television entertainment based on violence may be effective merchandizing but it is an appalling way to serve the 'public interest, convenience and necessity.'"

Three years later, U.S. Surgeon General Jesse Steinfeld testified at a Senate hearing that a study, ordered by Congress, had unearthed "sufficient data" to establish a causal relationship between watching television violence and aggressive behavior. "Broadcasters should be put on notice," he said, "that television violence, indeed, does have an adverse effect on certain members of our society" (*Broadcasting*, March 27, 1972, p. 25).

The broadcasting industry, however, resisted the conclusions of both studies, and research by George Gerbner, dean of the University of Pennsylvania's Annenberg School of Communication, shows that the level of violence on television during the '70s did not change significantly.

The broadcasting industry challenged Gerbner's violence profile. Writing in the *Journal of Broadcasting*, David M. Blank contended that Gerbner's study defined violence too broadly by including cartoons and slapstick violence and that it counted some single acts of violence as multiple (Summer 1977, pp. 273-79). The Annenberg School countered in the same issue of the journal that comic content (such as cartoons) is a highly effective form of conveying serious lessons, and that when a new person or agent enters a scene, a "single" violent episode becomes "multiple" (pp. 280-86).

Broadcasters continued to insist in the face of such evidence that the research was still inconclusive. Gene Mater, a CBS spokesperson, told a congressional hearing that "our figures, our studies, and lots of other studies [show] that there is no unanimity." Mr. Mater cautioned against making television a scapegoat when seeking solutions to the problem of violence. He argued that "with this single focus we ignore many of the root causes of societal ills," thus neglecting elements other than media that influence our lives: the home, school, church and peer groups.

In a memorandum "Research on Television Violence: The Fact of Dissent," prepared for the hearings, CBS quoted Eli Ribenstein, who had been vice-chairman of the original surgeon general's report, as saying that "opinions are more sharply divided than they were [in 1969]. Paradoxically, the hundreds of studies done in the past decade have apparently served to support diametrically opposing conclusions" (p. 50).

But research continued, and in May 1982 the National Institute for Mental Health released the findings of a ten-year followup on the surgeon general's study, "Television and Behavior," conducted by David Pearl. "After ten more years of research," the report said, "the consensus among most of the research community is that violence on television does lead to aggressive behavior by children and teenagers who watch the programs."

The report noted that "not all children become aggressive, of course," but that "the correlations between violence and aggression are positive," indeed as strong as "any other variable behavior that has been measured." Conversely, the study found that "children can learn to be altruistic, friendly and self-controlled by looking at television programs depicting such behavior patterns."

Earlier this year Pearl released another report in which he maintained that the NIMH report demonstrated that television has four effects on violent behavior: direct imitation of observed violence; "triggering" of violence that otherwise might be inhibit-

ed; desensitation to the occurrence of violence; and viewer fearfulness. "Consider the situation if even only one out of a thousand viewing children or youth were effected (there may well be a higher rate)," Dr. Pearl wrote, "Consider also the cumulative effects for viewers who watch such programs thorughout the year. Even if only a small number of antisocial incidents were precipatated in any community, these often may be sufficient to be disruptive and to impair the quality of life for citizens of that community" (p. 6).

After completing the most thorough and most conclusive overview of research on television violence to date, George Comstock—who, only four years earlier, was quoted by the broadcasting industry as saying that the evidence was not yet conclusive—declared that "a very large majority of studies report a postive association between exposure to media violence and aggressiveness" ("Media Influences on Aggression," in A. Goldstein (editor), Prevention and Control of Aggression [Pergamon, 1983]).

Despite these decisive conclusions, the level of violence does not appear to be diminishing. Dean Gerbner's Violence Profile, which has traced television's performance annually since 1966, indicated that in the 1982-83 season, violence on television had not diminished but was approximately at its 17-year average. However, violence in children's weekend programs reach a record high, with a rate of 30.3 violent incidents per hour against a 17-year average of 20. In a paper prepared for the National Council of Churches of Christ, Gerbner said: "For the past 17 years, at least, our children grew up and we all lived with a steady diet of about 16 entertaining acts of violence (2 of them lethal) in prime time alone every night, and probably dozens if not nhundreds more for our children every weekend. We have been immersed in a tide of violent representations that is historically unprecedented and shows no real sign of receding ["Gratuitous Violence and Exploitative Sex: What are the Lessons?," pp. 2-3].

Dr. Gerbner went on to explain television's role in creating a "mean and violent world" in the minds of many viewers, particularly heavy viewers:

Symbolic violence . . . is a show of force and demonstration of power. It is the quickest and most dramatic demonstration of who can get away with what against whom. . . .

Violence as a scenario of social relationships reflects the structure of power in society and tends to cultivate acceptance of that structure. . . . It is clear that women, young and old people, and some minorities rank as the most vulnerable to victimization on television. . . .

Most heavy viewers in every education, age, income, sex, newspaper reading and neighborhood category express a greater sense of insecurity and apprehension than do light viewers. . . . Fearful people are most dependent, more easily manipulated and controlled. . . . They may accept and even welcome repression if it promises to relieve their insecurities. That is the deeper problem of violence-laden television [pp. 5-6].

Violence on television—as well as on cable, in movies and on videocassettes—is lowering our quality of life. Whether or not we personally watch the excessive amounts of TV violence, enough people *do* see the violence, which, in the end, causes more crime, more abuse, more injuries and more deaths in our society.

Of course, television can—and never should—be "sanitized" to the point that it contains no violence at all. Such a depiction of life would be dishonest in a different way. The problem is gratuitous and excessive violence—an identifiable phenomenon that we created and that, if we wish, we can correct.

Some observers have said that we are faced with pollution of our mental environment that is just as dangerous as pollution of our physical environment. But how does a free society combat mental pollution? The First Amendment guarantees each of us the freedom to speak whatever we wish, since one person's truth is another person's heresy. The media industries hide behind this freedom, to the injury of us all. On the other end of the spectrum lurk those True Believers who, knowing the truth, are anxious to impose it on us by censoring all other perspectives. Somewhere between these two poles there must be a middle way which enables society to curb harmful violence without curbing freedom of speech.

Before we can do anything to confront the problem of violence in the media, I suspect that we must first decide what kind of society we really want. At that point the solution will become more apparent. In the meantime, at least we now know the facts about the effects of violence in the media, and our ignorance can no longer be blissful—or even a valid excuse for inaction. ●

AIR SAFETY

● Mr. SIMON. Mr. President, the Chicago Sun-Times had a story with the heading: "Air controllers' inexperience hit in O'Hare errors."

The article, written by Tim Padgett and Phillip J. O'Connor, points to the need for more experienced people working on air traffic control.

Some months ago, I dropped in at the Aurora, IL air traffic control center and visited with perhaps 15 or 20 different people. From the person in charge of the center to those who are working as controllers, the overwhelming sentiment was that after careful screening—to make sure people who are either not physically or emotionally able to handle it would be kept out—some of those who were controllers before should be brought back in.

If our number one concern is air safety, that clearly ought to happen.

There is no question that President Reagan did the right thing by firing the air controllers, even though it should have been handed differently. You cannot strike against the Federal Government. We cannot compromise on that.

But that was 4 years ago. A substantial penalty has been invoked, and now the question ought to be air safety.

I ask that the article from the Chicago Sun-Times be inserted in the RECORD, and I urge my colleagues to read it.

The article follows:

AIR CONTROLLERS' INEXPERIENCE HIT IN O'HARE ERRORS

(By Tim Padgett and Phillip J. O'Connor)

Almost half the air traffic controllers responsible for the 15 errors at O'Hare this year—13 of them near mid-air collisions—had less than two years' experience at the airport, according to the Federal Aviation Administration.

The study of errors at O'Hare showed that six of the 14 controllers involved in them had less than 20 months' experience at O'Hare and five of those had been on the job less than a year and a half or were in training.

The O'Hare errors—more than double the number during the first seven months of 1984—has prompted a National Transportation Safety Board investigation. It comes five years after striking controllers nationwide were fired by President Reagan and the FAA began replacing them with trainees.

Meanwhile, the FAA said a major computer failed for an hour Tuesday at the Aurora Air Traffic Control Center, causing the delay of many flights.

The same computer failed for 3 minutes and 40 seconds on Monday, the FAA said. An identical spare computer had previously failed on Sunday for 34 minutes and was being repaired because the regular computer element failed on Monday and Tuesday, the FAA said.

Chicago FAA spokesman Mort Edelstein, discussing the computer failures, said that the Aurora center handled the normal number of landings and takeoffs, but that traffic was "stretched out" so controllers could safely manage it.

Dave Kelley, who heads the NTSB investigation of O'Hare errors, said that controller experience is "one of the significant issues we'll be looking at" before making recommendations to the FAA.

FAA spokesmen said the number of years each of the 14 controllers had worked before coming to O'Hare—and whether they'd had any prior experience—was not available yesterday.

John Galipault, president of the Aviation Safety Institute in Worthington, Ohio, said yesterday he had received calls from "experienced" controllers complaining of controller inexperience and insufficient controller training at O'Hare.

"The reports I get from them tell me there are enough inexperienced controllers to make it difficult to do the job there," Galipault said.

But Edelstein has labeled warnings of inexperience at O'Hare as "absurd."

Though Edelstein said it was possible for a controller just out of the academy to reach full performance level—qualified to fill every post in the tower—at O'Hare within two to three years, Galipault said at least three to four years should be required.

"Two to three years is pushing it at an airport like O'Hare," Galipault said.●

REMARKS BY POLICE OFFICER CICERO B. BOOKER, JR.

● Mr. DODD. Mr. President, several months ago I was honored to be a guest at a dinner of the Connecticut Civil Liberties Union and to say a few words of tribute to U.S. District Court Judge M. Joseph Blumenfeld. At this dinner, citations of merit were also presented to several individuals who, through their words and deeds, have contributed to securing the civil liberties of our citizens, to making justice and equality more than nice words or lofty ideals. I was particularly im-

pressed and moved by the remarks of one of these individuals, Mr. Cicero B. Booker, Jr., a member of the Waterbury Police Department. Mr. Booker eloquently reminds us that our constitutional democracy works only if and when we actively assert and exercise our civil rights. I commend his remarks—and the vital theme underlying them—to my colleagues and ask that they be printed in the RECORD.

The remarks follow:

REMARKS BY CICERO B. BOOKER, JR.—THE CONNECTICUT CIVIL LIBERTIES UNION, AN EVENING OF TRIBUTE

I have the honor to speak on the behalf of my fellow police officers, who could not be here with us tonight.

We would like to, first, say thank you to the Connecticut Civil Liberties Union and the staff attorneys for their devoted efforts, which brought to an end a 40-year-old discriminatory practice in the Waterbury Police Department that limited the training, assignments, and promotional opportunities for black and Hispanic police officers.

I can remember when I became a member of the police department, my father—Cicero B. Booker, Sr.—who was the first black officer in Waterbury, said, "Son, I was able to open the door for black people to become police officers in this city. It is now up to you and the other young black officers to open those doors now closed to you."

I was talking with my son, Cicero B. Booker III, on the need for education when he asked, "Well, Dad, tell me where education has gotten you?" I, with regret, had to tell my son not to "judge your life by mine" because I allowed other people to control my opportunities.

My son's remarks provided me with the great awakening, reminding me of the closed doors my father had spoken about and I had done nothing to open those doors.

In conclusion, my fellow officers and I, as well as others on the police department, have learned: to have a healthy Constitution of the United States one must exercise their rights.●

NAUM AND INNA MEIMAN: THE VIGIL GOES ON

● Mr. SIMON. Mr. President: it pains me to say that it has been more than 6 months since I have begun a daily plea for the release of my close friends Professor Naum Meiman and his wife, Inna. They are not just Soviet citizens, but prisoners of the state.

Professor Meiman, a physics scholar trained in the Soviet Union, has not held a meaningful job in his field since his first plea for emigration. Just recently, their phone was removed and they can no longer receive phone calls. Their only request has been to live a free life in Israel. Without reason, they have been rejected several times a year for more than 10 years.

What is most inhumane is that Inna is dying of cancer and is being refused further treatment. Western physicians believe she can be cured, but this treatment is only available to Inna outside the Soviet Union. Time is running out.

I implore the officials of the Soviet Union to allow the Meimans to emigrate to Israel.●

ORDERS FOR WEDNESDAY

RECESS UNTIL 9 A.M.

Mr. DOLE. Mr. President, I ask unanimous consent that once the Senate completes its business today, it stand in recess until 9 a.m. on Wednesday, September 10, 1986.

The PRESIDING OFFICER. Is there objection?

Hearing none, it is so ordered.

RECOGNITION OF CERTAIN SENATORS

Mr. DOLE. Following the recognition of the two leaders under the standing order, I ask unanimous consent there be special orders in favor of the following Senators for not to exceed 5 minutes each: Senators HAWKINS, PROXMIRE, WILSON, TRIBLE, LEVIN, BIDEN, CHILES, CRANSTON, DECONCINI, DODD, NUNN, ROCKEFELLER, and BENTSEN.

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

ROUTINE MORNING BUSINESS

Mr. DOLE. Following the special orders just identified, I ask unanimous consent there be a period for the transaction of routine morning business not to extend beyond 10:30 a.m. with Senators permitted to speak therein for not more than 5 minutes each.

The PRESIDING OFFICER. Is there objection? Hearing none, it is so ordered.

RECOGNITION OF SENATOR CHAFEE

Mr. DOLE. Mr. President, I also ask unanimous consent to add Senator CHAFEE as the 14th special order tomorrow.

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

PROGRAM

Mr. DOLE. Following the morning business, the Senate will resume consideration of the pending measure, Labor/HHS appropriations. I understand votes can be expected on that measure and I also hope that we can work out whatever the problem may be with the Interior appropriations bill and complete both of those tomorrow, and then possibly one other appropriations bill, District of Columbia perhaps, and then on Thursday morning we will begin consideration of the Rehnquist nomination.

RECESS UNTIL 9 A.M. TOMORROW

Mr. DOLE. Mr. President, there being no further business to come before the Senate, I move we stand in recess until 9 a.m. on Wednesday, September 10, 1986.

The motion was agreed to; and, at 7:19 p.m., the Senate recessed until Wednesday, September 10, 1986, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate September 9, 1986:

THE JUDICIARY

James R. Spencer, of Virginia, to be U.S. district judge for the Eastern District of Virginia vice John A. MacKenzie, retired.

IN THE AIR FORCE

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 lieutenant general

Maj. Gen. Edward J. Heinz, [redacted] FR, U.S. Air Force.

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 lieutenant general

Maj. Gen. Bradley C. Hosmer, [redacted] FR, U.S. Air Force.

The following-named officer under the provisions of title 10, United States Code, section 601, to be reassigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Lt. Gen. Forrest S. McCartney, [redacted] FR, U.S. Air Force.

In the Army

The following-named Army Reserve Officer for appointment as chief, Army Reserve, under the provisions of title 10, United States Code, section 3019:

To be chief, Army Reserve

Maj. Gen. William Francis Ward, [redacted].

The following officers for appointment as Reserve commissioned officers in the Adjutant General's Corps, Army National Guard of the United States, Reserve of the Army, under the provisions of title 10, United States Code, sections 593(a) and 3392:

To be major general

Brig. Gen James A. Ryan, [redacted].
Brig. Gen. Carl G. Farrell, [redacted].
Brig. Gen. Charles E. Scott, [redacted].

The following-named Army Dental Corps competitive category 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. Thomas R. Temple [redacted], Dental Corps competitive category, U.S. Army.

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 grade and date of rank to be determined by the Secretary of the Air Force provided that in no case shall the officer be appointed in a grade higher than that indicated.

LINE OF THE AIR FORCE

To be captain

Abderhalden, Richard O., Jr. [redacted]
Aberle, Thomas J., [redacted]
Adair, Donald O., [redacted]
Adams, Wanda L., [redacted]
Adams, William G., [redacted]
Addison, Edward N., [redacted]
Adkins, Carrington C., [redacted]
Agee, Robert A., [redacted]
Agner, William E., [redacted]
Ahrens, Frederick R, III [redacted]
Aiu, William K., [redacted]
Akerele, Valerie A., [redacted]
Akin, George D., [redacted]
Alba, Annamaria P., [redacted]
Alberts, Robert F. D., [redacted]
Albright, Timothy A., [redacted]
Alexander, Felix E., [redacted]
Allard, Richard L., [redacted]
Allen, Larry E., [redacted]
Almacen, Chen G., [redacted]
Alosisio, Monica M., [redacted]
Alsabrook, Danny C., [redacted]
Alston, Belinda G., [redacted]
Alston, Sandra V. C., [redacted]
Alvarado, Heidi E., [redacted]
Amaral, Lauri M., [redacted]
Ambrose, Peter W., [redacted]
Amende, Ernest A., [redacted]
Ament, John B., [redacted]
Andersen, Brent N., [redacted]
Anderson Darrell L., [redacted]
Anderson, Darwin G., [redacted]
Andrews, Mildred B., [redacted]
Ankenman, Terry D., [redacted]
Aqua, Jay D., [redacted]
Aragon, Martin J., [redacted]
Archambault, Richard G., [redacted]
Arlund, Ronald W., [redacted]
Armold, Abraham T., [redacted]
Arredondo, Tina J., [redacted]
Arseneault, Joseph R., [redacted]
Arserio, Robert B., [redacted]
Artis, William J., [redacted]
Artus, Robert J., [redacted]
Atchison, Michelle S., [redacted]
Aten, Robert F., [redacted]
Avery, Lawrence G., Jr., [redacted]
Babcock, Robert M., [redacted]
Backstrom, Clifton B., [redacted]
Bailey, Brian W.J., [redacted]
Bailey, George E., [redacted]
Baker, Bobby R., [redacted]
Baker, Cynthia A., [redacted]
Baker, Dennis R., [redacted]
Baker, Marvin J., [redacted]
Baker, Michael D., [redacted]
Baldwin, Phillip D., [redacted]
Baldwin, Stephen, [redacted]
Ballantine, Robert B., [redacted]
Baranovitz, Neil J., [redacted]
Barber, Mark L., [redacted]
Barber, Richard A., [redacted]
Barche, Martin J., Jr. [redacted]
Barchichat, Emile N., [redacted]
Barefoot, Gary F., [redacted]
Barker, Beth A., [redacted]
Barlow, Kathrine A., [redacted]
Barlow, William J., Jr., [redacted]
Barna, Robert O., [redacted]
Barnhart, Ralph J. [redacted]
Barry, Michael R., [redacted]
Bartle F. Guy, Jr., [redacted]
Barton, Gary W., [redacted]
Bartsch, John F., [redacted]
Batten, Samuel D., [redacted]
Battle, Patricia A., [redacted]
Baughn, James S., [redacted]
Baylor, Robin E., [redacted]
Beardall, Dale R., [redacted]
Beasley, Grover P., III, [redacted]
Beaty, Chris A., [redacted]
Beecher, Jeffrey W., [redacted]
Begin, David G., [redacted]
Behne, Todd E., [redacted]
Behnken, James B., [redacted]
Bell, David E., [redacted]
Benke, Daniel R., Jr., [redacted]
Bennett, Barry J., [redacted]
Bennett, Gewn B., [redacted]
Bennett, Inslee T., III, [redacted]
Bennett, Race G., [redacted]
Bens, Mark S., [redacted]
Benson, Bruce W., [redacted]
Benson, Vicki L., [redacted]
Bentley, Jerry L., [redacted]
Bentley, Richard R., [redacted]
Berg, Richard T., [redacted]
Berger, Robert A., [redacted]
Bergeron, Mark L., [redacted]
Bergin, Charles M., [redacted]
Bertrand, David E., [redacted]
Besenyei, George M., [redacted]
Bethel, Paulette M., [redacted]
Betrosoff, Pamela A., [redacted]
Bible, Steven K., [redacted]
Biehn, Sherrill L., [redacted]
Bilicki, Edward J., [redacted]
Billingsley, Michael L., [redacted]
Birchler, Ronald J., [redacted]
Bird, Edward D., [redacted]
Bishop, Ellie N., [redacted]
Bisson, Bradford J., [redacted]
Bjornnes, Wei Tze, [redacted]
Black, Alan J., [redacted]
Black, Marietta M., [redacted]
Blackmon, Charles A., Jr., [redacted]
Blackwell, Donnie E., [redacted]
Blaich, Phillip W., [redacted]
Blair, Claude D., [redacted]
Blanchette, Richard F., [redacted]
Blansit, Timothy W., [redacted]
Blasingame, Steven, [redacted]
Bledsoe, Michael L., [redacted]
Bylthe, Edgar M., [redacted]
Bobbitt, Danny O., [redacted]
Body, Ronald, [redacted]
Boettler, Connie J., [redacted]
Boggess, John V., [redacted]
Boggs, Charles W., III, [redacted]
Boles, Timothy M., [redacted]
Bollman, Stephen L., [redacted]
Bond, Kent C., [redacted]
Bond, William J., Jr., [redacted]
Bonner, Tommie L., Jr., [redacted]
Borak, Gerard J., [redacted]
Borden, David G., [redacted]
Borland, Thomas A., [redacted]
Borst, Howard L., [redacted]
Bostwick, Thomas K., [redacted]
Both, Linda J., [redacted]
Bouza, Edward C., [redacted]
Bowers, Pamela B., [redacted]
Boyd, Robert E., [redacted]
Bradley, Tamara L., [redacted]
Bradley, Tommie A., [redacted]
Brady, William S., [redacted]
Brandon, Ann M., [redacted]
Bratten, Clifford O., [redacted]
Brayden, Rodger W., [redacted]
Brecht, William R., [redacted]
Breeden, David L., Jr., [redacted]
Bremer, George D., Jr., [redacted]
Bresnahan, Francis P., [redacted]
Bridges, Chad R., [redacted]
Bridgham, Russell B., [redacted]
Bright, Glenn O., [redacted]
Briski, Mark S., [redacted]
Britt, Curtis D., [redacted]
Britton, Paula, D., [redacted]
Broeking, Robert W., [redacted]
Bronder, Robert M., [redacted]
Brooker, Denis E., [redacted]
Brooks, Thomas H., [redacted]
Brotherton, Robert C., [redacted]
Browder, Jack M., Jr., [redacted]
Brown, Anita L., [redacted]
Brown, Charlie M., [redacted]
Brown, James A., [redacted]
Brown, Karen J., [redacted]
Brown, Leslie R., [redacted]
Brown, Lily S., [redacted]
Brown, Robin D., [redacted]
Brown, Steven D., [redacted]
Brown, Tommy J., [redacted]
Browning, Jerry W., [redacted]
Brownstein, Edward J., Jr., [redacted]
Bryan Neal J., [redacted]
Bryant, Wendell P., Jr., [redacted]
Buchanan, Marisol A., [redacted]
Buchin, Robert L., [redacted]
Buckley, William E., Jr., [redacted]
Buddish, Randall W., [redacted]
Budo, Edward P., [redacted]
Bullock, David P., [redacted]
Burgess, Edward D., [redacted]
Burke, Michael J., [redacted]
Burke, Victor H., [redacted]
Burns, Curtis L., [redacted]
Burns, James C., [redacted]
Burns, Timothy J., [redacted]
Burris, Steven G., [redacted]
Burriss, Tom [redacted]
Burrows, David L., [redacted]
Burrows, Jeffrey A., [redacted]
Burton, David N., [redacted]
Bury, David S., [redacted]
Buser, Donald T., [redacted]
Bush, George, [redacted]
Bush, Robert M., [redacted]
Byas, Aaron D., [redacted]
Byers, Arthur D., Jr., [redacted]
Cadou, John R., [redacted]
Cagle, Dana L., [redacted]
Caldwell, Charles L., [redacted]
Caldwell, Ralph R., [redacted]
Cameron, Arthur B., III, [redacted]
Cancel, Raymundo, [redacted]
Cannon, Deirdre, [redacted]
Canter, Jonathan C., [redacted]
Canzoneri, Gary C., [redacted]
Carbaugh, Samuel G., [redacted]
Carlin, James D., [redacted]
Carlos, Francis V., [redacted]
Carlson, Glenn R., [redacted]
Carlson, Keith E., [redacted]
Carlson, Tyler R., [redacted]
Carney, Michael J., [redacted]
Carpenter, Carl G., [redacted]
Carper, Forrest L., [redacted]
Carpio, Reynaldo S., [redacted]
Carr, Martin W., [redacted]
Carrell, Robert E., [redacted]
Carroll, Dana G., [redacted]
Carter, Neil D., [redacted]
Carter, Ronnie L., [redacted]
Carvalho, Charles, Jr., [redacted]
Case, James E., [redacted]
Casolari, Dennis W., [redacted]
Castanon, Albert B., III, [redacted]
Castle, Michael D., [redacted]
Castro, Felix, [redacted]
Catington, Richard C., [redacted]
Cavalier, Kathy D., [redacted]
Cawthon, Bradley W., [redacted]
Chambers, Robert M., [redacted]
Chang, Yunhyok, [redacted]
Charbonneau, Joseph M., [redacted]
Chase, Walter E., Jr., [redacted]
Chavez, Reynaldo Martinez, [redacted]
Ching, Richard K. K., [redacted]
Chon, Myong H., [redacted]
Christich, Bruce K., [redacted]
Christmas, Gail A., [redacted]
Chuck, Linn A., [redacted]
Church, Elmer D., [redacted]
Ciacci, Lawrence F., [redacted]
Cilley, Robert A., [redacted]
Clark, Donald E., [redacted]
Clark, John K., [redacted]
Clark, Julius, Jr., [redacted]

Clayton, Ernie V., [redacted]
Clayton, Jill L., [redacted]
Clemens, Cynthia E., [redacted]
Clouse, Colette J., [redacted]
Clouser, Mathew B., [redacted]
Clukey, Brian D., [redacted]
Cochran, Stanley R., [redacted]
Coe, Beverly A., [redacted]
Coelus, Paul J., Jr., [redacted]
Coffield, Paul W., [redacted]
Coker, Edward T., II, [redacted]
Colding, Linda K., [redacted]
Cole, George H., [redacted]
Cole, Kenneth N., [redacted]
Cole, Lisa J., [redacted]
Coleman, Dana E., [redacted]
Coley, Cynthia, [redacted]
Coller, John, [redacted]
Collins, Patricia K., [redacted]
Colvin, Donald Jocelyn E., [redacted]
Condry, David K., [redacted]
Conn, Katherine J., [redacted]
Connell, Joseph B., [redacted]
Connell, Robert I., [redacted]
Conner, Michael A., [redacted]
Conner, Michael J., [redacted]
Conover, Kenneth W., [redacted]
Conway, Michael J., [redacted]
Conwell, Earl F., [redacted]
Conwell, Gary C., [redacted]
Cooke, Douglas K., [redacted]
Cooper, Danny L., [redacted]
Cooper, Kurt L., [redacted]
Coopet, Alan L., [redacted]
Cortes, Franscisco, [redacted]
Corvo, Antonio, [redacted]
Corwin, David A., [redacted]
Corwin, Sandra K., [redacted]
Cosgrove, Peter W., [redacted]
Coshatt, Daniel G., [redacted]
Costas, Jose A., [redacted]
Courtney, Charles C., Jr., [redacted]
Cowart, Jack V., [redacted]
Cox, Clarence H., [redacted]
Coyne, William B., [redacted]
Craig, Glenn R., [redacted]
Craig, Robert J., [redacted]
Cramer, Alden S., [redacted]
Cramer, Jeffery A., [redacted]
Crandall, William M., [redacted]
Crawford, Franklin L., [redacted]
Crawford, John D., [redacted]
Crilley, Joseph, [redacted]
Crisler, William P., [redacted]
Crosier, Gary R., [redacted]
Crouse, Paul A., [redacted]
Crowe, Raymond M., [redacted]
Crozier, Kevin M., [redacted]
Cruz, Israel, [redacted]
Cruzgonzalez, Carlos R., [redacted]
Culotta, Denise B., [redacted]
Cummings, Candyce H., [redacted]
Curry, Dolores J., [redacted]
Custodio, James B., [redacted]
Dabney, Gregory L., [redacted]
Daniel, Gail M., [redacted]
Daniels, Marcia E., [redacted]
Danuser, Frederick M., [redacted]
Davenport, Michael L., [redacted]
Davenport, Pamela M., [redacted]
Davidson, John D., [redacted]
Davis, Albert L., [redacted]
Davis, Bobby J., Jr., [redacted]
Davis, Clifford W., Jr., [redacted]
Davis, Jeffery L., [redacted]
Davis, Roger D., [redacted]
Davy, Jeremy J., [redacted]
Deas, Michael Wayne, [redacted]
Decker, Jonathan R., [redacted]
Decker, Ronald C., [redacted]
Defibaugh, Stephen P., [redacted]
Deford, Rima J., [redacted]
Degraaf, Marcel H., [redacted]
Degraphenreid, Robert E., [redacted]
Demarco, Frank W., [redacted]
Demers, Raymond E., [redacted]
Derr, Dale G., [redacted]
Desimone, Anthony F., [redacted]
Devries, Allan A., [redacted]
Dewey, John S., [redacted]
Dickinson, Lee G., [redacted]
Difford, Dana G., [redacted]
Digiacomo, Steven, [redacted]
Dingfield, Richard L., [redacted]
Dionne, Lisa A., [redacted]
Dippert, Douglass L., [redacted]
Dobbs, Ralph S., [redacted]
Doering, Claude W., [redacted]
Dogan, Robert L., [redacted]
Dominello, Carl T., [redacted]
Dominick, Michael R., [redacted]
Don, Michael P., [redacted]
Donatelli, Geoffrey A., [redacted]
Doneshefsky, William C., [redacted]
Donofrio, Anthony F., [redacted]
Donovan, Christopher J., [redacted]
Donovan, Mara O., [redacted]
Douglas, John M., [redacted]
Dovale, Jacqueline J., [redacted]
Dowd, Thomas P., III, [redacted]
Dowdey, George D., [redacted]
Doyle, Kevin G., [redacted]
Draper, Stephen A., [redacted]
Drechsel, Lawrence W., [redacted]
Dreksler, Steven B., [redacted]
Drummond, David T., [redacted]
Dubek, Robert D., [redacted]
Dukes, Sidney L., [redacted]
Dunn, Albert G., Jr., [redacted]
Duran, James A., [redacted]
Dyer, Brian M., [redacted]
Dyke, Alvin L., [redacted]
Eaton, Harold R., [redacted]
Eckert, Scott B., [redacted]
Eddlemon, Tommie J., [redacted]
Edlund, Robert L., [redacted]
Edwards, Donna M., [redacted]
Edwards, Norman D., [redacted]
Eggeman, John W., [redacted]
Eisertwlodarczyk, Mary K., [redacted]
Elio, Thomas H., [redacted]
Eller, Jon A., [redacted]
Elliott, Carmen M., [redacted]
Elliott, Flora Z., [redacted]
Ellis, Bruce E., [redacted]
Ellwood, Russell E., [redacted]
Elmer, William B., [redacted]
Ely, Edward S., II, [redacted]
Ely, Eldon L., [redacted]
Emery, David H., [redacted]
Enser, Ralph A., [redacted]
Erving, John D., [redacted]
Erwin, Edward H., [redacted]
Esaias, Karen A., [redacted]
Eskar, William E., [redacted]
Eskind, Darren H., [redacted]
Espenshade, Karen J., [redacted]
Esterly, Leonard J., Jr., [redacted]
Evans, Deloise J., [redacted]
Evans, Doris L., [redacted]
Evans, Jeffrey L., [redacted]
Evans, John K., [redacted]
Faison, Clinton L., [redacted]
Farrell, Kenneth M., [redacted]
Feldman, Laura J., [redacted]
Fenter, Tommy D., [redacted]
Ferguson, Anthony D., [redacted]
Ferguson, Lester C., [redacted]
Ferncez, James F., [redacted]
Ferrier, Robin H., [redacted]
Ficken, Earl I., Jr., [redacted]
Field, George B., [redacted]
Field, James L., [redacted]
Filer, Joseph R., [redacted]
Fingles, Douglas O., Jr., [redacted]
Finney, Dale J., [redacted]
Fischman, Leonard F., [redacted]
Fisher, Darrell L., [redacted]
Fisic, Thomas, [redacted]
Fitch, Daneil E., [redacted]
Flanagan, David J., [redacted]
Fleming, Craig Gary, [redacted]
Fleming, Wesley T., [redacted]
Fletcher, Keith W., [redacted]
Flint, Charles T., Jr., [redacted]
Flood, John R., Jr., [redacted]
Florian, Paul E., [redacted]
Flynn, Patrick M., [redacted]
Fogelberg, James A., [redacted]
Fogg, John T., [redacted]
Ford, Jeffery A., [redacted]
Ford, Joseph M., [redacted]
Ford, Lonnie D., [redacted]
Forest, Stephen J., [redacted]
Fowkes, Andrew, [redacted]
Franconia, Emilia M., [redacted]
Franze, Bruce R., [redacted]
Frazier, Victor R., [redacted]
Frederick, Frank L., [redacted]
Fredericks, Michael G., [redacted]
Frey, Charles R., [redacted]
Friske, Stephen A., [redacted]
Frosch, William R., [redacted]
Frowein, James E., [redacted]
Fruscione, Mark A., [redacted]
Fulk, David E., [redacted]
Fynan, Richard J., [redacted]
Gahura, Andrew W., [redacted]
Gammell, Sharon L., [redacted]
Gardner, Arvella J., [redacted]
Gardner, Margaret M., [redacted]
Garrett, Jeanne O., [redacted]
Gatcomb, Jeffrey, L., [redacted]
Gaudreau, Henry J., [redacted]
Gaul, Volker, F., [redacted]
Gavel, Robert C., [redacted]
Gellert, Terry R., [redacted]
Gethers, Michael E., [redacted]
Gibson, Eddie, [redacted]
Gibson, Judy A., [redacted]
Gillum, Glen W., Jr., [redacted]
Glenn, Thomas N., Jr., [redacted]
Glodo, John A., [redacted]
Gnagey, Daniel C., [redacted]
Goad, William F., [redacted]
Gochenaur, Robert E., [redacted]
Godbey, Michael R., [redacted]
Godwin, Peter J., [redacted]
Golden, Robert A., [redacted]
Golden, William P., [redacted]
Gomolak, Normand G., Jr., [redacted]
Gortler, Fred W., [redacted]
Goss, Walter W., Jr., [redacted]
Grable, Michael A., III, [redacted]
Grabowski, Kathleen M., [redacted]
Gracin, Betty A., [redacted]
Graham, Hugh C., [redacted]
Graves, Henry W., [redacted]
Gray, Jordan A., [redacted]
Green, Brady L., [redacted]
Green, James F., [redacted]
Greene, Jacob L., [redacted]
Greene, Randy R., [redacted]
Greer, Dennis W., [redacted]
Gresham, Robert W., Jr., [redacted]
Griffin, Dexter D., [redacted]
Griffin, Maurice, [redacted]
Griffith, Joseph R., [redacted]
Grinnell, Nancy S., [redacted]
Grobsmith, John M., [redacted]
Grose, Daniel E., [redacted]
Gross, William R., [redacted]
Grote, Edwin P., [redacted]
Grubbs, Stephen W., [redacted]
Grupe, John C., [redacted]
Guerrero, Walter C., [redacted]
Gutierrez, Gaston U., [redacted]
Gutschenritter, Anthony E., [redacted]
Guyer, Lawrence A., [redacted]
Haege, Gregg E., [redacted]
Haensgen, Allan L., [redacted]
Hagedorn, James, [redacted]

Haggen, Bryant L., [redacted]
Hahn, Stephen J., [redacted]
Hall, Michael W., [redacted]
Hall, Robert B., [redacted]
Haller, William J., [redacted]
Hamby, Gary W., [redacted]
Hamel, Robert A., [redacted]
Hamilton, Robert L., Jr. [redacted]
Hancock, Henry C., IV, [redacted]
Handy, Gurnie H., Jr., [redacted]
Hankins, Walter D., [redacted]
Hanlin, George D., [redacted]
Hannah, Grady C., III, [redacted]
Harambasic, Louis J., Jr., [redacted]
Harbison, Paul E., [redacted]
Hardy, Carolyn L., [redacted]
Hardy, Timothy G., [redacted]
Harman, Thomas E., Jr., [redacted]
Harmon, Paul R., [redacted]
Harness, William W., [redacted]
Harper, Eric L., [redacted]
Harris, David N., [redacted]
Harris, Vicki L., [redacted]
Harrison, Benjamin M., [redacted]
Hart, Jeffrey S., [redacted]
Haukaas, Fred W., [redacted]
Havholm, Ronald E., [redacted]
Hawn, Ralph D., [redacted]
Hayden, Carol H., [redacted]
Hayes, Charles H., [redacted]
Hayes, Rodney W., [redacted]
Hayman, Edward J., [redacted]
Hazelton, Craig H., [redacted]
Hebert, Thimothy P., [redacted]
Hechinger, Susanne T., [redacted]
Heinrich, Eric G., [redacted]
Heitzman, William, Jr., III, [redacted]
Hemmings, Harold E., Jr., [redacted]
Hendel, Gary R., [redacted]
Hendrix, William M., Sr., [redacted]
Henry, Ricardo D., [redacted]
Herron, Martha A., [redacted]
Hershey, Kevin G., [redacted]
Herzfeld, Mark A., [redacted]
Hetzel, Gary E., [redacted]
Hill, Loretta, [redacted]
Hinds, Stephen F., [redacted]
Hines, Sharon J., [redacted]
Hinton, Charles J., [redacted]
Hirst, Donald A., [redacted]
Hitt, Mary K., [redacted]
Hoag, Richard F., [redacted]
Hoden, Edward, F., Jr., [redacted]
Hodge, Dawn C., [redacted]
Hoekenga, Peter L., [redacted]
Hoffman, Joseph H., III, [redacted]
Hoffman, Joseph L., [redacted]
Hoffmann, Charles R., [redacted]
Hogue, James E., [redacted]
Hogue, Martin L., [redacted]
Holbrook, Vincent P., [redacted]
Holder, Ava J., [redacted]
Holmes, Dewey A., [redacted]
Holst, Timothy D., [redacted]
Holt, Edwin C., [redacted]
Holt, Coit B., Jr., [redacted]
Holt, John H., Jr., [redacted]
Homola, Robert M., [redacted]
Hooper, David M., [redacted]
Hoover, Arthur K., [redacted]
Hopkins, Lawrence V., [redacted]
Hopkins, Steven D., Sr., [redacted]
Hoppe, Bruce C., [redacted]
Hopper, Philip L., [redacted]
Horn, Randall K., Sr., [redacted]
Horne, Francis A., [redacted]
Hotchkiss, Steven A., [redacted]
Hough, Mary C., [redacted]
Howard, George F., III, [redacted]
Howell, John D., [redacted]
Howell, Vicki J., [redacted]
Hrovat, Joseph, [redacted]
Hubbard, Montoria, [redacted]
Hudson, Frank M., [redacted]
Hudson, James B., [redacted]
Hudson, Warren P., [redacted]
Hummel, David L., [redacted]
Hunt, Dennis L., [redacted]
Hunt, Elgin N., [redacted]
Hurst, Franklin D., [redacted]
Husband, Rick D., [redacted]
Hussey, John W., [redacted]
Hutchins, Linda M., [redacted]
Hutchison, Phillip J., [redacted]
Iannuzzo, Joseph, [redacted]
Iglesias, Angelo A., [redacted]
Iler, Cathy L., [redacted]
Imbs, James H., Jr., [redacted]
Ingram, Lacy, Jr., [redacted]
Inman, Gail R., [redacted]
Ireland, Edward N., [redacted]
Isgro, Pamala J., [redacted]
Iusi, Gregory G., [redacted]
Ivery, Collis H., III, [redacted]
Jackson, David L., [redacted]
Jackson, Deborah, [redacted]
Jackson, Hugh L., [redacted]
Jackson, Joan E., [redacted]
Jackson, Rodney A., [redacted]
Jackson, Ronald M., [redacted]
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Jacobson, Karl A., [redacted]
Jocox, Lawrence A., [redacted]
James, Frederick D., [redacted]
Janushkowsky, Victor, [redacted]
Jeffries, James R., [redacted]
Jenkins, Linwood J., [redacted]
Jenks, Gary D., [redacted]
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Jimenez, Narda L., [redacted]
Johnson, Andrew W., Jr., [redacted]
Johnson, Craig R., [redacted]
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Jones, Bobby L., Jr., [redacted]
Jones, Donna K., [redacted]
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Jones, Teresa A., [redacted]
Jordan, Stephen K., [redacted]
Joseph, Merkel C., [redacted]
Joyner, Mark L., [redacted]
Kaess, Michael R., [redacted]
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Koons, Kay K., [redacted]
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Lyons, Essie M., [redacted]
Ma, Katherine C. L., [redacted]
Maddux, Rodney L., [redacted]
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Moon, Walter H., III, [redacted]
Mora, Nelson J., [redacted]
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Morina, Joseph L., [redacted]
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Morrow, Janice M., [redacted]
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Neri, Maryann, [redacted]
Nevill, Vicki A., [redacted]
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Newton, Zara L., [redacted]
Niedrauer, Kurt B., [redacted]
Nightengale, Frederick W., [redacted]
Nii, Kirby E. H., [redacted]
Nobles, Milton C., [redacted]
Nolan, John A., [redacted]
Nolen, Mechael E., [redacted]
Norbutus, Thomas J., [redacted]
Nordby, Jerry G., [redacted]
Norman, Douglas O., [redacted]
Nostrand, Cheryl A., [redacted]
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Oakland, William W., [redacted]
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Ofiesh, Valjean, [redacted]
Oka, Denise C., [redacted]
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Olson, Barry N., [redacted]
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Oneill, Stephen F., [redacted]
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Orta, Emilio J., [redacted]
Osmun, Richard O., [redacted]
Oswald, Matt W., [redacted]
Owens, James G., [redacted]
Owens, James L., [redacted]
Pace, David F., [redacted]
Pacheco, Llaurador Luis A., [redacted]
Page, Daniel J., [redacted]
Page, Sharon K., [redacted]
Painter, Gerald O., [redacted]
Pait, Michael H., [redacted]
Palmer, Joseph H., Jr., [redacted]
Panek, Anthony A., [redacted]
Pangborn, Linda L., [redacted]
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Parsons, Robert J., II, [redacted]
Pase, Robert N., Jr., [redacted]
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Patterson, Susan L., [redacted]
Pauley, James E., [redacted]
Payne, Clyde N., [redacted]
Pearson, Bruce W., [redacted]
Pecora, Dominick [redacted]
Pede, James T., [redacted]
Pedone, Steven J., [redacted]
Pedziwol, Henry [redacted]
Peissig, Alan K., [redacted]
Pelan, Evelyn K., [redacted]
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Pierson, James A., [redacted]
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Pike, Madge E., [redacted]
Pinca, Walter J. Jr., [redacted]
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Place, John K., [redacted]
Poloskey, Thomas E., [redacted]
Poole, Michael E., [redacted]
Poulsen, Anne M., [redacted]
Power, Lance R., [redacted]
Pownall, Kenneth E., [redacted]
Pratt, John W., [redacted]
Pratuch, Patricia E., [redacted]
Presar, Mark E., [redacted]
Price, Allan G., [redacted]
Prudhomme, Sheila B., [redacted]
Purcell, Timothy W., [redacted]
Purpura, Carl [redacted]
Radcliffe, Stephen W., [redacted]
Raiford, Belinda J., [redacted]
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Ramirez, Dario O., [redacted]
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Ramsey, Johnny H., [redacted]
Randall, Bobbie L., [redacted]
Randolph, Clinton K., [redacted]
Rauhala, Dwight D., [redacted]
Rawlings, Mary M., [redacted]
Ray, Stephanie P., [redacted]
Raymond, Mark A., [redacted]
Reed, Donald R., [redacted]
Reeve, Constance M., [redacted]
Reeve, Wendell E., Jr., [redacted]
Reibeling, Nancy J., [redacted]
Reimers, Robert S., [redacted]
Reister, Michael R., [redacted]
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Renfro, Glen E., Jr., [redacted]
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Renot, John P., [redacted]
Repaal, Rodney B., [redacted]
Respress, Albert J., [redacted]
Reynolds, Clayton L., [redacted]
Rhea, William C., Jr., [redacted]
Rheaume, Reginald J., II, [redacted]
Rhoden, Victoria L., [redacted]
Rhodes, Stephen C., [redacted]
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Rose, Earlie O., Jr., [redacted]
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Shaw, Jack K., II, [redacted]
Shellner, Earl, Jr., [redacted]
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Tama, Charles K., [redacted]
Tanner, William K., [redacted]
Tarantino, James E., [redacted]
Taylor, Evelyn D., [redacted]
Taylor, Jett R., [redacted]
Taylor, Kent, [redacted]
Taylor, Kerry D., [redacted]
Taylor, Mark J., [redacted]
Taylor, Mary A., [redacted]

Taylor, Stephen J., [redacted]
Teachout, Delbert J., [redacted]
Tennison, Jeanne E., [redacted]
Teodosio, Mark P., [redacted]
Terry, Debra L., [redacted]
Tew, Karen L., [redacted]
Thalheim, Thomas C., [redacted]
Thatcher, David B., [redacted]
Thau, Jeffrey, [redacted]
Thiele, Michael E., [redacted]
Thomas, Joe L., [redacted]
Thomas, Mark K., [redacted]
Thomas, Marlon R., [redacted]
Thomas, Martha J., [redacted]
Thomas, William E., Jr., [redacted]
Thompson, Faron R., [redacted]
Thompson, Patricia A., [redacted]
Thongchua, Nat, [redacted]
Tibbetts, Sharolyn K., [redacted]
Tiefenbach, Robert M., [redacted]
Tietz, Kenneth B., [redacted]
Tirado, Roberto A., Jr., [redacted]
Toler, Joseph A., [redacted]
Tomaszewski, Linda A., [redacted]
Tomony, Willie B., [redacted]
Torgerson, Thomas A., [redacted]
Townsend, Jerry B., [redacted]
Trabke, Daniel T., [redacted]
Tracey, Lawrence, M., [redacted]
Treasure, Richard C., Jr., [redacted]
Tronsdal, Shiela A., [redacted]
Troth, John R., [redacted]
Truckenbrodt, Yolanda B., [redacted]
Tuck, Steven P., [redacted]
Tuggle, Max G., [redacted]
Tuley, John A., [redacted]
Turner, John D., [redacted]
Turner, Paul N., [redacted]
Tyler, Jason E., [redacted]
Tyndall, Clarence C., [redacted]
Tynes John D., [redacted]
Tyson, James N., [redacted]
Underhill, Ronald B., [redacted]
Urtz, Kenneth P., [redacted]
Uttenweiler, Linda L., [redacted]
Vaden, Lewis A., [redacted]
Valentine, Ian M., Jr., [redacted]
Vallado, Laura A., [redacted]
Vanbrocklin, Larry R., [redacted]
Vanderstelt, Jay L., [redacted]
Vangilder, Patricia A., [redacted]
Vanpay, David A., [redacted]
Varner, Patricia S., [redacted]
Vasquez, Pedro, Jr., [redacted]
Vazquez, Julian E., [redacted]
Vendzules, Michael C., [redacted]
Veneziano, John, [redacted]
Ventura, Domenico M., [redacted]
Vermillion, Thomas R., [redacted]
Vermorel, Charles K., III, [redacted]
Viglietta, Benedict C., [redacted]
Villanueva, Norman L., [redacted]
Volpe, Judith A., [redacted]
Voorhees, Garrett, III, [redacted]
Waddle, Charles W.F., Jr., [redacted]
Wagenerhulme, Christine, [redacted]
Waldo, Yvonne G., [redacted]
Walker, Marcellus, Jr., [redacted]
Walker, Michael A., [redacted]
Walker, Robert E., [redacted]
Walker, Robert M., [redacted]
Walker, Ronald R., [redacted]
Walsh, Larry J., [redacted]
Walter, John W., [redacted]
Warde, Sandra, [redacted]
Warford, Derrick G., [redacted]
Warner, David B., [redacted]
Warzinski, Victor L., [redacted]
Washington, Curtis D., [redacted]
Watkins, John H., [redacted]
Watkins, Jonathan J., [redacted]
Watson, Nan Etta, [redacted]
Watts, Richard A., [redacted]
Webb, Dennis N., [redacted]
Webb, James J., [redacted]
Webbsharpless, Ava N., [redacted]
Webster, Terry L., [redacted]
Wedner, David C., [redacted]
Weeks, Howard E., [redacted]
Weiggands, Michael G., [redacted]
Weight, Terry L., [redacted]
Weissman, Robert A., [redacted]
Welch, Barney E., Jr., [redacted]
Wellington, Marka A., [redacted]
Wellman, Donald J., [redacted]
Wenninger, William W., [redacted]
West, William K., [redacted]
Wetzork, William J., [redacted]
Wheeler, Jon A., [redacted]
Wheelock, Roy J., [redacted]
Whicker, Glenn R., [redacted]
Whipple, Randy L., [redacted]
White, Dana F., [redacted]
White, Dennis C., [redacted]
White, Larry J., [redacted]
Whitten, Gene M., [redacted]
Wieland, Daniel J., [redacted]
Wiener, Ira H., [redacted]
Wienk, Clifford O., [redacted]
Wiker, David C., [redacted]
Wilkenson, Charles L., [redacted]
Willard, Clarence S., [redacted]
Willard, Steve M., [redacted]
Willefsky, Mary L., [redacted]
Williams, David L., [redacted]
Williams, Hilda T., [redacted]
Williams, James R., III, [redacted]
Williams, Robert C., [redacted]
Williamson, Kevin D., [redacted]
Wilson, Clifford, [redacted]
Wilson, Jon C., [redacted]
Wilson, Myrtistene, H., [redacted]
Wilson, Sylvester E., [redacted]
Wilson, William H., Jr., [redacted]
Wilsonhawvermale, Kimberly A., [redacted]
Wilt, John W., [redacted]
Wimple, Robert T., Jr., [redacted]
Wise, Lynn A., [redacted]
Witt, Mark H., [redacted]
Witt, Steven J., [redacted]
Wofford, Alphonso, [redacted]
Wood, John C., [redacted]
Wood, Valerea J., [redacted]
Wooden, Kenneth W., [redacted]
Woodham, Scott A., [redacted]
Woodley, Carmon L., [redacted]
Woodsmall, Robert S., [redacted]
Woodward, Arlette C., [redacted]
Woolley, David L., [redacted]
Wootton, James L., II, [redacted]
Wright, Beverly C., [redacted]
Wright, Dale L., [redacted]
Wurts, John W., [redacted]
Wyant, Jeremiah S., [redacted]
Yancey, Christopher E [redacted]
Yanzsa, Peter C., II, [redacted]
Yeatts, Carroll V., Jr., [redacted]
Yorgen, James K., [redacted]
Young, David C., [redacted]
Young, Gregory A., [redacted]
Young, Robert L., [redacted]
Young, Sammy J., [redacted]
Young, Steven A., [redacted]
Zahn, Willie E., [redacted]
Zdenek, David J., [redacted]
Zimmerman, Karen M., [redacted]
Zimmerman, Karl H., [redacted]
Zitzka, Wayne W., [redacted]
Zwart, Michael D., [redacted]
Zweiacher, Thomas, J., [redacted]

The following officer for appointment in the Regular Air Force under the provisions of section 531, title 10, United States Code, with a view to designation under the provisions of section 8076, title 10, United States Code, to perform duties indicated with grades and dates of rank to be determined by the Secretary of the Air Force provided that in no case shall the officers be appointed in a grade higher than captain.

CHAPLAIN CORPS

Bennett, David W., [redacted]
Berny, Paul W., [redacted]
Carpenter, Rex E., [redacted]
Dickens, Jan J., [redacted]
Keith, Lawrence F., [redacted]
Lemons, Rita A., [redacted]
Oriordan Jeremiah C., [redacted]
Pippin, Gordon W., [redacted]
Robnett, Warren R., [redacted]
Sirianni, Klaus Werner J., [redacted]
Smalley, Stephen M., [redacted]
Smith, Richard W., [redacted]
Stewart, Paul C., [redacted]
Thomas, James P., [redacted]
Vansickle, Brian R., [redacted]
Vaughn, Wally G., [redacted]
Wallace, Curtis D., [redacted]
Wuerffel, Theodore L., [redacted]

NURSE CORPS

Abraham, Allyson J., [redacted]
Adams, Elizabeth S., [redacted]
Adams, Michele L., [redacted]
Adcock, Ronald K., [redacted]
Aguayo, Mark J., [redacted]
Ainslie, Georgianna T., [redacted]
Aldous, Linda L., [redacted]
Algrim, Melanie A., [redacted]
Alkire, Doris E., [redacted]
Allen, Rebecca L., [redacted]
Alvoet, Patricia E., [redacted]
Amadeo, Dominick J., [redacted]
Anderson, Cindy M., [redacted]
Andrews, Bruce F., [redacted]
Archer, Rhonda L., [redacted]
Armour, Mary S., [redacted]
Arning, Sherrie J., [redacted]
Arthur, Nancy J., [redacted]
Atkins, Brenda K., [redacted]
Austin, Paul N., [redacted]
Bailey, Patrick G., [redacted]
Bamert, Mary C., [redacted]
Banicki, Sharon A., [redacted]
Bayne, Gary K., [redacted]
Beattie, Catherine M., [redacted]
Behl, Dorothy R., [redacted]
Belmore, Norman A., [redacted]
Benjamin, Rhonda F., [redacted]
Bennett, Paul V., [redacted]
Blurton, Kelton F., [redacted]
Boyd, Christopher L., [redacted]
Boyle, Karen A., [redacted]
Boyle, Lori A., [redacted]
Brech, Maranda R., [redacted]
Brown, Donna M., [redacted]
Brown, Mary E., [redacted]
Bruce, Sandra L., [redacted]
Bryant, Leslie M., [redacted]
Buescher, Scott A., [redacted]
Burdge, Michele A., [redacted]
Burns, Mary T., [redacted]
Burrow, Richard E., III, [redacted]
Campbell, Mary F., [redacted]
Cannistraci, Leslie, W., [redacted]
Cappellino, Lorrie J., [redacted]
Carson, Marylou, [redacted]
Carterdunn, April, [redacted]
Castro, Francisco [redacted]
Chambers, Vicki L., [redacted]
Chestnut, Amy L., [redacted]
Chiucrye, Pandora, [redacted]
Clark, Kit R., [redacted]
Cobwell, Johnnie M., [redacted]
Collum, Carolyn, S., [redacted]
Concannon, Kathleen O., [redacted]
Copley, Rodney J., [redacted]
Cortez, Henry J., [redacted]
Cox, Guy T., [redacted]
Coyne, Anne Theresa, [redacted]
Cruz, Florence B., [redacted]

Cullina, Joanne F., [redacted]
Curotto, Nancy L., [redacted]
Curtis, Laura W., [redacted]
Daly, Susan R., [redacted]
Davis, Rhonda L., [redacted]
Dean, Charles K., [redacted]
Deboer, Michael A., [redacted]
Dellaspina, Andrea R., [redacted]
Donaldson, Margaret K., [redacted]
Dubose, Russell E., [redacted]
Dugger, Rockie L., [redacted]
Dunn, Carlton W., [redacted]
Dunseth, Rebecca L., [redacted]
Eastman, Joanna S., [redacted]
Edwards, Helen F., [redacted]
Ellerbe, Jayme G., [redacted]
Elmers, Coleen R., [redacted]
Elmore, Patricia, R., [redacted]
Erickson, Douglas G., [redacted]
Esser, Kathryn E., [redacted]
Eydenberg, Kathlyn M., [redacted]
Faber, Amy J., [redacted]
Fehler, Polly D., [redacted]
Fellows, John T., [redacted]
Ferrell, Marie E., [redacted]
Fingles, Debra A., [redacted]
Fleetwood, Jewell B., [redacted]
Forbes, Norman J., [redacted]
Fritchen, Michael W., [redacted]
Gainscrawford, Yolanda R., [redacted]
Gargala, Molly M., [redacted]
Garrett, Lewis R., [redacted]
Gau, Rose M., [redacted]
Gebhart, Vivienne K., [redacted]
Gentry, Gary D., [redacted]
Gill, Glory L., [redacted]
Gooch, Carolyn K., [redacted]
Good, Deborah M., [redacted]
Goshen, Joan M., [redacted]
Gott, Roberta L., [redacted]
Grantonic, Charles S., [redacted]
Green, Solomon H., [redacted]
Griffin, Cornelia A., [redacted]
Griffin, Virginia L., [redacted]
Haley, Michael J., [redacted]
Hamilton, Kathryn R., [redacted]
Hammond, Gary C., [redacted]
Harriger, Laura A., [redacted]
Harris, Betty S., [redacted]
Hartley, James W., [redacted]
Hearrell, Elizabeth A., [redacted]
Hebert, Jame A., [redacted]
Heiller, Barbara J., [redacted]
Helyer, Alan J., [redacted]
Henkenius, Kirschbaum Joanne, [redacted]
Henry, Michael W., [redacted]
Heroux, Jeanette C., [redacted]
Herrington, Lynn S., [redacted]
Hilden, John T., [redacted]
Hilliard, Harvey K., [redacted]
Hindelang, Tyann A., [redacted]
Holdsworth, Carol L., [redacted]
Holstine, Eva J., [redacted]
Holt, Richard M., [redacted]
Holwerda, Jill W., [redacted]
Honcoop, Barry D., [redacted]
Hostetler, Barbara A., [redacted]
House, Robert A., [redacted]
Hrisko, Elaine M., [redacted]
Huber, George J., [redacted]
Huggard, Hohn T., III, [redacted]
Hunter, Doreen A., [redacted]
Hurlbut, Lynn C., [redacted]
Incontrera, Lauren M., [redacted]
Inscho, Lori J., [redacted]
Jacobson, Linda M., [redacted]
Jourdan, Colleen A., [redacted]
Kammer, Paul J., [redacted]
Karanovich, Laura M., [redacted]
Keating, Vonda F., [redacted]
Keck, Elia C., [redacted]
Kerr, Nancy M., [redacted]
Kilbourn, Anne E., Pitchford, [redacted]
Kinnear, Peter C., [redacted]
Kirk, James M., [redacted]
Klapp, Denise L., [redacted]
Klotz, Randall W., [redacted]
Kluczinske, Marlene J., [redacted]
Kolb, Elizabeth L., [redacted]
Kolden, Barbara L., [redacted]
Konst, Paula L., [redacted]
Korn, Wayne K., [redacted]
Kovacs, Enid C., [redacted]
Kowaleck, Cynthia M., [redacted]
Kresge, Duane W., [redacted]
Kuhn, Margaret E., [redacted]
Kyzer, Vicki L., [redacted]
Lake, Donna M., [redacted]
Lake, Linnea R., [redacted]
Lakeman, Ronald E., [redacted]
Lamonaca, Patricia L., [redacted]
Langan, Joseph P., [redacted]
Langlois, James L., Jr., [redacted]
Langston, Thomas F., [redacted]
Lanhamlahera, Stacy L., [redacted]
Leopardi, Margaret L., [redacted]
Lim, Stephanie C., [redacted]
Longwell, Carol A., [redacted]
Lott, Jimmy L., [redacted]
Lusk, David L., [redacted]
MacFarlane, Rosemary, [redacted]
Maes, Allyson J., [redacted]
Mahar, Beth A., [redacted]
Maiocco, Gina M., [redacted]
Maldonado, Lee A., [redacted]
Maloof, Ellen N., [redacted]
Maney, Cheryl A., [redacted]
Markland, Julie N., [redacted]
Martell, Suann, [redacted]
Martin, Wayne, [redacted]
McClelland, Allan L., [redacted]
McDaniel, Mallory S., [redacted]
McGinley, Lauri D., [redacted]
Mellor, Melinda O., [redacted]
Mercadodejesus, Ruth M., [redacted]
Merrick, Linda L., [redacted]
Mielke, Dean R., [redacted]
Miles, Sally A., [redacted]
Moffattstevens, Valerie M., [redacted]
Moles, Thomas M., [redacted]
Moller, Kathleen E., [redacted]
Monteverde, Kathleen A., [redacted]
Monty, Gregory L., [redacted]
Mordecai, James D., [redacted]
Morgan, Kathlyn L., [redacted]
Morgan, Vincent T., [redacted]
Mullins, David C., [redacted]
Murphy, Alice C. [redacted]
Murphy, Elaine, [redacted]
Nauss, Michelle M., [redacted]
Nistler, Candy J., [redacted]
Noonan, John J. [redacted]
Norris, Jeffrey R., [redacted]
Novack, Deborah A., [redacted]
Oerichbauer, Dawn M., [redacted]
Olive, Thomas M., [redacted]
O'Rourke, Katherine M., [redacted]
Patterson, Linda G., [redacted]
Perez, Vivian, [redacted]
Perry, Linda C., [redacted]
Peters, Michael S., [redacted]
Peters, Paula A., [redacted]
Petersen, Barbara L., [redacted]
Pettigrew, Tina L., [redacted]
Pettis, Patricia A., [redacted]
Petty, Sally J., [redacted]
Petty, William O., [redacted]
Phillippi, Howard E., [redacted]
Pinto, Anthony J., [redacted]
Platon, Justito L., [redacted]
Porter, Anne E., [redacted]
Quintero, Juan R., [redacted]
Quist, Amy E., [redacted]
Rask, Susan C., [redacted]
Ratchman, Kirk N., [redacted]
Ray, Joel D., [redacted]
Reeves, Elaine S., [redacted]
Reidinger, Susan F., [redacted]
Reynolds, Susan M., [redacted]
Richbourg, Mary J., [redacted]
Riffle, Linda S., [redacted]
Roberts, Marion [redacted]
Rogers, Patricia A., [redacted]
Rossell, Marsha S., [redacted]
Rudeen, Ann E., [redacted]
Ruggles, Sharon C., [redacted]
Rydgren, Melody J. D., [redacted]
Salicco, Victoria Mary [redacted]
Salzmann, Laurie S., [redacted]
Sampson, Terry L., [redacted]
Saucer, Laura A., [redacted]
Schmelz, Joseph O., [redacted]
Schudrowitz, Mary J., [redacted]
Schwartz, Lesa E., [redacted]
Schweitzer, Jay S., [redacted]
Sevcik, Richard L. C., [redacted]
Shelton, Marvin M., [redacted]
Shelton, Wanda F., [redacted]
Shirey, Jean M., [redacted]
Shively, Joyce M., [redacted]
Sims, Rebecca L., [redacted]
Smith, Michele D., [redacted]
Smith, Sandra, [redacted]
Smith, Thomas C., [redacted]
Soppeck, Larry F., [redacted]
Stakes, Jesse J., [redacted]
Stanley, Lewis A., [redacted]
Stephenson, Anne H., [redacted]
Stewart, Terri D., [redacted]
Stokes, Frank C., Jr., [redacted]
Struck, Diane K., [redacted]
Stuckey, Diann K., [redacted]
Sullivan, Michael J., [redacted]
Suminsby, Celeste B., [redacted]
Sung, Chin S. K., [redacted]
Swanagin, Stephen E., [redacted]
Swanson, Joellyn J., [redacted]
Swanstrom, Richard C., [redacted]
Sykes, Donnalee, [redacted]
Taite, Dwight A., [redacted]
Taylor, Teresa P., [redacted]
Taylorrowe, Cynthia, [redacted]
Thome, Antoinette, [redacted]
Thompson, Gregory G., [redacted]
Thornburg, Frank B., III, [redacted]
Tinson, Shelia L., [redacted]
Tirabassi, Caroline R., [redacted]
Tirabassi, George A., Jr., [redacted]
Tobias, Sheila A., [redacted]
Torres, Louanne E., [redacted]
Towne, Teresa A., [redacted]
Tribble, Millard W., [redacted]
Turner, Stephen H., [redacted]
Twilley, Gloria J., [redacted]
Vereen, Elaine D., [redacted]
Vezie, Thomas E., Jr., [redacted]
Wallace, Katherine A., [redacted]
Warren, Kathleen C., [redacted]
Watson, Lanette A., [redacted]
Waybright, Robert D., [redacted]
Wereszynski, Stephen E., [redacted]
Williams, James T., [redacted]
Williams, Jeannette P., [redacted]
Winfield, Willie C., Jr., [redacted]
Worthy, Dori L., [redacted]
Yohe, Lazette V., [redacted]
Yore, Douglas A., [redacted]
Zamarripa, Victoria G., [redacted]
Zion, Catherine Y., [redacted]
Zygowicz, Kathleen L., [redacted]

MEDICAL SERVICE CORPS

Armstrong, Robert N., [redacted]
Beckwith, Terence W., [redacted]
Bentley, Steven D., [redacted]
Bledsoe, Albert L., Sr., [redacted]
Bonds, Robert C., [redacted]
Bradway, Karen A., [redacted]
Charlip, Ralph B., [redacted]
Costa, David A., [redacted]
Cowles, Stuart R., [redacted]

Cumberland, Francis D., Jr., [redacted]
Dansro, Roy P., [redacted]
Davis, George B., [redacted]
Deal, Gregory A., [redacted]
Fleming, Harry, [redacted]
Forthman, Gary S., [redacted]
Graham, Scott R., [redacted]
Graser, David S., [redacted]
Griggs, Frank E., [redacted]
Groom, Raymond A., [redacted]
Hall, Jon F., [redacted]
Hall, Kathi B., [redacted]
Hammill, James B., [redacted]
Hill, Wilfrid J., [redacted]
Hufsmith, Susan L., [redacted]
Inkmann, Thomas A., [redacted]
Kanwischer, Lynn J., [redacted]
Kerr, Bernard J., Jr., [redacted]
Krauss, Mark L., [redacted]
Lee, Lai W., [redacted]
Lee Lawra A., [redacted]
Leisey, Barbara L., [redacted]
Martin, Roger L., [redacted]
Meyers, James F, II, [redacted]
Murphy, Ronald S., [redacted]
Myszkowski, Krzysztof M., [redacted]
Neyland, Alton D., [redacted]
Norris, Patricia, [redacted]
Novovesky, Susan M., [redacted]
Olsen, David A., [redacted]
Overton, Earle W. III, [redacted]
Paterson, Hugh J., Jr., [redacted]
Patruno, Pasquale, Jr., [redacted]
Perry, Michael L., [redacted]
Peters, Fred W., Jr., [redacted]
Peters, Gary A., [redacted]
Peterson, Thomas E., [redacted]
Quinn, Kevin M., [redacted]
Rapp, Floyd A., Jr., [redacted]
Reece, Miguel, [redacted]
Rennie, Robert J., [redacted]
Robins, Jesse B., [redacted]
Rognehaugh, Richard D., [redacted]
Ruff, Roy J., Jr., [redacted]
Sauvageau, Francis, [redacted]
Seybold, Robert C., II, [redacted]
Shelton, Patricia L., [redacted]
Simpson, Jack R., [redacted]
Spinks, Gary J., [redacted]
Steelman, Richard R., [redacted]
Teeple, Elizabeth P., [redacted]
Theis, Larry D., [redacted]
Villani, Arthur D., [redacted]
Wagner, Dean M., [redacted]
Walker, Edward Y. III, [redacted]
Ware, James H., [redacted]
Weinstein, Mark S., [redacted]
Wilmot, David M., [redacted]
Wolfe, Stephen, M., [redacted]
Womack, David E., [redacted]

BIOMEDICAL SCIENCES CORPS

Adkins, Wanda P. C., [redacted]
Allen, Mark L., [redacted]
Andersen, Timothy [redacted]
Astley, William S., [redacted]
Bachman, John C., [redacted]
Badeau, Albert F., III, [redacted]
Barbone, Martha B., [redacted]
Barfield, Coy L., [redacted]
Barlow, Paul V., [redacted]
Barnicott, Paul T., [redacted]
Bell, John S., [redacted]
Bennett, Harvey S., [redacted]
Bohne, James E., Jr., [redacted]
Bousum, Roger E., [redacted]
Bradley, Donald V., Jr., [redacted]
Brewer, John E., [redacted]
Brewster, Albert L. Jr., [redacted]
Bujarski, Joel C., [redacted]
Burr, Pamela L., [redacted]
Bush, Mark J., [redacted]
Callahan, Daniel E., [redacted]
Camfield, Michael R., [redacted]
Canestrari, Joseph J., [redacted]
Cardona, Charles E., [redacted]
Carlton, Gary N., [redacted]
Casey, Theresa M., [redacted]
Clarke, Howard F. Jr., [redacted]
Cobb, Douglas S., [redacted]
Courtney, Cynthia H., [redacted]
Criswell, Darrell W., [redacted]
Crockson, Loretta D., [redacted]
Cudd, Bruce M., [redacted]
Curran, James P., [redacted]
Dalton, Patrick J., [redacted]
Dillon, Ruth, [redacted]
Dobbins, Jackson R., [redacted]
Dobson, Debbie L., [redacted]
Dreyer, Cheryl E., [redacted]
Drown, Paul G., [redacted]
Dunham, Gary L., [redacted]
Ebert, Bruce W., [redacted]
Edris, Robert W., [redacted]
Emerson, Jesse W., [redacted]
Engel, Douglas A., [redacted]
Fajerson, Troy G., [redacted]
Falk, Peter M., [redacted]
Field, Ronald E., [redacted]
Fortinberry, Christine G., [redacted]
Foster, Dana M., [redacted]
Frost, Charles D., [redacted]
Gaska, Janice F., [redacted]
Gauvin, Michael G., [redacted]
Geiger, Wendell G., [redacted]
Gibson, David P., Jr., [redacted]
Goldman, Linda L., [redacted]
Graybeal, John O., [redacted]
Greenlee, Richard W., [redacted]
Gregory, Lynn W., [redacted]
Hamann, Arlis H., [redacted]
Harmon, Willie C., [redacted]
Hedrick, Stephen P., [redacted]
Henry, Edwin J., [redacted]
Howe, Randall L., [redacted]
Hoyt, Harry L., [redacted]
Isom, Larry L., [redacted]
Johnson, Larry W., [redacted]
Jones, Christopher E., [redacted]
Kaminski, Arthur S., [redacted]
Kline, Edward H., Jr., [redacted]
Klunder, Charles S., [redacted]
Knuth, Mark D., [redacted]
Ko, Leonard B., [redacted]
Kraft, Thomas A., [redacted]
Kreis, Michael D., [redacted]
Kuhl, Rodney C., [redacted]
Laliberte, Robert G., [redacted]
Lemley, Edward W., [redacted]
Liddle, Ernest J., Jr., [redacted]
Lofts, Richard S., Jr., [redacted]
Long, James E., [redacted]
Lotton, Rayner B., [redacted]
Lovell, Charles D., [redacted]
Lucania, Robert M., [redacted]
Maha, George C., [redacted]
Marchesseault, Michael J., [redacted]
Masterson, Joanne M., [redacted]
May, Larry L., [redacted]
McGowan, Lawrence A., [redacted]
Merrill, Philemon R., Jr., [redacted]
Miller, Christopher S., [redacted]
Mills, Arthur G., [redacted]
Moss, Dale C., [redacted]
Neese, John A., [redacted]
Newhouse, Alberta E., [redacted]
Nored, Michael L., [redacted]
Parvin, Benjamin J., [redacted]
Perry, William C., [redacted]
Person, Danny R., [redacted]
Pheils, Christopher L., [redacted]
Pletsch, Daniel L., [redacted]
Plumley, Kenneth M., [redacted]
Polanco, Eufemio C., [redacted]
Potter, Susan J., [redacted]
Ramirez, Jose L., [redacted]
Ready, Lawrence J., [redacted]
Reimer, Victoria L., [redacted]
Rice, Thomas M., [redacted]
Rogers, James C., [redacted]
Roose, George W., II, [redacted]
Rosete, Paul E., [redacted]
Santostefano, Richard, [redacted]
Schlachter, Perry E., [redacted]
Simon, William C., [redacted]
Simpson, Michael K., [redacted]
Smith Evelyn M., [redacted]
Smith, Gregory D., [redacted]
Smith, Henry L., [redacted]
Smith, Kathleen A., [redacted]
Sollie, Tamre L., [redacted]
Steffey, Cynthia A., [redacted]
Stockus, Anthony V., [redacted]
Talcott, Gerald W., [redacted]
Tanner, Vicki S., [redacted]
Thompson, Sarah E., [redacted]
Tiedemann, Mark G., [redacted]
Trujillo, Leonard G., [redacted]
Vaughn, Mirian C., [redacted]
Wall, William G., [redacted]
Ward, Timothy J., [redacted]
Warren, Steven C., [redacted]
Weisman, Dulcie A., [redacted]
Welch, Daniel L., [redacted]
Welter, Mark J., [redacted]
West, John M., [redacted]
Wilson, Steven A., [redacted]
Wong, Doris, [redacted]
Wood, Shelley D., [redacted]
Yerkes, Daryl A., [redacted]

IN THE MARINE CORPS

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:

Steven Barnett, [redacted]
Norman Brice, [redacted]
Guido O. Gavars, [redacted]
Patrick C. Hollis, [redacted]
Patrick L. Horvath, [redacted]
Antonio P. Peterson, [redacted]
Todd J. Schverman, [redacted]
Mark A. Werth, [redacted]

IN THE NAVY

The following Air Force cadet to be permanent ensign in the line of the U.S. Navy, pursuant to title 10, United States Code, section 531:

Susan D. Harvey

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:

John B. Ashton
William G. Baker
Edward M. Barr
Clayton H. Cha
Tadd R. Coates
Ronald E. Cook
Randall D. Corbell
Thomas P. Coyne, Jr.
Katrina A. Crellin
James B. Daub
Jeffrey D. Davisson
James P. Dimatteo
Thomas A. Dopp
Ronald A. Farmer
Michele A. Fitzgerald
James M. Hale
Sherry L. Haskins
Paul A. Hess
Robert P. Holt
Bradley C. Jefferies
Kurt W. King
Michael K. King
Bradley J. Litterell
Michael J. Loranger
Jerome J. Maas
Bruce W. Major
Scott T. Matthews
Ford P. Menefee
Michael W. Middleton
Randolph L. Miller
Robert E. Morris
Richard A. Murray
William D. Nelson
Ronald E. Newell
Peter Pagano
Michael E. Parrish
James K. Patton
Francis E. Pennisi
Keller G. Penrod
Bryan D. Pommer
Paul A. Stone
Erik Thompson
Andrew L. Traver
Pedro T. H. Tsai
John M. Uhl
Paul M. Votruba